

Committee(s): Professional Standards and Integrity Committee	Dated: 27 th February 2024
Subject: Professional standards, conduct, and vetting Update Q3	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: Commissioner of Police Pol 32-24	For Information
Report author: D/Supt Humphreys/PC Ann Roberts Professional Standards Dept	

I. Summary

- Overall, the volume of Complaints remains fairly consistent in comparison to Quarter 2. Although there is a reduction in the overall number of Conduct cases, there has been a rise in the number of Conduct cases which have been assessed as Gross Misconduct. Some of this demand has been mitigated through the uplift in resourcing across the Complaints and Misconduct team.
- On 23rd January 2024, the National Historical Data Wash was released to the public. The National Police Chief's Council (NPCC)¹ led on directing compliance from forces, requiring that all police officers, staff, and volunteers in England and Wales were checked against the Police National Database (PND) to identify any intelligence or allegations that required further investigation. The checks on the PND records were not time-bound and explored all historical entries. For City of London Police (CoLP) of 1,535 employees, thirteen were identified as needing a vetting review, with further enquiries concluding seven of those did not need further action and the remaining six subject to appropriate actions, including re-vetting.
- Rising legal costs remain an issue, particularly due to the majority of conduct cases meeting the threshold of Gross Misconduct and a large proportion of them being referred to Gross Misconduct Hearings. There remains a delay in Hearings due to the lack of available Legally Qualified Chairs, resulting in officers remaining on suspension for extended periods. Where appropriate to do so, the Appropriate Authority will look to use Regulation 13² or

¹ [Results published in policing's largest integrity screening project \(npcc.police.uk\)](https://www.npcc.police.uk/news/2024/01/23-national-police-chief-council-releases-national-historical-data-wash)

² Regulation 13 of the Police Regulations 2003 is a rule that allows the Chief Officer to dispense with the services of a probationary constable or a direct entry or rejoiner member if they are not fit, efficient or well conducted.

Accelerated Misconduct Hearings, however this is not permissible in Regulations for the majority of current cases.

II. Key issues from complaints and conduct data and actions taken

• Complaint volumes, content, and performance –

This document contains the statistics prepared by the Professional Standards Directorate for the third quarter of 2023/24 (Oct to Dec).

This quarter the total number of CoLP complaint cases logged is 39.

This is separated into 9 dealt with under Schedule 3 of the Police Reform Act 2002 and 30 not within Schedule 3. This figure of 39 complaints is an increase compared against Q2 where a total of 32 complaints were logged; 14 under Schedule 3, and 18 not within Schedule 3.

Of the 68 allegations recorded during Q3 2023/24 the highest number were in the category of Police Action following contact (8) General level of Service (7) Power to arrest /detain (6) Handling or/or damage to Property/premises (6).

This is a decrease in allegations recorded against Q2 of 1 (1%).

Allegation types 'Power to arrest and detain', and 'Use of Force' have featured each quarter over the last yearly period, within the highest recorded types, and whilst Use of Force doesn't feature in the top 5 of Q3 - 5 allegations were recorded within this category. The allegation type General level of Service has also returned to the top five allegations, which featured in both the annual top 5 data 2022/23 and Q1.

Q3 has 3 out of 5 highest allegation type categories featured. The overall 'Top 5 allegation types' are: General level of service, Police Action following contact , Use of Force, Unprofessional Attitude and Disrespect and Power to arrest and detain. This quarter we had: Police action following contact (8) General level of service (7) Handling of or damage to property (6) Power to arrest and detain (6) as the highest allegation types. Use of Force and Information had (5) allegations each.

Q3 – Data examination: -

Analysis of the highest allegation categories (the latest Q3 is compared against both the previous quarter(s) and the total year (2022/23) where allegations concerning Organisational type allegations involving service delivery/expectations are recorded under (A), and procedural type allegations which incorporates Use of Force and Power to arrest and detain (B) remain the highest areas of complaint type. This is consistent with National data in the IOPC bulletins. Examination into the allegations of a non-organisational nature, power to arrest and detain, recorded during Q3 has identified 6 allegations within six cases. Of which, 4 are within schedule 3 and 2 non schedule 3 (one has been finalised – No further action, one is sub judice, four cases are still live and under investigation). It is noted that

these allegations are contained within cases that have multiple allegation types, some of which include Use of Force.

The total number of allegations finalised during Q3 is 51 compared to 55 in the previous quarter.

Of the 51 allegations finalised, 25 were Resolved, 5 Service provided was acceptable, 1 case to answer*, 7 No further action, 8 Not resolved/No further action, 5 no case to answer.

*The one case to answer (unprofessional attitude and disrespect) relates to the initial complaint involving an officer dismissed from the Force following a Misconduct Hearing during Q2.

Cases often contain more than one allegation; the number of cases finalised in Q3 is 33, compared to 20 finalised in Q2.

Of the cases finalised 9 were logged as Schedule 3, and 24 were not under Schedule 3. There were no cases finalised under the previous regulations.

- **Conduct volumes, content, and performance –**

During this quarter, 11 new conduct investigations were recorded, and 3 were finalised. There are currently 36 live conduct investigations. 16 of which have been assessed as Gross Misconduct. Of the matters assessed as Gross Misconduct – Discreditable conduct is the highest allegation type and relates to matters of a sexual nature. Most of these cases are complex and are into long investigation times. Newer conduct matters appear to be moving away from this allegation type and into Honesty and Integrity matters.

Four Conduct matters have been finalised. 2 cases contained reflective practise as an outcome and 2 cases No case to answer.

- **Key wider issues, risks, and mitigations**

An uplift in our PSD investigation team has aided an improvement on our finalisation rate for both Schedule 3 and non-Schedule 3. To note, the increasing number of Gross Misconduct investigations is somewhat compounded by an increase in complexity of the cases and also, where a criminal investigation is also required. This complexity is tending to increase the length of time which officers are under investigation, in addition to rising costs, such as requiring expert witnesses for use of force or legal reviews. As stated, some of this is mitigated by the uplift in our PSD investigation team and will also be aided by the College of Policing introduction a national qualification for PSD investigating officers which will assist to further professionalise the role. The lack of available Legally Qualified Chairs (LQCs) is also resulting in delayed Misconduct Hearings which has a financial cost to the organisation whilst officers remain under suspension.

- **Vetting** -Members are provided with separate reports on the agenda for the HMICFRS Inspections update into Counter Corruption and Vetting, and also the Historical Data Wash which is aligned to the work of both departments.

Vetting demand remains high, however this is largely due to some recruitment challenges during a period of national requirements, such as the impact of the Historical Data Wash and also the Police Uplift Programme. The vacancies within the team should be resolved by the end of the financial year once new joiners are in post and fully trained. This will provide the team with capacity to progress the Police Staff recruitment in alignment to our People Strategy.

The consultation period for Vetting Authorised Professional Practice (APP) has launched. The APP is the official national policing guidance used by Vetting departments in addition to the Codes of Practice. The aim of the new APP will be to introduce a nationally standardised vetting application form and provide new standards for forces to comply with.

III. Forward look

We anticipate that the final report of the Angiolini Inquiry³ (for Part 1) will be submitted to the Home Secretary in 2024. Part 1 had been focused on the 2 high profile MPS cases, and how they have identified missed opportunities for how conduct, behaviour and performance were dealt with, and decision making relating to vetting. Part 2 has been commissioned to address the broader issues raised by the 2 high profile MPS cases in respect of policing and the protection of women. This second part is anticipated to be submitted by the end of the year. We expect that the findings in these reviews will provide significant national recommendations for PSDs to implement.

On 31st August 2023, the Government announced plans to change disciplinary procedures to allow individual Chief Constables/Commissioners to have stronger decision making powers regarding dismissals, with appropriate delegation to Assistant Chief Constable/Commander level. This will provide Chief Officers with the responsibility to chair Misconduct Hearings rather than having a Legally Qualified Chair. These changes are anticipated to take place in Spring (April) 2024 and training for Chief Officers is being offered by the College of Policing.

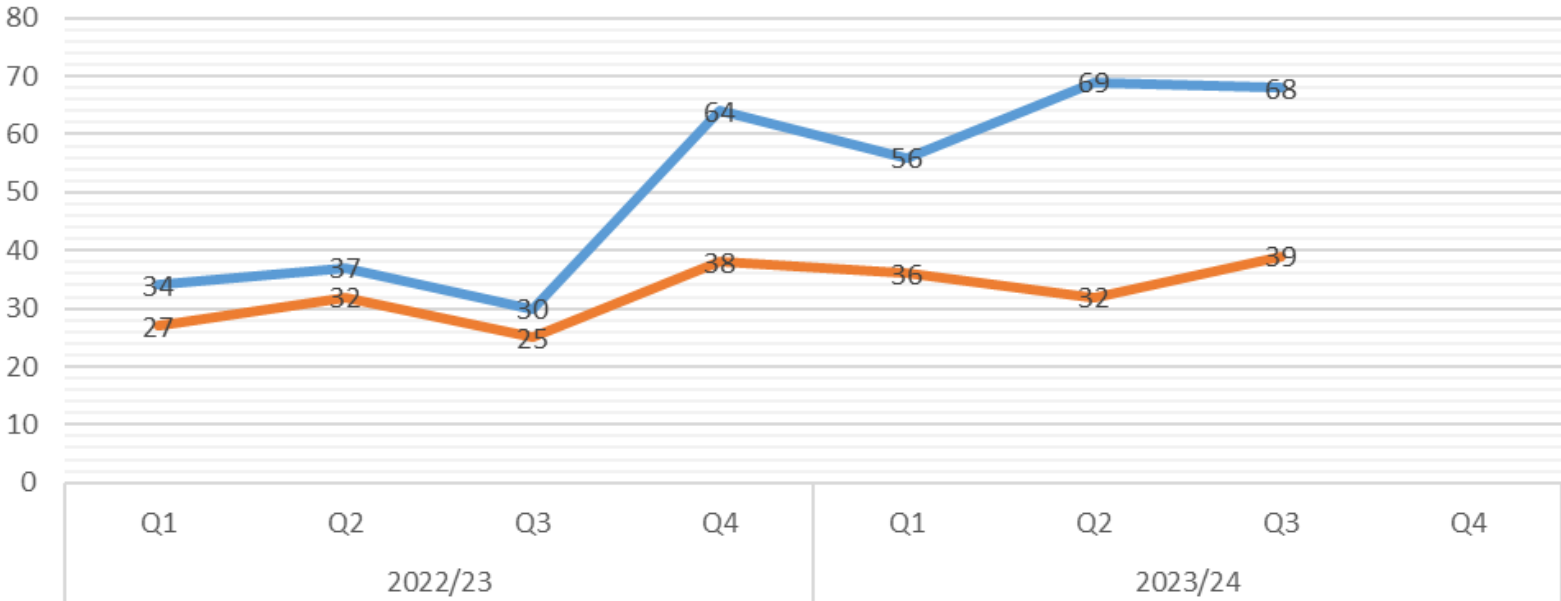
³ [The Angiolini Inquiry](#)

Summary of public complaints data – Q3 2023/24					
Metric	Current quarter (Q3)	Previous quarter (Q2)	IOPC previous quarterly bulletin (Q1)	# (%) change (Q on Q)	Comment
Complaints – Schedule 3	9	14		36%	A total of 39 cases were logged in Q3 2023/24. This is an overall increase of 7 cases from Q2 2023/24 (22%) The average number of cases logged over the previous 5 quarters is 34 per quarter, Q3 is above average.
Complaints – not Schedule 3	30	18		67%	
Allegations	68	69		1%	There were 68 allegations recorded in Q3 2023/24. This is a decrease of 1 allegation from Q2 2023/24 (1%). The average number of allegations over the previous 5 quarters is 51 per quarter. Q3 is above average.
Average time to log complaints (days)	N/A	1	1	0%	<i>Timeliness is taken from IOPC published bulletins and available retrospectively, unavailable dataset from Centurion.</i>
Average time to contact complainant (days)	N/A	3	2	50%	
Complaints finalised – Schedule 3	9	8		13%	Increase PSD overt investigation staff
Complaints finalised - not Schedule 3	24	12		100%	
Average time to finalise complaint cases (days) – Schedule 3	Case combined data average 130 days	168	97	73%	<i>Timeliness is taken from IOPC published bulletins and available retrospectively. IOPC quarterly data is combined each quarter. Case combined data average 130 days. IOPC bulletin will publish breakdown by case type logged.</i>
Average time to finalise complaint cases (days) – not Schedule 3		69	65	6%	
Applications for review sent to local policing body	0	1	1	0%	

Applications for review sent to IOPC	0	2	0	200%	None recorded during Q3
		<p>Nature of allegations – Of the 68 allegations recorded during Q3 2023/24 the highest number were in the category of Police Action following contact (8) General level of Service (7) Power to arrest /detain (6) Handling or/or damage to Property/premises (6). This is a decrease in allegations recorded against Q2 of 1 (1%).</p> <p>Allegation types Power to arrest and detain, and Use of Force have featured each quarter over the last yearly period, within the highest recorded types, and whilst Use of Force doesn't feature in the top 5 of Q3 - 5 allegations were recorded within this category. The allegation type General level of Service has also returned to the top five allegations, which featured in both the annual top 5 data 2022/23 and Q1.</p> <p>Q3 has 3 out of 5 highest allegation type categories featured.</p> <p>Ethnicity and discriminatory behaviour – 37% of complainant's ethnicity is recorded as Unknown. This is slightly higher against the previous quarter. It is very difficult to report on any trends, either locally or nationally due to insufficient CoLP or IOPC data. There was four allegations of Discriminatory Behaviour logged during this reporting period. (3 Race and 1 Religion/Belief).</p>			

City of London Complaint Data

CoLP Allegations Recorded/logged CoLP Complaints Cases Logged



Summary of internal conduct cases and investigations– Q3 2023/24				
Metric	Number	Previous quarter (Q2)	# (%) change (Q on Q)	Comment
New conduct investigations recorded	6	11	45%	
Total live conduct investigations	36	34	6%	Total live cases of which a number are sub-judice
<i>o.w. gross misconduct</i>	21	16	31%	
Conduct investigations finalised	4	3	33%	2 x Reflective practise and 2 x No case to answer
Investigations finalised within <30 days	1	1	-	
Officers and staff on suspension	14	12	17%	
Officers and staff on restricted duties	6	6	-	Includes officer under IOPC investigation
IOPC independent investigations	4	4	-	Includes Westminster attack
	<p>Accelerated misconduct meetings None held Q3</p> <p>Misconduct meetings / hearings held - None held Q3</p>			

Appendices - Public

Appendix 1- City of London- IOPC complaints bulletin – Q3

Appendix 2- Gifts and hospitality register – *is not available for this update. This is currently due to a system upgrade (old SharePoint to new Microsoft 365) currently in test phase.*

Appendix 3- Chief Officers Register of group memberships

Appendices- Non - Public

Appendix 4- Officers Suspended/ Restricted (**NON PUBLIC**)

Appendix 3 - PUBLIC

Chief Officer Team (COT) Membership of Groups

<u>Ref no</u>	<u>Date logged</u>	<u>Rank</u>	<u>Officer declaring</u>	<u>External Organisation</u>	<u>Role/Position held</u>
1	18/11/2023	Temp Commander / DCS	Oliver Shaw	Fraud Advisory Panel (FAP)	Sit on the board of Trustees as CoLP's representative (FAP is a registered charity)
2	18/11/2023	Temp Commander / DCS	Oliver Shaw	Paddington Farm Trust (PFT).	Sit on the board of Trustees (PFT is a registered charity)
3	18/01/2024	Temp Commander / DCS	Andrew Gould	Member of the Institute of Directors	Member
4	18/01/2024	Temp Commander / DCS	Andrew Gould	ISC2 (cyber security accreditation organisation)	Member
5	18/01/2024	Temp Commander / DCS	Andrew Gould	National Cyber Resilience Centre Group and London Cyber Resilience Centre Group	Non-executive Director
6	18/01/2024	Temp Commander / CSUPT	Rob Atkin	Worshipful Company of Security Professionals	Sit on Court and Trustee for charitable trust
7	18/01/2024	Temp Commander / CSUPT	Rob Atkin	UK Care of Police Survivors	Trustee
8	18/01/2024	Temp AC/ Commander	Nik Adams	London Cyber Resilience Centre	Non-Exec Director