

**Force Disclosure Unit**

Wiltshire Police HQ

London Road

Devizes

Wiltshire

SN10 2DN

Tel 101 ext 62005

www.wiltshire.police.ukdisclosure@wiltshire.pnn.police.uk

Malcolm Reeves – by E Mail

Date: 25th January 2021

Your ref: FOI

Our ref: FOI 2021 / 034

Reply contact name is: Nick Penny

Dear Malcolm,

I write in connection with your request for information dated 11th January 2021 concerning complaints handled by Wiltshire Police.

I am required by the Freedom of Information Act 2000 to handle all requests in a manner that is blind as to the identity and motives of the requestor. Any information released as a response to a request is regarded as being published and therefore in the public domain without caveat.

Your request for information has now been considered and – having consulted both the OPCC and Professional Standards Departments - I am now able to respond as follows.

You wrote (and Our Response) :

I'm told that on 1 Sept 2020 professional standards moved in to the Office of the Police and Crime Commissioner. And that more staff have been recruited and trained.

This is not correct.

On 1 February 2020, the regulations governing the management of complaints changed and PCC's were given the opportunity of taking on more responsibility for the complaints service, including receiving, logging, assessing and if possible service recovering complaints or deciding to record complaints and pass them to PSD (which then reassesses the complaint and decides what course of action is most appropriate to deal with it). Only these initial elements moved from PSD to the OPCC on 1 September 2020. 3 staff were seconded or transferred from PSD to the OPCC and 2 new staff were recruited and took up their post on 1 September 2020. It will take a full 6 months to train them.

Triage and service recovery was being carried out in PSD from 1 February 2020 to 1 September 2020 with one administrator and initially one and then two Complaints Handlers. Due to lack of staffing , developing new processes and procedures from



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scratch, new regulations, changes to new ICT systems and demand which doubled (which it should be noted was a national pattern), a significant backlog of complaints developed.

However, all these complaints were assessed initially to ensure the most serious were recorded and passed to PSD for investigation so risks were kept to a minimum. However, the outstanding backlog did pass to the OPCC with the service. It has taken time to reduce it although those waiting were sent regular updates. The majority of complainants accepted the situation and we had emails of support as well as emails expressing dissatisfaction with the delay which we could do nothing about.

As a consequence of the changes implemented above, it has been necessary to provide responses to your questions below from both the OPCC perspective and the PSD perspective independently. The answers provided below should be read within the context provided above.

1. What is the current readiness to deal with complaints, that is, how many staff are now trained and working on complaints, how many are still in training?

OPCC Response

As of 12 January 2021, the Service Recovery Team in the OPCC has 1 fully trained administrator, 2 fully trained Complaints Handlers and 2 Complaints Handlers who started in the OPCC on 1 September and who will be fully trained by 1 March 2021, as we estimate it will take 6 months to gain the necessary experience. There is also a Complaints Manager who oversees the team and provides support for Reviews.

PSD Response

PSD is made up of a team of one (1) Detective Inspector, one (1) Supervisor and six (6) Investigators. However, to deal with a backlog of historic cases (as referred to above), additional funding was secured to second two (2) police staff to PSD for six months. This staffing will reduce to six (6) Investigators by the end of this Financial Year.

PSD comes under Professional Standards and within this department is one (1) Superintendent (Head of Professional Standards), one (1) Deputy Appropriate Authority to deal with Reflective Practice Review Process (RPRP) and two (2) Coordinators. The Counter Corruption Unit also comes under this department and that team is made up of one (1) Detective Inspector, one (1) Detective Sergeant, one (1) Researcher, one (1) Analyst, two (2) Investigators and two (2) Detective Constables.

All these persons are involved with the investigation of complaints and conduct matters.

2. What is the current complaint queue, that is, what is the current total number of complaints, how many of them are open and being worked on, how many are still awaiting being started?

OPCC Response

Currently as of 12 January 2021, in the OPCC there are 57 complaints awaiting assessment (in the queue), 32 currently being worked on, so 89 in total. This is a significant improvement as the backlog of over 90 complaints in addition to the new complaints which were carried across from PSD on 1 September has now been cleared.

PSD Response

The following number have been forwarded to PSD to deal with in line with Schedule 3 of the Police Reform Act.

In Queue awaiting assessment – 82 (oldest being Sept 2020) – This queue is being worked through with the expectation that the Force will be dealing with today's complaints by the end of February 2021. This queue has been created by the excellent work referred to by the OPCC, due to them increasing the team from two (2) complaint handlers to four (4) - the speed they are able to clear their backlog has created a new backlog within PSD. This was expected and plans are in place to clear this.

Complaints being investigated - 110 (within PSD and CCU)

Complaints awaiting final determination from Appropriate Authority (Conclusion of investigation) - 26

3. Taking the average over the last 4 working weeks, how many complaints are being opened each week, how many are being closed.

OPCC Response

In December, 79 new complaints were received in total. Each complaint handler deals with on average 7 - 10 new complaints a week (open and closure) but this varies depending on the complexity of each complaint. During December there was also a drive to complete the backlog of complaints which was achieved by year end.

PSD Response

From 18 December 2020 thirty-three (33) new cases have been forwarded to PSD for assessment / investigation.

Due to the complexity of PSD/CCU investigations it is impossible to provide an average figure due to the nature of investigations. Some may take as little as four weeks, with some taking one year or more. In total 7 complaints are currently awaiting closure, but these are not complaints that have been received in the past four weeks.

4. What is currently the longest wait time for a complaint to be opened, and what is the shortest, and what is the average time.

OPCC Response

Currently, now the backlog has been cleared, the longest wait time for a complaint to be opened is 4 weeks (from 16 December 2020) and that was being dealt with by the middle of this month. Every complainant has had an acknowledgement and an explanation for any delay(s).

PSD Response

Currently the oldest case in the backlog as reported in Q2 above is from September - this backlog is being work on with the intention for the wait time to be no longer that 10 days from its receipt in PSD (from the OPCC).

Throughout 2020 we have been working through the backlog, so the average is not really an indicator of our performance moving forward. Urgent pressing complaints (the most serious matters involving death or injury) will be opened and actioned on day one of them reaching PSD. The oldest currently is September 2020 (4 months old), therefore the average is currently 8 weeks, but this is purely due to the current backlog.

5. On a day of your choice (e.g. 1st) of the each month, Sept 2020 - Jan 2021 what was the total number of complaints open or awaiting being started (i.e. the queue length).

Our response to this question in respect to both the OPCC and PSD is – No Information Held.

Currently, our complaint management system cannot provide this information.

6. Do you give complainants an estimated wait time before their complaint will be started? If so what it is? And if not, do you publish a reason for not doing this?

OPCC Response

We cannot give an estimated time because it depends on so many factors – demand, staff availability, IT access, home working restrictions, the complexity of complaints. Our backlog was due to all of these factors but we aim to acknowledge receipt of a complaint within 2 working days and our target is to resolve it within 2 weeks but it may be longer due to circumstances beyond our control.

PSD Response

Last year (2020) was an unusual year, indeed we expect 2021 to look quite different.

In 2020, significant backlogs were created due to a lack of staff, the training of new staff, changes to processes, embedding the new Complaints and Conduct Legislation that was introduced on the 1st February 2020 and the significant increase in the volume of complaints received into the Force (this was also a National issue).

Complaints are first received into the Force by the OPCC and the figures have been provided above. Once the PSD backlog is cleared, we expect complainants to be contacted by PSD (in addition to the OPCC contact) within two days of receipt into PSD.

I am satisfied that all the relevant information has been passed to me and been considered in the light of your request within the time constraints applicable under the legislation.

Wiltshire Police would like to thank you for the interest that you have shown in the Force.

Yours sincerely,

Nick Penny
Disclosure Decision Maker

Wiltshire Police offers a re-examination of your case under its review procedure.



Force Disclosure Unit

Wiltshire Police HQ, London Road, Devizes, Wiltshire SN10 2DN
Telephone 101 ext 62005

Freedom of Information Request Appeals Procedure

1. Who Can Ask for a Review

Any person who has requested information from Wiltshire Police, which has been dealt with under the Freedom of Information Act, is entitled to complain and request an internal review, if they are dissatisfied with the response they received.

2. How to Request a Review

Requests for review of a Freedom of Information request must be made in writing to the:

Force Disclosure Unit
Wiltshire Police Headquarters,
London Road, Devizes,
Wiltshire,
SN10 2DN

Email at disclosure@wiltshire.pnn.police.uk.

The reference number, date of the request and details of why the review is being requested must be included. Requests for review should be brought to the attention of the Force Disclosure Unit within 20 working days of the Force's response to the original Fol request.

3. Review Procedure

Receipt of a request for review will be acknowledged in writing to include confirmation of the reasons for the review. The review will be conducted by another Decision Maker, who is independent from the original Decision Maker. The Force Disclosure Unit will set a target date for a response. The response will be made as soon as is practicable with the intention to complete the review within twenty working days. In more complex cases the review may take up to 40 working days.

The Independent Decision Maker will conduct a review of the handling of the request for information and of decisions taken, including decisions taken about where the public interest lies in respect of exempt information where applicable. The review enables a re-evaluation of the case, taking into account the matters raised by the complaint.

4. Conclusion of the Appeal

On completion of the review the Independent Decision Maker will reply to the complainant with the result of the review. If the complainant is still dissatisfied following the review they should contact the Information Commissioner to make an appeal. The Information Commissioner can be contacted via the following details:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Tel: 01625 545 700
Fax: 01625 524 510
Email: mail@ico.gsi.gov.uk