
QUARTERLY REPORT: COMPLAINTS, MISCONDUCT & OTHER MATTERS

Report of the Chief Constable

Contact: Detective Superintendent Dean Chapple

1. Purpose of Report

1.2 This report outlines the data and background to Complaints, Misconduct and other matters that have been processed in the period 1 April to 30 June 2017 by the Professional Standards Department (PSD).

The report follows the agreed format required by the Police and Crime Commissioner and informs the Police and Crime Commissioner of the work being conducted; the paper also provides details of finalised cases.

2. Recommendation

2.1 That the Police and Crime Commissioner considers the report and raise any queries through the quarterly meeting with the Deputy Chief Constable.

Stephen Kavanagh
Chief Constable
Essex Police

3.0 COMPLAINTS AND CONDUCT REPORT – CONTENTS

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1. SIGNIFICANT/HIGH PROFILE CONDUCT AND COMPLAINT CASES

xxx – Data Protection Act (DPA) theme

xxx – Vulnerability theme

1.1 NEW CASES

PSD Investigation – CM/39/17

Allegations of domestic violence and harassment were made against an officer. The assault allegation was deemed to meet the evidential threshold by the CPS but as the offence was out of time they were unable to charge the officer. The PSD investigation has concluded and the Appropriate Authority has directed that the officer attend a Gross Misconduct Hearing

IPCC Independent Investigation – C/316/17

A male has made a complaint that he suffered head injuries on 8 May 2017, which he believes occurred at the hands of the police. This complaint was referred to the IPCC who have decided to conduct an independent investigation.

IPCC Independent Investigation – C/280/17

A complaint was made that officers had assaulted a female resulting in a fractured foot. Following a mandatory referral, the IPCC decided to conduct an independent investigation.

PSD Investigation – CM/41/17

An officer was arrested on suspicion of grooming offences. The matter was referred to the IPCC who decided it should be investigated locally. The PSD investigation is suspended until the outcome of the Police On Line Investigation Team's enquires. The officer has been suspended from duty.

1.2 CURRENT STATUS OF PREVIOUSLY REPORTED CASES

IPCC Independent Investigation – CM/2/17

Allegations have been made regarding a senior officer's conduct on duty. This has been assessed at a threshold of gross misconduct and referred to the IPCC on 04 January 2017. The IPCC are investigating this case.

Update: The investigation has concluded and the Appropriate Authority has directed that the officer attend a Gross Misconduct Hearing

PSD Investigation - CM/16/17

An officer is alleged to have misused police information systems and disclosed police information to third parties. This matter was referred to the IPCC who directed that a local investigation be conducted. PSD are conducting this criminal investigation. The officer has been placed on restricted duties.

Update: The investigation is ongoing.

PSD Investigation - CM/18/17

An Essex officer is being investigated by the Metropolitan Police Service (MPS) for a historic offence from 1998 prior to the officer joining Essex Police. The matter has been referred to the IPCC and the PSD misconduct case is suspended until the outcome of the MPS criminal investigation is known. The officer has been placed on restricted duties.

Update: The CPS have decided to take no further action so the PSD investigation will now proceed.

PSD Investigation - CM/72/16

An officer was arrested by Op JUNO officers in relation to allegations of domestic abuse and coercive, controlling behaviour when off duty. The criminal investigation was concluded as no further action, however a PSD Gross Misconduct investigation has commenced and enquires are ongoing. This case did not meet the threshold of a 'relevant offence' and was not referred to the IPCC.

Update: The PSD investigation has concluded and the officer is to attend a Gross Misconduct Hearing which was scheduled to begin on 7 August 2017; this has had to be postponed due to the officer being hospitalised with a serious illness.

PSD Investigation - CM/73/16

An investigation into inappropriate emails being sent by an officer has identified further concerns in relation to 4 separate allegations of inappropriate contact with vulnerable females. This has been referred to the IPCC who directed a local investigation. The officer has been suspended from duty.

Update: The PSD investigation is ongoing.

IPCC Independent Investigation – MI/235/16

The deaths of two 17 year old males in a road collision were referred to the IPCC, as they occurred whilst police officers were in the vicinity. The IPCC are investigating this case.

Update: The IPCC investigation has concluded that there are no conduct concerns; officers to be debriefed

IPCC Independent Investigation – CM/85/16

A criminal allegation of assault by a police officer is being independently investigated by the IPCC.

Update: The IPCC referred the case to the CPS who decided to take no further action. The IPCC accepted the Appropriate Authorities determination that there was no case to answer and the matter has now been finalised.

IPCC Independent Investigation – CM/6/17

Following the suicide of a female, a referral was made to the IPCC who have declared this an independent investigation. Two officers are being investigated for an alleged breach of the Standards of Professional Behaviour at a level of misconduct.

Update: The IPCC investigation has concluded and recommends no further action.

PSD Investigation – CM/75/16

A Special Constabulary Sergeant is being prosecuted for allegations of fraud through their day time employer. The PSD case has been suspended as sub judice pending the outcome of the court case. The officer has been suspended from duty. This matter was referred to the IPCC and was returned for a local investigation.

Update: This case was acquitted at court and is now subject to a PSD conduct investigation.

PSD Investigation - CM/74/16

A new allegation of Misconduct in a Public Office relating to sexual conduct has been made against an officer who was already under restrictions and due to attend a Gross Misconduct Hearing (see CM/67/14 below). The new matter was referred to the IPCC who directed that it be subject of a local investigation. The officer has been suspended from duty and the Gross Misconduct Hearing adjourned pending the outcome of the criminal investigation.

Update: The criminal investigation is ongoing and CPS advice has been sought.

Update: Having considered both this and the case below, the CPS have decided not to bring charges. The original Gross Misconduct Hearing will be rescheduled and will consider both cases.

IPCC Supervised Investigation – CM/67/14

It is alleged that a male officer has had inappropriate contact with vulnerable females. This was referred on the 24th July 2014.

Update: Following the PSD investigation, the officer was due to attend a gross misconduct hearing 1-11 November 2016. A new criminal allegation of misconduct in a public office in relation to sexual conduct has been made.

The officer has been suspended and the Legally Qualified Chair has adjourned the hearing pending the outcome of the new investigation.

Update: The Gross Misconduct Hearing will be rescheduled to consider both cases.

PSD Investigation - CM/64/16

An allegation by a member of the public of sexual touching has been made against a member of police staff. The matter was referred to the IPCC who directed that a local investigation should take place. The member of staff is on police bail and has been suspended from duty.

Update: The subject has been released from bail but remains suspended from duty and the criminal investigation is ongoing.

PSD Investigation – CM/36/16

An officer has been arrested and bailed in relation to allegations of domestic violence and coercion which allegedly occurred when the officer was off duty. The matter was referred to the IPCC who decided that it should be subject to a local investigation. The PSD case has been suspended pending the outcome of the criminal investigation by Op JUNO officers.

Update: The criminal investigation has been closed as no further action and the PSD investigation has concluded. The officer will attend a Misconduct Meeting.

Update: The officer resigned prior to the Misconduct Meeting.

IPCC Independent Investigation – CM/13/16

It has been alleged that officers failed to investigate a domestic violence incident, nor did they put any safeguard measures in place. Three officers have been placed on restricted duties and the IPCC are investigating the case which was referred on the 19th of April 2016.

Update: The IPCC Investigation has concluded and the matter is progressing to a misconduct meeting.

IPCC Independent Investigation CM/88/15

An incident occurred in a custody suite which resulted in a male losing the tips of three fingers. The incident was referred to the IPCC on the 1st May 2015 who are conducting an independent investigation.

Update: The IPCC investigation has concluded and the report has been sent to the Appropriate Authority in Essex Police for consultation regarding redactions which has been responded to. Essex Police are awaiting a formal request from the IPCC in order that the Appropriate Authority can determine if there is a case to answer or not regarding any alleged conduct in accordance with the Police Reform Act legislation.

Update: Notwithstanding that a decision is awaited from the CPS in relation to the conduct of one officer, the Appropriate Authority has directed that five officers are to attend a Gross Misconduct Hearing.

IPCC Independent/Managed Investigations – Operation Maple

Concerns were raised about the performance of an Investigation Team in the North of Essex which has prompted a review of current cases handled by that team. To date 54 cases have been referred to the IPCC from 19th November 2014 onwards of which 53 cases are part of a managed conduct investigation and 1 case is an independent investigation. The independent case was identified in 2015 prior to Op Maple commencing but due to the linked themes, it was adopted within the body of this investigation. Four of the referrals are public complaints which are also being managed by the IPCC. Previous updates have stated that there were 56 cases but it has been clarified that it is 54 cases due to multiple complainants for two cases.

Update: The IPCC have commenced two Independent Investigations into the supervision and oversight of North Child Abuse Investigation Team (NCAIT) and Child Sexual Exploitation Triage Team (CSETT) units respectively. Norfolk Police are continuing to progress investigations at gross misconduct or criminal level for all other officers in this case.

The determination on twenty investigations has concluded that there is a case to answer in relation for misconduct by ten officers.

Three officers attended a misconduct meeting between 4-5 May 2017 where the allegations against two officers were found to be upheld and one officer was found to have no case to answer.

Seven officers have already received management action.

Three officers were found to have a case to answer for misconduct but as they have left the force no further action will be taken.

There was no case to answer for the remaining seven officers, although one officer has been placed on Unsatisfactory Performance Procedures.

Five cases have been referred to the Crown Prosecution Service (CPS) for advice on criminal matters which relates to three serving officers and two former officers.

IPCC Supervised investigation - MI/202/14/C240/17

A vulnerable female has alleged that in the 1990's she reported a crime and that the investigating officer established a relationship with her. This allegation is subject of a supervised investigation by PSD having been referred to the IPCC on the 14 October 2014.

Update: The investigation concluded that the complaint should be upheld and that the officer concerned should receive management action.

2. SUSPENDED OFFICERS

At the time of submission of this report, 8 Police Officers, 2 Special and 2 Police Staff member are suspended from duty.

3. APPEALS MADE TO THE IPCC

- (1) Where a complaint has been investigated by the Professional Standards Department, the complainant has a right of appeal to the IPCC if they are dissatisfied with the complaint investigation and/or its outcome.
- (2) Where a complaint has been dealt with using the local resolution process, the complainant has a right of appeal to the IPCC should they be dissatisfied with the process or the actions taken to resolve the complaint. This only applies to complaints recorded before 22 November 2012; for complaints recorded after that date, the appeal authority is the Chief Officer.
- (3) Matters submitted to the Professional Standards Department as complaints are reviewed and assessed to determine whether or not they should be formally recorded as a complaint. In cases where it would not be appropriate to record the matter as a complaint, the decision is explained and the person is advised of their right to appeal against the non-recording of the complaint to the IPCC.

Date	(1) Against Investigation	Appeals Upheld	Appeals Not Upheld	Appeals Pending	(2) Against Local Resolution	Upheld	(3) Against Non Recording	Upheld
1.4.16 to 30.6.16	3	1	1	1	0	0	7	0
1.7.16 to 30.9.16	11	8	3	0	0	0	7	2
1.10.16 to 31.12.16	8	3	0	5	0	0	12	4
1.1.17 to 31.3.17	11	0	4	7	0	0	8	0
1.4.17 to 30.6.17	6	3	6	6	0	0	13	4

There were 6 appeals against investigation received in the quarter. These were received in June and await adjudication by the IPCC. There were 3 Upheld and 6 not upheld appeals made in this quarter but these relate to cases appealed in the previous quarter.

The non-recording figures include one upheld appeal received in this quarter relating to an appeal made in March 2017. Additionally one of these appeals refers to a matter where a recording decision was not made.

The main reason for upholding appeals relates to an inadequate standard of investigation, for instance, insufficient enquiries carried out by the investigating officer and not certifying the investigation to special requirements.

There are currently no lead time issues for the IPCC to allocate appeals and there are no non recording appeals which await adjudication from the IPCC. Three of the non-recording appeals in this quarter were made by the same complainant.

3.1 APPEALS MADE TO THE CHIEF OFFICER

Following the implementation of the Police Reform and Social Responsibility Act, appeals for issues which are not serious in nature, or likely to result in disciplinary proceedings or those which have not been subject to a mandatory referral to the IPCC are now handled by the Professional Standards Department. The numbers registered in the last quarter are shown in the table below.

APPEALS TO CHIEF OFFICER						
Date	Against process or outcome of Local Investigation	Upheld	Against Local Resolution	Upheld	Against Disapplication	Upheld
1.1.16 to 31.3.16	24	0	5	0	0	0
1.4.16 to 30.6.16	18	1	3	1	2	0
1.7.16 to 30.9.16	20	2	13	0	3	0
1.10.16 to 31.12.16	16	0	14	2	1	0
1.1.17 to 31.3.17	13	1	12	1	1	0
1.4.17 to 30.6.17	11	0	7	0	4	0

There are currently 7 appeals awaiting adjudication.

Appeals are currently being processed in 32 days approximately.

This remains a significant improvement on the same period last year when it was taking 66 days to process appeals.

The oldest appeal awaiting adjudication was received in June 2017.

23 appeals have been received within this quarter. 1 appeal (not upheld) related to discontinuance, this is not shown in the above table.

TABLE OF COMPLAINTS RECEIVED BY HOME OFFICE CODE

	2016		2016		2016		2017		2017	
	1.4.16 To 30.6.16		1.7.16 To 30.9.16		1.10.16 To 31.12.16		1.1.17 To 31.3.17		1.4.17 To 30.6.17	
A	1	0	0	0	0	0	0	0	0	0
B	0	0	0	0	0	0	1	1	1	0
C	31	3	22	2	26	3	16	0	22	1
D	23	2	23	1	30	2	16	1	19	3
E	29	3	27	3	24	0	18	0	10	1
F	8	1	12	0	5	0	11	1	9	2
G	5	1	7	0	21	2	10	1	21	1
H	2	1	2	2	2	0	4	1	17	3
J	5	0	7	1	20	2	7	0	8	1
K	0	0	0	0	1	0	0	0	0	0
L	3	1	4	0	5	1	6	1	3	0
M	36	7	28	3	27	1	16	0	14	1
N	0	0	0	0	0	0	0	0	0	0
P	0	0	0	0	0	0	0	0	0	0
Q	11	1	24	0	27	2	27	1	49	2
R	2	1	1	0	0	0	0	0	0	0
S	225	28	182	23	116	11	86	9	114	22
T	2	0	2	0	8	0	0	0	0	0
U	53	8	50	6	56	4	31	7	45	9
V	5	1	2	0	5	1	2	0	2	0
W	0	0	1	0	2	0	0	0	2	0
X	16	2	3	0	13	2	7	0	13	0
Y	0	0	0	0	0	0	0	0	0	0
**	0	0	2	0	2	0	0	0	1	0
Total	457	59	399	41*	390	31	258	23	350	46

*** Complaints against Police Staff included in the totals.**

**** Complaints post 22/11/12 recorded as organisational allegations, not conduct matters.**

A	Serious Assault	N	Breach of Code D – Identification
B	Sexual Assault	P	Breach of Code E – Tape Recording
C	Other Assault	Q	Lack of Fairness & Impartiality
D	Oppressive Conduct	R	Breaches not in a specific code
E	Unlawful/Unnecessary Arrest	S	Failures in Duty
F	Discriminatory Behaviour	T	Other Irregularity in Procedure
G	Irregularity in Evidence/Perjury	U	Incivility
H	Corrupt Practice	V	Traffic Irregularity
J	Mishandling of Property	W	Other
K	Breach of Code A - Stop & Search	X	Improper Disclosure of Information
L	Breach of Code B – Search & Seizure	Y	Other Sexual Conduct
M	Breach of Code C – Detention		

5. ALLEGATIONS OF OPPRESSIVE CONDUCT – HOME OFFICE CODE D

There were 19 allegations recorded in this category during the quarter compared to 23 in the same period last year. Allegations are recorded under a number of criteria in relation to the circumstance; and most of these were in the 2 circumstances shown in the table below.

Circumstance
Failure to Investigate
Failure to Communicate

6. ALLEGATIONS OF FAILURES IN DUTY – HOME OFFICE CODE S

There were 114 allegations recorded in this category during the quarter compared to 225 in the same period last year. The allegations are recorded under a number of criteria in relation to the circumstance; the most common circumstances are shown in the table below.

Circumstance
Failure to investigate an incident
Arrest/Detention

7. ALLEGATIONS OF DISCRIMINATORY BEHAVIOUR – HOME OFFICE CODE F

There were 9 allegations recorded during the reporting period, 8 of which were from the same source.

Allegation Type	Complainant – Self Classified	Status
Race – 3 Allegations	Asian Male	C/175/17 - Live
Race – 3 Allegations	Asian Male	C/191/17 - Live
Race – 2 Allegations	Asian Male	C/193/17 - Live
Race	Black Male	C/263/17 - Live

Quality of Investigations into Discrimination Allegations

At the last quarterly report meeting held on 22 May 2017, it was noted that a piece of work had been commissioned to undertake qualitative review comparing the handling of discriminatory complaints pre and post the implementation of the IPCC's specific guidance on this process which was issued in September 2015.

A dip sample of 4 cases (two before Sept 2015 and two post) was conducted where allegations of discriminatory behaviour were made. These cases were reviewed in depth by the Force Appeals Officer and were rigorously tested against the IPCC's guidance on how allegations of this type should be handled.

The IPCC identify a number of areas which should be considered when conducting an investigation involving discrimination, these are outlined as follows (IPCC guidance issued Sept 2015):

1. Defining discrimination
2. Engaging with the complainant

3. Assessing gravity
4. Conducting the investigation
5. Understanding the allegation of discrimination
6. Lines of enquiry
7. Probing the officer or staff member's account
8. Outcomes and resolution
9. Organisational issues
10. Findings and Outcomes

The results showed that the force dealt with some aspects of the guidance well, whilst other areas could have been handled better. These failings, in the complaint handling, are a training need and will be taken forward both with the individual who dealt with the complaint and with the wider organisation as a whole.

In all 4 cases, discrimination was defined and identified, the investigation was conducted accurately and proportionately and the outcomes/resolution was correct and appropriate to the circumstances. Additionally the review showed that the complaints were dealt with well in relation to assessing the gravity of the complaints and identifying learning for the wider organisation.

The review showed 4 areas where improvement is required or where the complaint could have been dealt with in a more proactive way. These relate to better engagement with the complainant, having a better understanding of the alleged discrimination and its effect on the complainant (i.e. its impact), probing the accounts given by the officer/staff member subject of complaint and improved lines of enquiry to show what happened and why and additional seeking to compare or consider any previous conduct or complaint history of the officers featured (though no history of concern was identified through the dip sample).

Overall the quality of the complaint handling was good and met the expectations set out by the IPCC.

8. PERFORMANCE

8a. Finalised Complaint Cases IPCC Data

A data extraction programme is run at the request of the IPCC each quarter. This data is used to produce the national statistics on complaint cases across the force. Quarter 1 data has recently been published and early indications support that the hard work being undertaken by PSD and the force is continuing to have a positive effect can be seen below.

Essex Complaint case timeliness – Quarter 1 actual									
	2015/16				2016/17				2017/18
Measure	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1
Ave number of days to finalise complaint cases (inc. sub judice)	156	159	172	191	190	189	145	159	145
Ave number of days to finalise complaint cases (exc. sub judice)	153	154	169	188	177	177	139	152	139

The following table shows the outcome of the complaint cases finalised in the quarter 1 April to 30 June 2017.

Outcome	Number	Percentage
Upheld	23	13.6
Not Upheld	47	27.8
Locally Resolved	80	47.3
Withdrawn	14	8.2
Discontinued	0	0
Disapplication	5	3
De-recorded	0	0
Total	169	

The table below shows the number of allegations finalised for each Home Office Code and the amount of those which were upheld. It should be noted that there is no correlation between allegations finalised in a given period and complaint cases finalised in the same period. This is because the allegations are finalised when the outcome is given to the complainant; the whole case is not finalised until either:

- The appeal period has lapsed.
- Any appeal has been dealt with either by the IPCC or the Chief Officer.
- Any ensuing conduct process has been concluded.

	Home Office Code	Allegations Finalised	Number Upheld
A	Serious Assault	-	
B	Sexual Assault	-	
C	Other Assault	21	
D	Oppressive Conduct	13	
E	Unlawful/Unnecessary Arrest	12	
F	Discriminatory Behaviour	5	
G	Irregularity in Evidence/Perjury	6	1
H	Corrupt Practice	2	
J	Mishandling of Property	7	
K	Breach of Code A - Stop & Search	-	
L	Breach of Code B – Search & Seizure	3	
M	Breach of Code C – Detention	17	
N	Breach of Code D – Identification	-	
P	Breach of Code E – Tape Recording	0	
Q	Lack of Fairness & Impartiality	20	
R	Breaches not in a specific code	-	
S	Failures in Duty	82	8
T	Other Irregularity in Procedure	-	
U	Incivility	34	
V	Traffic Irregularity	1	
W	Other	-	
X	Improper Disclosure of Information	7	
Y	Other Sexual Conduct	-	
	Totals	230	9

The following table shows the timeliness for complaint cases finalised after investigation or local resolution in the quarter.

Type	Number				Percentage within 120 Days %			
	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3
IPCC Investigation	1	-			100			
PSD Investigation	11	10			36	80		
Local Investigation	93	60			75	91		
Local Resolution	112	80			68	79		
Total PSD and Local Cases Investigated or Locally Resolved	217	150			67	86		

This table shows the number of live complaint cases in the system as at 15 August 2017.

Mode of Investigation	Number				Percentage within 120 Days %			
	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3
IPCC Independent	7	9			-			
Local - PSD	43	45			44	37		
Local – LPA/Department	221	179			57	67		
Sub Judice	17	24			-			
Total Live Cases –PSD/LPA	264	224			55	61		

PSD Action Plan

There is an action plan in place in relation to the public complaint process. The plan seeks to address and improve on the quality of service given to complainants in the specific areas of:

1. Timeliness and Delays
2. Customer Contact
3. Case Management
4. Record Keeping

OPCC Audit

The Office of the Police and Crime Commissioner also examine finalised complaint cases through a dip sampling process each quarter. The OPCC comments and the PSD feedback referred to here are in relation to 2 quarters. 19 cases were dip sampled from cases closed during the period 1 January 2017 to 31 March 17 and 20 cases from those closed in the next quarter 1 April to 30 June 2017 a total of 39

- Timeliness – There were 11 observations made, of these 6 were accepted with the comment that one was a very historic case which significantly predated the much more robust processes now in place. Four observations were able to be resolved through review and explanation.
- Customer Service and Communication – there were 6 observations, of which 2 were accepted, the others being resolved through review and explanation.
- Case management and record keeping – There were no significant observations in this area. Minor points re misfiling or scanning of documents have been rectified.
- Information Gathering - Two comments required review, one of which was accepted

- Evaluation and Decision Making – There were 3 observations which required review and response by PSD and these points were resolved. Under this heading 6 additional positive observations were made.
- Procedure and Process Following - Two observations reviewed and resolved, also one positive observation under this heading.

As a result of a robust plan to oversee the full complaint process, there is now encouraging evidence of positive results in reducing the duration of the complaint handling process as well as improving the complainants' reporting experience.

Any cases that are over 90 days old are discussed at a monthly meeting between the Superintendent and the Assistant Chief Constable. Complaint cases continue to be discussed bi-monthly at the Integrity & Anti-Corruption Board chaired by the Deputy Chief Constable.

8b. UPHELD COMPLAINTS

Reference	Outcome/Sanction	Allegation Type	Officers / Staff	Gender	Ethnicity
C/806/15	Formal Action – The officer was dismissed following a Gross Misconduct Hearing	Code S - Other Neglect or Failure in Duty	1 x PC	4 x M	W1
C/938/15	Management Action Formal Action – One officer was dismissed following a Gross Misconduct Hearing, the second received a Final Written Warning	Code S - Other Neglect or Failure in Duty	2 x PC	2 x M	W1
C/284/15	Management Action	Code U - Incivility	1 x PC	1 x M	W1
C/172/16	No Action	Code S - Other Neglect or Failure in Duty	N/K	N/K	N/K
C/218/16	Management Action	Code S - Other Neglect or Failure in Duty	1 x PC 1 x DC 1 x DS	2 x F 1 x M	W1
C/545/16	Management Action	Code S - Other Neglect or Failure in Duty	1 x PC	1 x M	W1
C/582/16	Management Action	Code U - Incivility	1 x PC	1 x M	W1
C/628/16	Management Action	Code S - Other Neglect or Failure in Duty	1 x PC	1 x F	W1
C/666/16	Management Action	Code G – Irregularity in Evidence Code Q – Lack of Fairness & Impartiality Code S - Other Neglect or Failure in Duty Code U - Incivility	1 x PC	1 x M	W1
C/670/16	Management Action	Code S - Other Neglect or Failure in Duty	1 x PC	1 x M	W1
C/723/16	Management Action	Code S - Other Neglect or Failure in Duty	1 x PC	1 x M	W1
C/772/16	Management Action	Code S - Other Neglect or Failure in Duty	1 x DC 1 x DS	1 x F 1 x M	W1
C/822/16	No Action	Code X – Improper Disclosure of Information	1 x DC	1 x F	W1
C/833/16	No Action	Code L – Breach of Code B of PACE	3 X PS 4 x PC	5 x M 2 x F	W1
C/834/16	Management Action	Code Q – Lack of Fairness & Impartiality	1 x PC	1 x M	W1
C/873/16	Management Action	Code S - Other Neglect or Failure in Duty	1 x DC	1 X F	W1
C/887/16	Management Action	Code S - Other Neglect or Failure in Duty	1 x PC	1 x F	W1
C/7/17	Management Action	Code S - Other Neglect or Failure in Duty x 2	2 x PC	1 x M 1 x F	W1
C/33/17	Management Action	Code S - Other Neglect or Failure in Duty	1 x DC	1 x M	W1
C/100/17	Management Action	Code Q – Lack of Fairness & Impartiality	1 x PC	1 x F	W1
C/104/17	Management Action	Code S - Other Neglect or Failure in Duty	1 x Police Staff	1 x M	W1
C/120/17	Management Action	Code S - Other Neglect or Failure in Duty	1 x PS	1 x M	W1

The purpose of management action is to:

- *Deal with misconduct in a timely, proportionate and effective way that will command the confidence of staff, police officers, and the police service and the public.*
- *Identify any underlying causes or welfare considerations.*
- *Improve conduct and to prevent a similar situation arising in the future.*

When appropriate, managers in the police service are expected and encouraged to intervene at the earliest opportunity to prevent misconduct occurring and to deal with cases of misconduct in a proportionate and timely way through management action. Even if the police officer does not agree to the management action it can still be imposed by the manager providing such action is reasonable and proportionate.

Management action may include:

- *Pointing out how the behaviour fell short of the expectations set out in the Standards of Professional Behaviour*
- *Identifying expectations for future conduct.*
- *Establishing an improvement plan.*
- *Addressing any underlying causes of misconduct*

(Home Office Guidance on Police Officer Conduct – section 2.91)

8c. PSD COMPLAINT INVESTIGATIONS OVER 90 DAYS

There are no investigation cases in excess of 90 days for this quarter.

8d. COMMENDATIONS AND CERTIFICATES OF MERIT

There were 10 Commendations issued in this quarter and no Certificates of Merit.

9. NEXT STEPS

The Service Delivery Unit continues to provide support and advice to officers and staff dealing with complaints on a day to day basis. In February 2017 PSD introduced a complaint intervention programme with a series of ‘complaint surgeries’ scheduled to take place around the force throughout 2017/18. PSD officers are available at each surgery for local complaint investigation officers to discuss and seek advice on their live cases. Surgeries are planned in Clacton, Harlow and Southend during the next quarter (July to December 2017).

The internal PSD website contains comprehensive guidance on complaint and conduct processes which is continually reviewed to ensure it reflects current and best practice to improve overall service delivery.

Complaints considered suitable for local resolution are managed digitally. It is anticipated the next upgrade to the complaints database, due release in late August 2017, will provide further opportunity to facilitate the digitisation of PSD investigations thereby improving the efficiency of case management and timeliness.