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| <b>Committee(s):</b><br>Professional Standards and Integrity Committee                                    | <b>Dated:</b><br>25 <sup>th</sup> November 2024   |
| <b>Subject:</b> Professional standards, conduct, and vetting Update Q2                                    | <b>Public</b>   |
| <b>Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?</b> | CoLP impact the following Corp Plan outcomes:<br>Vibrant Thriving Destination- (Community Safety/ CT)<br>Dynamic Economic Growth- (National Lead Force) |
| <b>Does this proposal require extra revenue and/or capital spending?</b>                                  | <b>N/A</b>  |
| <b>If so, how much?</b>   | <b>N/A</b>  |
| <b>What is the source of Funding?</b>   | <b>N/A</b>  |
| <b>Has this Funding Source been agreed with the Chamberlain's Department?</b>                             | <b>N/A</b>  |
| <b>Report of:</b> Commissioner of Police  | <b>For Information</b>  |
| <b>Report author:</b> D/Supt Humphreys/PC Ann Roberts<br>Professional Standards Dept                      |   |

### Summary

- Overall, the volume of Complaints has decreased by 3% (one complaint) in comparison to Quarter 1. There has been no change in the volume of new Conduct Cases, with 7 new cases recorded this Quarter, the majority have been assessed as Gross Misconduct.
- There remains a number of officers subject to long-term suspension as their misconduct cases are held sub-judice awaiting for results of long impending criminal investigations or trials. However, a number of these cases are set for trial early next year, this may lead to a representative increase in Misconduct Hearings.
- There has been a consistent number of new misconduct investigations, however a decrease in the number of live misconduct investigations. This is attributable to cases being assessed and investigated quicker.
- The Vetting team has now benefitted from an uplift in resources, including increased supervision to improve upon the timeliness of new vetting applications being progressed.

#### I. 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 second quarter of 2024/25 (July - Sept).

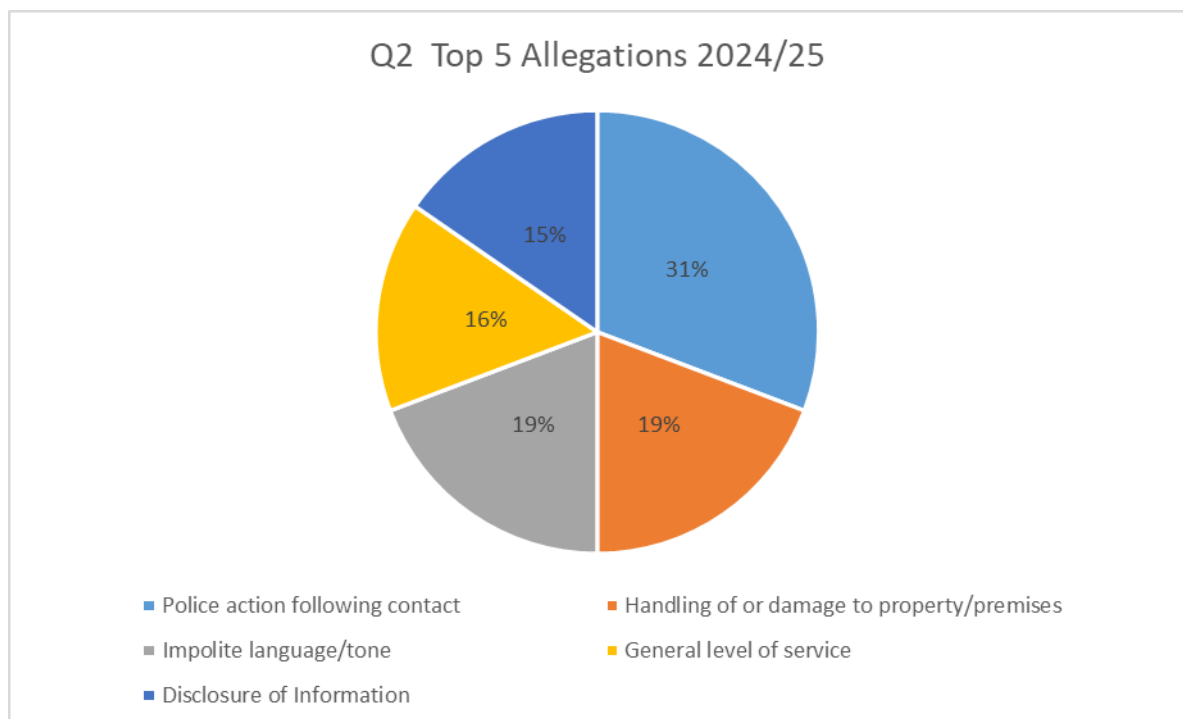
This quarter the total number of CoLP complaint cases logged is 29.

This is separated into 9 dealt with under Schedule 3 of the Police Reform Act 2002 and 20 not within Schedule 3. This figure of 29 complaints is a decrease of one compared against Q1 where a total of 30 complaints were logged; 4 under Schedule 3, and 26 not within Schedule 3. Compared against the same period (Q2) last year 2023/24 the total number of CoLP complaint cases logged was 32. (14 Schedule 3 and 18 not within Schedule 3).

Of the 43 allegations recorded during Q2 2024/25 the highest number were in the categories of: Police action following contact (8) Impolite language / tone (5) Handling of/or damage to property/premises (5) General level of service (4) Disclosure of information (4).

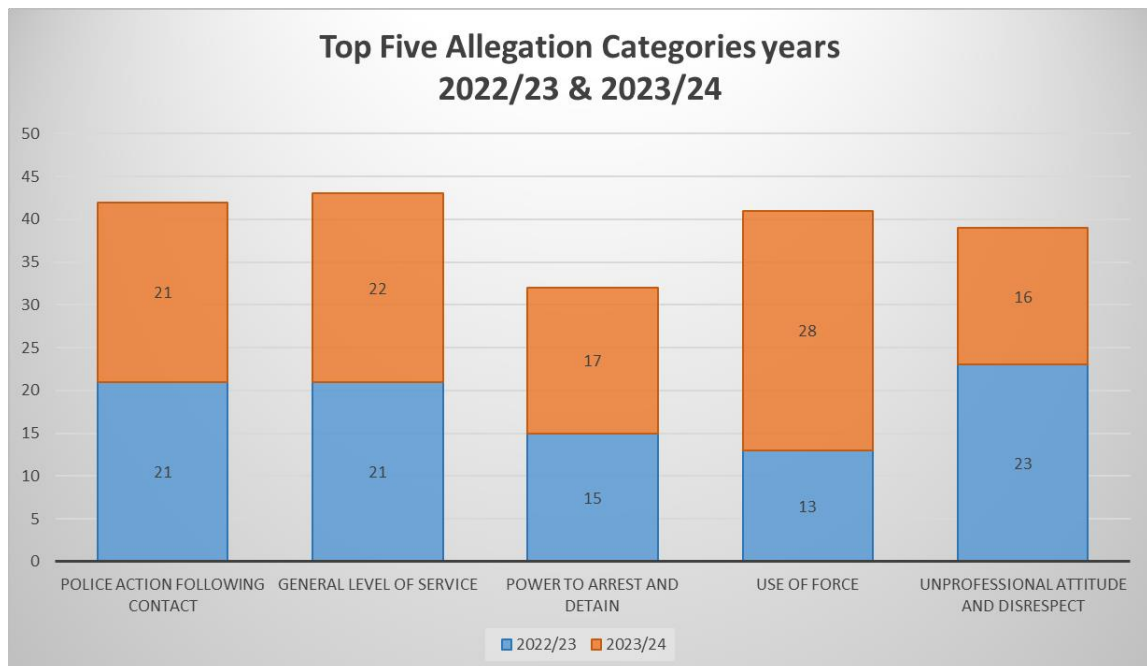
This is a decrease in allegations recorded against Q1 of 1 (2%).

Q2 has 3 out of 5 highest allegation type categories featured in the overall 'Top 5 allegation types' against two years of data which are: General level of service, Police Action following contact, Use of Force, Unprofessional Attitude and Disrespect and Power to arrest and detain. Comparatively Q2, the following allegation types were the highest: Police action following contact (8) Impolite language / tone (5) General level of service (4).



Allegation types 'Power to arrest and detain', and 'Use of Force' have featured each quarter over the last annual period, within the highest recorded types. 'Use of Force' does not feature in the top 5 of Q2, where only 2 allegations were recorded within this category. The allegation type 'General Level of Service' has

returned to the top five allegations, which feature in both the annual top 5 data 2022/23 and Q2. Handling of/or damage to property/premises also featured as a high allegation category 2023/24 and has returned in Q2 to the top 5.



The data and trend narrative is shared across all directorates via the PSD SPOCs (Specified Points of Contact) and within the PSD Working Group, to ensure that it can be used to improve service delivery. Trends across complaints and conduct data are also informing our PSD 'Protect' Plans for pro-active engagement (outlined in the Q1 paper to PSIC). The Protect Engagement function of PSD means that thematic issues and key learning can be shared quickly across relevant areas with interventions implemented as required.

Q2 – Data examination: -

Analysis of the highest allegation categories (the latest Q2 is compared against both the previous quarter(s) and the total years (2023/24) and (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) and communication type allegations which incorporates Impolite language and tone (H) remain the highest areas of complaint type. This is consistent with National data in the IOPC bulletins. In Q2 33% Organisational type allegations were recorded.

The total number of allegations finalised during Q2 is 46 compared to 58 in the previous quarter.

Of the 46 allegations finalised:

- 20 Resolved
- 11 Service provided was acceptable

- 4 Not determined if the service acceptable
- 3 Service Not acceptable
- 6 Not resolved/No further action
- 2 No further action

The 3 allegations finalised where the Service provided was not acceptable relate to 2 cases. One case the allegation type of Evidential Procedures where an HCP (Custody Health Care Practitioners) administered a medical procedure that fell below the required standard. PHL (employer) dealt with the learning for this individual. One case the allegation types Information and Police action following contact, where the officer failed to make any contact with the complainant or deal with a counter allegation made. The officer received Learning by reflection.

To note, cases often contain more than one allegation; the number of cases finalised in Q2 is 27, compared to 38 finalised in Q1.

Of the cases finalised 7 were logged as Schedule 3, and 20 were not under Schedule 3. There were no cases finalised under the previous regulations.

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

During this quarter, 7 new conduct investigations were recorded, and 13 were finalised. There are currently 34 live conduct investigations, of which 23 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 subject to lengthy investigation timescales. Newer conduct matters appear to be moving away from this allegation type and into Honesty and Integrity matters.

13 Conduct matters have been finalised: 2 cases resulted in Case to answer contained 'Reflective Practice' as an outcome, 5 cases resulted in 'No Case to Answer' no action. 1 case was discontinued.

Already reported to PSIC during Q1 but finalised in Q2 - One accelerated Misconduct Hearing, One Misconduct Hearing and one Misconduct meeting took place during Q1. Two officers were Dismissed without notice and placed on the Barred list, and one officer received Reflective practise in conjunction with two written warnings.

Two separate accelerated Misconduct Hearings took place during Q2 – both officers had resigned prior to proceedings but were found for Discreditable conduct and would have been dismissed had they not resigned. Both officers have been placed onto the barred list.

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

- Protected Characteristic data: Both within CoLP and nationally, the recording of complainant ethnicity is particularly low. We have spoken to a number of forces, and in using some best practice, we are designing a supplementary questionnaire to be sent to the complainant. The questionnaire is designed to take less than 1 minute to read and complete. It will explain the reason why this information is so important and our commitments to EDI (with a link to our EDI Strategy), and also ask if they can declare their relevant protected characteristic and return to us. We are looking at effective ways to do this, such as through a portal.
- Welfare Strategy: The refreshed welfare strategy to support employees involved in PSD investigations, whether as subject officers, witnesses or victims has submitted for internal consultation. This includes a focus on how the force supports officers to re-integrate back into work and how we can measure the effectiveness of our welfare support through regular, independent de-briefs. We have also been in touch with an independent academic and wellbeing expert who has agreed to act as an critical friend to review our approach.
- Vetting: A separate report on Vetting is provided.

## **II. Forward look**

- Vetting legislative measures: The Home Office have announced that they will introduce legislative measures to strengthen police misconduct and performance regimes, delivering the recommendations of the Home Office's review of police dismissals last year. They have also committed to "overhaul police vetting" following the Angiolini Inquiry's Part 1 report published earlier this year. This package of regulations, to be delivered from early 2025, will:
  - Ensure that officers convicted of certain criminal offences should automatically be found to have committed gross misconduct.
  - Create a presumption of dismissal where there is a finding of gross misconduct.
  - Create a presumption of fast-track hearings for former officers.
  - Streamline the performance system for individual officers.
  - Provide a process for police forces to dismiss officers who cannot hold vetting.
- Vetting Authorised Professional Practice (APP): The new Vetting APP is still awaited following the consultation undertaken earlier this year. During the Culture and Conduct annual conference for PSDs, the Home Office reported that this has

been delayed. However the new APP is expected to have a greater focus on the following areas:

- Protecting the public
- Expectations of the public
- Annual reviews and continuous vetting
- Transferee re-vets
- Risk management strategies
- Decision making
- Appeals

- Presumption of anonymity for firearms officers: Following the shooting of Chris Kaba by NX121. The Home Office has publicised its recognition that the work of armed officers is dangerous and officers, and their families, can potentially become targets for criminality if their identity is revealed following an armed incident. The government will legislate to create a presumption of anonymity for firearms officers who are charged with offences relating to, and committed during, their duties as a firearms officer and who are subject to criminal trial following a shooting, up until the point of conviction. This change will ensure there is a presumption that officers have their anonymity preserved during the court process, whilst also leaving room for judicial discretion in individual cases. The government will carry out technical engagement during the process of drafting measures to ensure they work in practice. The government will bring forward legislation to create this presumption in this Parliamentary session.

- Police Accountability Review: As part of this review the Home Secretary announced that they will establish a wider review to address systemic barriers to timeliness in the misconduct system to improve public and police confidence.. Measures to improve the accountability system will also form part of the government's longer-term work with policing, ensuring that systems can address wider issues with policing performance to improve confidence, not just focusing on individual officer's decisions.

The Home Secretary will establish this review in early 2025 and it is expected to report to her by the end of 2025.

| Summary of public complaints data – Q2 2024/25 |                      |                       |                    |                     |                     |   |
|--|----------------------|-----------------------|--------------------|---------------------|---------------------|---|
| Metric   | Current quarter (Q2) | Previous quarter (Q1) | Previous year (Q2) | (%) change (Q on Q) | (%) change (Y on Y) | Comment   |
| Complaints – Schedule 3                        | 9                    | 4                     | 14                 | 125%                | 36%                 | A total of 29 cases were logged in Q2 2024/25. This is a decrease of 1 case from Q1 2024/25 |

|                             |    |    |    |     |     |   |
|-----------------------------|----|----|----|-----|-----|---|
| Complaints – not Schedule 3 | 20 | 26 | 18 | 23% | 11% | The average number of cases logged over the previous 5 quarters is 37 per quarter, Q2 is below average. |
| Allegations                 | 43 | 44 | 69 | 2%  | 38% | There were 43 allegations recorded in Q2 2024/25. This is a decrease of 1 allegation from Q1 2024/25    |



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|--|-----|----|---|-----|-----|---|
|  |     |    |   |     |     | The average number of allegations over the previous 5 quarters is 59 per quarter. Q1 is below average.                      |
| Average time to log complaints (days)      | N/K | 1  | 1 | %   |     | <i>Timeliness is taken from IOPC published bulletins and available retrospectively, unavailable dataset from Centurion.</i> |
| Average time to contact complainant (days) | N/K | 1  | 1 | %   |     |   |
| Complaints finalised – Schedule 3          | 7   | 12 | 8 | 42% | 12% |   |

|  |     |     |     |     |     |   |
|--|-----|-----|-----|-----|-----|---|
| Complaints finalised - not Schedule 3  | 20  | 26  | 12  | 23% | 67% |   |
| Average time to finalise complaint cases (days) – Schedule 3 (NOT including subjudice cases) | N/K | 112 | 140 | %   | %   | <p><i>Timeliness is taken from IOPC published bulletins and available retrospectively.</i></p> <p><i>Q1 is not yet published at time of writing</i></p> |

|  |   |    |    |   |   |  |
|--|---|----|----|---|---|--|
| Average time to finalise complaint cases (days) – not Schedule 3 | N/K   | 37 | 69 | % | % |  |
| Applications for review sent to local policing body              | N/K   | 2  | 1  | % | % |  |
| Applications for review sent to IOPC                             | N/K   | 1  | 2  | % | % |  |
|  | <p><b>Nature of allegations –</b> Of the 43 allegations recorded during Q2 2024/25 the highest number were in the categories of Police Action following contact (8) Impolite language / tone (5) Handling of/or damage to property (5) General level of Service (4) Disclosure of information (4)</p> <p>This is a decrease in allegations recorded against Q1 of 1</p> |    |    |   |   |  |

Allegation types: The top five allegation types at the end of 2023/24 are as follows:-

Use of Force 11%

General level of service 9%

Police action following contact 8%

Handling of or damage to property/premises 7%

Impolite language /tone 7%

Handling of property and impolite language are new to the top allegations, all three others have featured in both the annual top 5 data 2022/23 and 2023/24.

Q2 2024/25 contains 4 out of the above top allegation types. Use of Force does not feature this quarter.

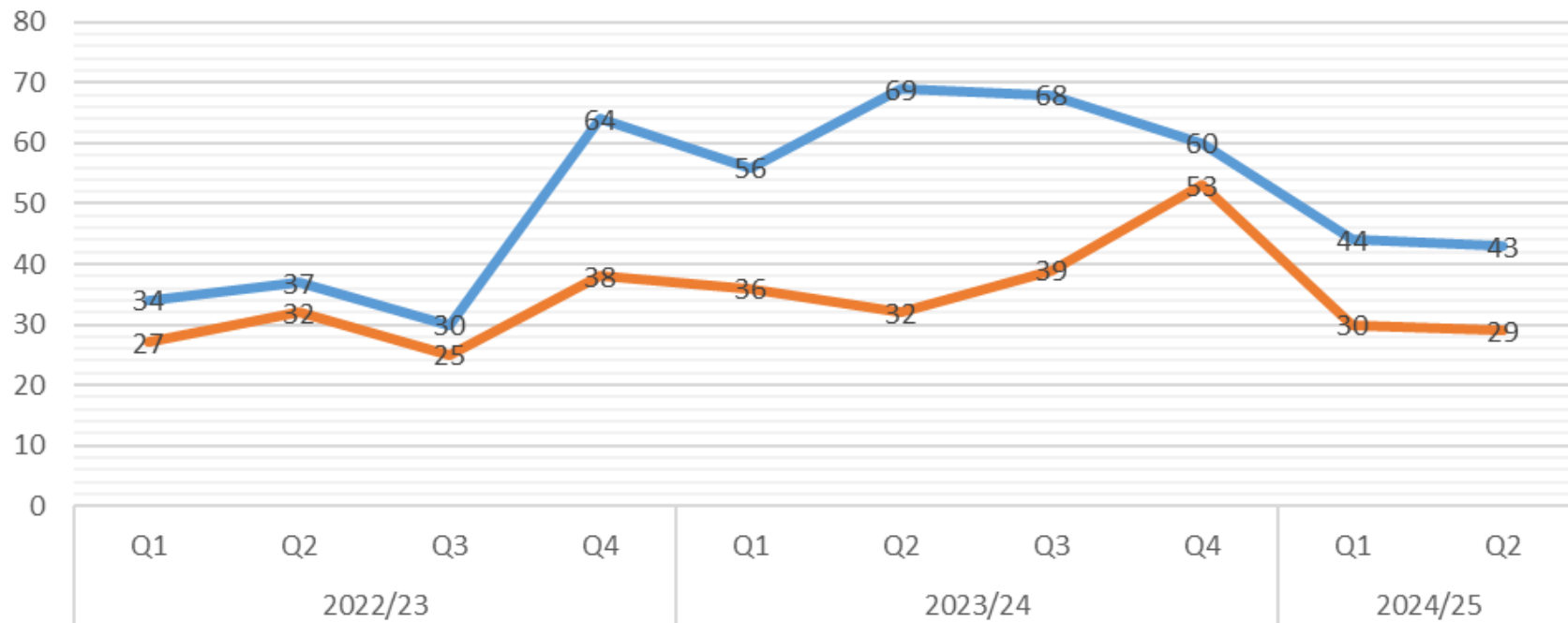
#### **Ethnicity and discriminatory behaviour –**

16% of complainant's ethnicity is recorded as Unknown. This is much lower in comparison to Q1. It is difficult to report on any trends, either locally or nationally due to insufficient CoLP or IOPC data. There is no legal requirement for complainants to provide any EDI data and there is a low declaration rate across all Forces/IOPC.

There were three allegations of Discriminatory Behaviour logged during this reporting period. (1 Race, 1 Disability and 1 Gender re assignment).

# City of London Complaint Data

CoLP Allegations Recorded/logged      CoLP Complaints Cases Logged



| Summary of internal conduct cases and investigations– Q2 2024/25 |        |                       |                       |   |
|--|--------|-----------------------|-----------------------|---|
| Metric   | Number | Previous quarter (Q4) | # (%) change (Q on Q) | Comment   |
| New conduct investigations recorded                              | 7      | 7                     | 0%                    |   |
| Total live conduct investigations                                | 36     | 45                    | 20%                   | Total live cases of which a number are sub-judice |

|  |           |           |            |  |
|--|-----------|-----------|------------|--|
| <i>o.w. gross misconduct</i>             | <b>25</b> | <b>25</b> | <b>0%</b>  |  |
| Conduct investigations finalised         | <b>13</b> | <b>7</b>  | <b>86%</b> | 2 x Hearing - Dismissal<br>2 x Accelerated Hearing - Dismissal<br>1 x Meeting - Written warning<br>2 x Case to answer<br>5 x No case to answer<br>1 x Discontinued |
| Investigations finalised within <30 days | <b>1</b>  | <b>2</b>  | <b>50%</b> | Discontinued case  |

|   |   |    |     |   |
|---|---|----|-----|---|
| Officers and staff on suspension        | 20  | 14 | 43% | Includes officer under IOPC investigation |
| Officers and staff on restricted duties | 5   | 6  | 17% | Includes officer under IOPC investigation |
| IOPC independent investigations         | 5   | 4  | 25% | Includes Westminster attack               |
|   | <b><u>Accelerated misconduct meetings held Q2</u></b> |    |     |   |



One Misconduct Hearing held. Discreditable conduct (sexual) and Honesty & Integrity. Case to answer. 1 x Misconduct 1 x Gross Misconduct - overall finding Gross Misconduct - Dismissed without notice. Placed on Barred list.

One Misconduct Hearing held. Discreditable conduct (drink drive) Case to answer. Finding Gross Misconduct - Dismissed without notice. Placed on Barred list.

**Misconduct meetings / hearings held Q2**

One Misconduct Meeting held. Orders and Instructions (3 allegations) relating to police driving. Case to Answer - 1 x Reflective practise and 2 x Written Warnings issued.

## **Appendices - Public**

Appendix 1- City of London- IOPC complaints bulletin – Q2 (if published)

Appendix 2- Gifts and hospitality register – The G&H system has been upgraded (old SharePoint to new Microsoft 365). This is now 'Live' from Q1 2024/25.

Appendix 3- Chief Officers Register of group memberships

## **Appendices- Non - Public**

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