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Professional Standards

# **PSD QUARTER 1-2**

## **Data Pack**

### **April 2023 to September 2023**

Date: October 2023

Produced by PSD Analytical Team

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## 1. Introduction

This document seeks to set out key data in relation to public complaint and conduct<sup>1</sup> cases recorded by the Professional Standards Department for Bedfordshire Police, Cambridgeshire Constabulary and Hertfordshire Constabulary.

It is intended to sit alongside the Independent Office for Police Conduct reporting on public complaints, and to complement internal monitoring processes for performance, themes and trends.

It provides an overview of the number and type of allegations in recorded public complaint and conduct cases, and the outcomes of finalised public complaint and conduct cases. It also provides data on the number and outcome of public complaint reviews.

## 2. Public Complaints

### 2.1 Cases and Allegations Recorded

#### 2.1.1 Cases and Allegations Recorded

The table below shows the number of complaint cases recorded by PSD under Schedule 3. It also shows the total number of complaints logged by each force's customer service team. The second table shows the proportion of logged cases which have been closed during the period and which are referred for recording under Schedule 3.

Table 1 Complaints recorded by PSD under Schedule 3 and total number of all recorded complaints

April 2023 to September 2023	Beds Cases	Beds Allegations	BCH Case s	BCH Allegations
PSD recorded complaints	164	455	544	1,603

<sup>1</sup> All abbreviations and specialised terms are defined in the glossary at the end of this document.

PSD recorded complaints per 1,000	59	164	55	161
CRT logged complaints	576	668	1,879	2,770
CRT logged complaints per 1,000	208	241	188	278

Table 2 Complaints closed by the Complaints Review Team and complaints referred to PSD under Schedule 3

April 2023 to September 2023	Complaints Review Team complaints closed	Percentage closed which are Schedule 3	Approximately total referred to PSD as Schedule 3 <sup>2</sup>
Beds	391	44%	172

### 2.1.2 Handling of complaints recorded under Schedule 3 under current police regulations

Table 3 Handling of complaints recorded under Schedule 3 current police regulations

April 2023 to September 2023	Beds	Total Q2 2023-24	Percent of total
PSD complaint	87	330	60%
Area complaint	79	213	39%
IOPC or PCC Complaint	0	1	0.2%

<sup>2</sup> These figures will not exactly match those shown in the table above due to a slight lag between closure and referral to PSD, and formal recording.

Awaiting determination	1	7	1%
Total	167	551	100%

## 2.2 Nature of Allegations

### 2.2.1 Allegations recorded under current Police Regulations

The seven tables below shows the number of allegations recorded in [each IOPC<sup>3</sup> complaint category](#) to the end of Quarter 1 2023/24, for public complaints recorded under Schedule 3 under the current Police Regulations. The number of allegations recorded at the same point in the previous year are included for comparison.

Table 4 Total of all allegations recorded between April 2023 to September 2023:

Complaint Allegation	Beds Q1-2 2023/24	Beds Q1-2 2022/23	BCH Q1-2 2023/24	BCH Q1-2 2022/23
Total	455	347	1603	1280

Table A: Delivery of Duties and Service for April 2023 to September 2023:

Complaint Allegations	Beds Q1-2 2023/24	Beds Q1-2 2022/23	BCH Q1-2 2023/24	BCH Q1-2 2022/23
Police action following contact	38	26	226	154
Decisions	32	13	129	71

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<sup>3</sup> See abbreviations and glossary on the page 23

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Information	14	7	102	73
General level of service	41	54	95	131
<b>Total</b>	<b>125</b>	<b>100</b>	<b>552</b>	<b>429</b>

Table B: Police Powers, Policies and Procedures for April 2023 to September 2023:

Complaint Allegation	Beds Q1-2 2023/24	Beds Q1-2 2022/23	BCH Q1-2 2023/24	BCH Q1-2 2022/23
Stops and stop and search	12	9	21	21
Searches of premises and seizure of property	13	7	44	36
Power to arrest and detain	16	13	73	53
Use of force	58	44	133	121
Detention in police custody	11	12	57	34

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Bail, identification and interview procedures	8	5	32	17
Evidential procedures	8	7	25	31
Out of court disposals	2	2	6	8
Other policies and procedures	31	23	56	56
<b>Total</b>	<b>159</b>	<b>122</b>	<b>447</b>	<b>377</b>

Table C: Handling of or damage to property/premises for April 2023 to September 2023:

Complaint Allegation	Beds Q1-2 2023/24	Beds Q1-2 2022/23	BCH Q1-2 2023/24	BCH Q1-2 2022/23
Handling of or damage to property / premises	10	6	48	27
<b>Total</b>	<b>10</b>	<b>6</b>	<b>48</b>	<b>27</b>

Table D: Access and/or disclosure of information for April 2023 to September 2023:

Complaint Allegation	Beds Q1-2 2023/24	Beds Q1-2 2022/23	BCH Q1-2 2023/24	BCH Q1-2 2022/23
Use of police systems	2	0	2	4
Disclosure of information	12	7	43	35
Handling of information	6	2	10	14
Accessing and handling of information from other sources	1	0	2	0
<b>Total</b>	<b>21</b>	<b>9</b>	<b>57</b>	<b>53</b>



Table E: Use of Police Vehicles for April 2023 to September 2023:

Complaint Allegation	Beds Q1-2 2023/24	Beds Q1-2 2022/23	BCH Q1-2 2023/24	BCH Q1-2 2022/23
Use of police vehicles	2	0	9	3
<b>Total</b>	<b>2</b>	<b>0</b>	<b>9</b>	<b>3</b>

Table F: Discriminatory Behaviour for April 2023 to September 2023:

Complaint Allegation	Beds Q1-2 2023/24	Beds Q1-2 2022/23	BCH Q1-2 2023/24	BCH Q1-2 2022/23
Age	0	1	1	1
Disability	7	5	30	19
Gender Reassignment	0	0	0	0

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Pregnancy and maternity	0	1	0	1
Marriage and civil partnerships	0	0	0	0
Race	28	18	68	52
Religion or belief	3	1	4	2
Sex	7	4	22	15
Sexual orientation	2	0	4	3
Other	1	4	3	6
<b>Total</b>	<b>48</b>	<b>34</b>	<b>132</b>	<b>99</b>

Table G: Abuse of Position / Corruption for April 2023 to September 2023:

Complaint Allegation	Beds Q1-2 2023/24	Beds Q1-2 2022/23	BCH Q1-2 2023/24	BCH Q1-2 2022/23
Organisational corruption	2	2	5	4
Abuse of position for sexual purpose	0	0	1	1
Abuse of position for purpose of pursuing an inappropriate emotional relationship	0	0	2	0
Abuse of position for financial purpose	0	1	2	2
Obstruction of Justice	2	6	17	22

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Abuse of position of other purpose	1	5	6	14
<b>Total</b>	<b>5</b>	<b>14</b>	<b>33</b>	<b>43</b>

Table H: Individual behaviours for April 2023 to September 2023:

Complaint Allegation	Beds Q1-2 2023/24	Beds Q1-2 2022/23	BCH Q1-2 2023/24	BCH Q1-2 2022/23
Impolite language / tone	15	8	58	36
Impolite and intolerant actions	4	5	25	12
Unprofessional attitude and disrespect	20	22	80	63

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Lack of fairness and impartiality	15	6	65	52
Overbearing or harassing behaviours	22	19	78	69
<b>Total</b>	<b>76</b>	<b>60</b>	<b>306</b>	<b>232</b>

Table J: Sexual conduct for April 2023 to September 2023:

Complaint Allegation	Beds Q1-2 2023/24	Beds Q1-2 2022/23	BCH Q1-2 2023/24	BCH Q1-2 2022/23
Sexual conduct	1	1	2	4
<b>Total</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>4</b>

Table K: Discreditable conduct for April 2023 to September 2023:

Complaint Allegation	Beds Q1-2 2023/24	Beds Q1-2 2022/23	BCH Q1-2 2023/24	BCH Q1-2 2022/23
Discreditable conduct	7	0	14	10
<b>Total</b>	<b>7</b>	<b>0</b>	<b>14</b>	<b>10</b>

Table L: Other conduct for April 2023 to September 2023:

Complaint Allegation	Beds Q1-2 2023/24	Beds Q1-2 2022/23	BCH Q1-2 2023/24	BCH Q1-2 2022/23
Other	1	1	3	3
<b>Total</b>	<b>1</b>	<b>1</b>	<b>3</b>	<b>3</b>

Of the above allegations those in the table below were recorded as organisational and not against a named subject.

Table 5 Number of organisational allegations by force for April 2023 to September 2023

April 2023 to September 2023	Beds	BCH
Organisational allegations by force	32	168

## 2.3 Finalisation of complaints

### 2.3.1 Finalised Allegations under current Police Regulations

The table below shows how allegations recorded under new Police Regulations (that is recorded since 1<sup>st</sup> February 2020) have been finalised during the period. This is the worst-case allegation result, not subject result, as there may be more than one subject of an allegation.

Table 6 Outcomes of allegations finalised

April 2023 to September 2023	Beds	BCH	Percentage of total
The service provided by police was acceptable	261	904	64%
The service provided by police was not acceptable	45	173	12%
The force has not been able to determine if the	34	108	8%

service provided was acceptable			
Withdrawn	31	55	4%
No further action	25	138	10%
De-recorded <sup>4</sup>	10	16	1%
Case to answer	1	15	1%
No Case to answer	4	10	1%
<b>Total</b>	<b>411</b>	<b>1419</b>	

### 2.3.2 Subject to Special Requirements / Special Procedures (regulation notices served)

The table below shows the outcomes of those allegations which were subject to Special Requirements. Investigations under Special Requirements are for public complaints where the allegation(s) made are assessed to meet the threshold for Misconduct or Gross Misconduct<sup>5</sup>. Note there are usually multiple allegations in each case; the table reports on each individual allegation.

Table 7 Allegation outcomes under special requirements

April 2023 to September 2023	Beds
Case to Answer	1
No Case to Answer	4

Table 8 Outcomes for allegations where there was a case to answer

April 2023 to September 2023	Beds
Referral to Reflective Practice Review Process	0
Referral to Proceedings	1
Management Action	0

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<sup>4</sup> This is where a case or allegation has been recorded in error (either administrative or by misidentification due to information provided) but for audit purposes is not deleted.

<sup>5</sup> See the abbreviations and glossary at the page 23.

No Action	0
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### 2.3.4 Not Subject to Special Requirements / Special Procedures (no regulation notices served)

For cases finalised under new Police Regulations where Special Procedures were not engaged, subject officers can receive Learning from Reflection or be more formally referred for Reflective Practice (Practice Requiring Improvement). In Q2, the following individual outcomes were recorded in each force:

Table 9 Reflective practice outcomes

April 2023 to September 2023	Beds
Learning from Reflection	76
Referral to Reflective Practice Review Process	10

## 2.4 Public Complaint Appeals and Reviews

### 2.4.1 Public Complaint Reviews under current Police Regulations

Under current Police Regulations complaint appeals have been replaced by complaint reviews. LPB (Local Policing Body) <sup>6</sup>reviews are completed for complaints which have been dealt with otherwise than by investigation, generally complaints dealt with by the local area. IOPC reviews are used for complaints which have been investigated, usually by PSD.

Table 10 Local Policing Body reviews handled under current Police Regulations

April 2023 to September 2023	Beds	BCH
LPB Reviews Recorded	21	83
LPB Reviews Completed	18	70

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<sup>6</sup> See the abbreviations and glossary on page 23.



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LPB Reviews with Outcome of Not Reasonable and Proportionate	1	11
- Requiring an IOPC Referral	0	0
- Requiring Investigation	0	0
- 28ZA Recommendation	1	4
- Action Plan Recommendation	0	1
- No Further Action	0	1

Table 6 IOPC Reviews handled under current Police Regulations

April 2023 to September 2023	Beds	BCH
IOPC Reviews Recorded	17	54
IOPC Reviews Completed	13	50

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IOPC Reviews with Outcome of Not Reasonable and Proportionate <sup>7</sup>	3	12
- Makes its own Finding	0	1
- Requiring Re-investigation	1	2
- Requiring investigation	0	5
- Recommendations on Finding	0	0
- Section 28ZA of Schedule 3 to the Police Reform Act 2002 Recommendation	1	1
- Notifies Crown Prosecution Service	0	0
- Recommendation for Reflective Practice Review	1	2
- Recommendation that the subject's performance is unsatisfactory	0	0
- Recommendation that any disciplinary proceedings brought are modified	0	0
- Recommendation that the subject has a case to answer	0	1

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<sup>7</sup> Some of the IOPC reviews finalised were returned with more than one recommendation, therefore some of the results won't add up to the total reviews finalised.

### 3. Conduct

#### 3.1 Cases and Breaches Recorded

The tables below show the number of conduct cases recorded of each type, broken down by Officers and Staff. Data is reported by subject, so a case with multiple subject employees will be counted once for each employee. Some employees in the same case may have a different assessment decision.

Table 7 Officer Assessment Decisions

April 2023 to September 2023	Beds	BCH
Recorded Gross Misconduct	13	49
Recorded Misconduct	7	17
Recorded Not Misconduct / No Action	1	2
Recorded Reflective Practice Review Process	3	18
UPP	0	0
No Assessment (Awaiting)	0	0
De-recorded	0	0
Total	24	85
Total cases per 1,000 officers <sup>8</sup>	17	15

Table 8 Staff Assessment Decisions

April 2023 to September 2023	Beds	BCH
Recorded Gross Misconduct	7	20
Recorded Misconduct	1	4
Recorded Not Misconduct	1	2

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<sup>8</sup> Including Specials. Based on data submitted to Home Office March 2021.

Recorded Reflective Practice Review Process	1	4
No Assessment (Awaiting)	0	0
Total	10	30
Total cases per 1,000 staff <sup>9</sup>	8	8

## 3.2 Nature of Cases

### 3.2.1 Conduct breaches

The table below shows the number of breaches of the Standards of Professional Behaviour in each category during the reporting period. A breach is the equivalent of an individual allegation forming part of the conduct case.

Table 9 Standard of Professional Behaviour breaches recorded between April 2023 and June 2023.

April 2023 to September 2023	Beds	BCH
Honesty and Integrity	12	34
Authority Respect and Courtesy	15	51
Equality and Diversity	1	12
Use of Force	4	12
Orders and Instructions	7	27
Duties and Responsibilities	7	27
Confidentiality	5	17
Fitness for Duty	0	1
Discreditable Conduct	24	83
Challenging & Reporting Improper Conduct	2	8
Total	77	272

### 3.2.2 Themes in conduct cases

Conduct cases which included an allegation relating to the PSD Control Strategy<sup>10</sup> are given an additional categorisation as well as the allegation type. The table below summarises the cases recorded to the end of

<sup>9</sup> Including PCSOs. Based on data submitted to Home Office March 2021.

<sup>10</sup> The Control Strategy comprises: Sexual Misconduct, Disclosure of Information, Misuse of Force Systems, Discriminatory Behaviour and Domestic Abuse (with police as perpetrators). In addition, there is an Intelligence Requirement in respect of Infiltration, Vulnerability, Reportable Associations and Controlled Drug Use and Supply.

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Quarter 1 2023/24, and the same period last year for comparison, in relation to the Control Strategy, by force.

Table 10 Conduct cases with allegations relating to the PSD Control Strategy

Theme	Beds Q1-2 2023/24	BCH Q1-2 2023/24	BCH Q1-2 2022/23
Sexual misconduct	5	20	17
- Of which abuse of position	2	5	4
- Of which workplace	0	7	7
- Of which other	3	8	6
Disclosure of information	4	8	4
Misuse of force systems	2	6	11
Reportable associations	0	1	1
Racism	1	5	n/a
Discriminatory behaviour	1	8	13
Domestic abuse	4	13	8
Infiltration	0	0	0
Social Media	2	7	n/a
Total <sup>11</sup>	24	88	54

### 3.3 Finalisation of Cases

#### 3.3.3 Outcomes from Proceedings for Officers

The first table on shows the type of hearing to which officers for Case to Answer with formal proceedings have been subject.

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<sup>11</sup> Total will not match the breakdown by theme exactly, as some cases involve more than one Control Strategy theme.

Table 11 Police officer subject to proceedings when Case to Answer found

April 2023 to September 2023 (Number of Officers)	Beds	BCH
Accelerated Hearing	2	5
Gross Misconduct Hearings	2	7
Misconduct Meetings	3	3
Resigned (with case to answer)	0	0
Reassessed as Practice Requiring Improvement <sup>12</sup>	0	0
Total	7	15

The second table shows the outcomes for officers from hearings and meetings to the end of Quarter 2 2023-24, with changes year on year shown for Beds, Cambs and Herts.

Table 17 Disciplinary actions<sup>13</sup> from Police Officer proceedings with the worst outcome for subject

April 2023 to September 2023 (Worst Sanction)	Beds	BCH	Change from Q2 2022/23
Dismissal or Would have been dismissed	4	9	-1
Reduction in Rank <sup>14</sup>	0	1	+1
Final Written Warning	1	2	+2
Written Warning	2	2	No change
Management Advice	0	0	No change
Practice Requiring Improvement <sup>15</sup>	0	0	No change
No Action / Not Proven	0	0	-4
Proceedings Discontinued	0	1	No change
Case returned to the Appropriate Authority	0	0	<b>No change</b>

### 3.3.4 Outcomes from Proceedings for Staff

<sup>12</sup> This is for any conduct recorded since the new Regulations came into force on 1<sup>st</sup> February 2020 only.

<sup>13</sup> See the abbreviations and glossary on page 23.

<sup>14</sup> See note 12.

<sup>15</sup> See note 12.

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The first table below shows the number of proceedings to which staff have been subject during the reporting period.

Table 18 Outcomes of staff conduct investigations

April 2023 to September 2023	Beds	BCH
Proceedings	5	8
Resigned (with case to answer)	0	0
Total	5	8

The second table shows the outcomes for staff during this period, with changes year on year shown for BCH.

Table 19 Disciplinary outcomes from staff proceedings

April 2023 to September 2023	Beds	BCH	Change from Q1 2022/23
Dismissal	1	1	+1
Dismiss Without Notice if Gross Misconduct	3	5	+5
Final Written Warning	1	1	No change
First Written Warning	0	1	-1
Verbal Warning	0	0	No change
Dismiss as unfounded	0	0	No change
Proceedings Discontinued	0	0	No change
Appeal Made	0	0	No change
Informal Management Action	0	0	No change

### 3.3.5 Outcomes outside of Proceedings for Officers

This table shows the outcomes for individuals who were subject of conduct where the case for misconduct was not found or the case did not go to proceedings.

Table 12 Outcomes outside of proceeding or when there is no case to answer.

April 2023 to September 2023	Beds	BCH
No Case to Answer resulting in Learning from Reflection	1	2
No Case to Answer resulting in UPP	0	0
No Case to Answer resulting in Reflective Practice/RPRP	9	61
No Case to Answer resulting in No Action	15	47

#### 4. Abbreviations and glossary

##### B

BCH – Bedfordshire Police, Cambridgeshire Constabulary, and Hertfordshire Constabulary

Beds - Bedfordshire Police

##### C

Cambs – Cambridgeshire Constabulary

Conduct - breach of the standards of professional behaviour:

- Honesty and Integrity - Police officers are honest, act with integrity and do not compromise or abuse their position.
- Authority, Respect and Courtesy - Police officers act with self-control and tolerance, treating members of the public and colleagues with respect and courtesy. Police officers do not abuse their powers or authority and respect the rights of all individuals.
- Equality and Diversity - Police officers act with fairness and impartiality. They do not discriminate unlawfully or unfairly.
- Use of Force - Police officers only use force to the extent that it is necessary, proportionate, and reasonable in all the circumstances.
- Orders and Instructions - Police officers only give and carry out lawful orders and instructions. Police officers abide by police regulations, force policies and lawful orders.
- Duties and Responsibilities - Police officers are diligent in the exercise of their duties and responsibilities.
- Confidentiality - Police officers treat information with respect and access or disclose it only in the proper course of police duties.



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- Fitness for Duty - Police officers when on duty or presenting themselves for duty are fit to carry out their responsibilities.
- Discreditable Conduct - Police officers behave in a manner which does not discredit the police service or undermine public confidence in it, whether on or off duty. Police officers report any action taken against them for a criminal offence, any conditions imposed on them by a court or the receipt of any penalty notice.
- Challenging and Reporting Improper Conduct - Police officers report, challenge or take action against the conduct of colleagues which has fallen below the Standards of Professional Behaviour.

## D

Disciplinary action:

- a written warning,
  - a final written warning,
  - reduction in rank,
- or
- dismissal without notice.

## G

Gross misconduct - a breach of the Standards of Professional Behaviour which is so serious that dismissal would be justified.

## H

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## I

IOPC – Independent Office of Police Conduct

## L

LPB – Local Policing Body:

- Police and Crime Commissioner,
- Deputy Police and Crime Commissioner,
- the Mayor's Office for Policing and Crime,
- the Deputy Mayor for Policing and Crime.

## M

Misconduct - refers to inappropriate conduct and illegal actions taken by police officers in connection with their official duties.

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### P

PCC – Police and Crime Commissioner

PSD – Professional Standards Department

Practice requiring improvement - Underperformance or conduct not amounting to misconduct or gross misconduct, which falls short of the expectations of the public and the police service as set out in the policing Code of Ethics.

Reflective Practice Review Process - The procedures set out in Part 6 of the Police (Conduct) Regulations 2020, for handling practice requiring improvement.

Special procedures - apply only to investigations that relate to a complaint against, or the conduct of, a member of a police force or a special constable. In the case of any other person, the investigator must adhere to the relevant policies and procedures for investigating allegations of any form of misconduct. Investigators must apply special procedures:

- in a complaint investigation, when it appears to the investigator that there is an indication that a person to whose conduct the investigation relates may have committed a criminal offence behaved in a manner that would justify the bringing of disciplinary proceedings
- in all investigations into recordable conduct matters

Throughout the investigation, the investigator must consider whether such an indication exists even if they initially decided it did not.

### S

Schedule 3 –Complaints handled under the Schedule 3 of the Police Reform Act 2002. Complaint is recorded under the Schedule 3 when at the end of the early intervention process complainant is not happy with the outcome. At this stage PSD will record expressions of dissatisfaction with the police service as a formal complaint (Schedule 3). Schedule 3 complaints which do not require an investigation will be handled in a reasonable and proportionate manner. Under the Schedule 3 complainants have a right of review against the outcome of complaints recorded and handled under this schedule. The review process considers whether the outcome of their complaint was reasonable and proportionate.

Standards of professional behaviour - standards set out in Schedule 2, Police (Conduct) Regulations 2020.