

Justice Sub-Committee on Policing

Police Scotland's internal complaints procedures

Supplementary written submission from Police Scotland

General Overview – Professional Standards Department (PSD)

In January 2017, the Professional Standards Department implemented a new functional operating model with key responsibilities being held under the management and leadership of four Superintendents:

- Complaint Investigations
- Misconduct (Conduct and Gross Misconduct)
- Support and Partnerships

On 1 May 2017, DCC Iain Livingstone notified external partners that the Anti-Corruption Unit was being re-positioned as a functional strand within the Professional Standards Department with the Chief Superintendent reporting directly to the designated Deputy Chief Constable.

The PSD functional operating model now includes a Superintendent with key responsibilities for all Anti-Corruption related matters. This operating model has ensured that a distinct separation exists across all strands of complaint, conduct, corruption and policy related matters.

The functional operating model has allowed the Head of Professional Standards to adopt a more strategic oversight of all complaint, conduct, corruption and policy matters (the latter includes SPA, PIRC and COPFS liaison).

On 1 March 2017, in line with the recommendations from HMICS, a National Gateway Assessment Unit was established.

The Gateway Unit receive and assess all PSD and Anti-Corruption Unit (ACU) notifications from across Scotland, carrying out initial assessments and making decisions on future allocation and progression.

The remit of the Gateway Assessment Unit includes:

- Responsibility for all Vetting, HR & Recruitment checks on all Force systems.
- Triage of all Integrity Matter and Whistleblowing referrals.
- Triage of all divisional reports, officer's reports and anonymous reports.
- Development of ACU/PSD investigations (in liaison with ACU, National and Local intelligence).
- Notifiable Association assessment.
- With cause drug testing.

Notifications to the Gateway Unit are received from a variety of sources including Integrity Matters, divisional reports, officer reports, intelligence reports, letters, anonymous reports, Crimestoppers and direct telephone calls.

Referral Routes

Following the Justice Committee meeting which took place on 01 March 2016, Police Scotland commenced a review of all the existing policies and procedures in place to support staff who raise an issue in what would in its widest sense be regarded as whistleblowing. Whilst a range of procedures were in place it was acknowledged that there was no single policy referred to as whistleblowing and it was agreed that the development of such a policy would provide further support to staff and ensure individuals were provided with a clear method through which they could raise a concern, where they reasonably believe that the wrong thing is being or has been done. Following a period of research, development and consultation, the Whistleblowing Policy and Guidance was published in June 2017.

In order to support individuals raising concerns there are four immediate options available to raise their point including utilising an external 3rd party. It should be noted that these options are not graduating and to that end, individuals may choose whichever option they think best suits their requirements. The guidance also sets out the differences between openly raising a concern, raising a concern confidentially and doing so anonymously via Police Scotland's Integrity Matters on-line reporting system. This system offers complete anonymity to any individual seeking to raise a concern.

Overview of Notifications

Since February 2017 a total of **683** notifications have been received at the Gateway Unit. **64 (9.37%)** of these have been received through the Integrity Matters reporting portal, the majority of which have been made anonymously. The **683** have been categorised as follows:

Notification Category	Totals
Abuse of authority	31 (4.53%)
Commit, incite, aid and abet, assist in the commission of crime	3 (0.43%)
Controlled drug use and supply	18 (2.63%)
Disclosure of information	30 (4.39%)
Inappropriate association	288 (42.16%)
Infiltration	1 (0.14%)
Misuse of force systems	24 (3.51%)
Other (Audit requests, NCA Finance referrals, Inappropriate conduct, referrals re other organisations)	198 (28.98%)
Perverting the course of justice	5 (0.73%)
Secondary Business Interests	38 (5.56%)
Sexual misconduct	23 (3.36%)
Theft and fraud	5 (0.73%)
Vulnerability	19 (2.78%)

Ethics Advisory Panels

Officers from the Policing Values & Professional Ethics Unit (PVPEU) have undertaken a scoping exercise across the UK. They have visited a number of police services where ethics advisory panels are being utilised and observed a number of panels in operation. As a result, a report has been prepared setting out a number of findings and offering suggestions for the development of such panels within Police Scotland.

Further work, in relation to the development of such panels, will be progressed following consultation with the Force Executive. Meetings to advance this work are scheduled for October 2017.

Ethics Conference

On 19 September 2017 Police Scotland will host its Ethics conference – ‘Ethical Policing in an Operational Environment’. Keynote speakers include the Cabinet Secretary for Justice, Michael Matheson MSP, Professor Philip McCormack and John Scott QC.

There will be three afternoon sessions at the conference, focusing on international policing, critical police incidents, and operationalising ethics, with speakers from Social Bite and the Scottish Human Rights Commission (SHRC).

12 September 2017