



SUFFOLK
CONSTABULARY

PROFESSIONAL STANDARDS DEPARTMENT

COMPLAINTS OVERVIEW

1 April 2021 to 31 March 2022

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Introduction

This report presents figures on complaints relating to Suffolk Constabulary, received during the period, 1 April 2021 to 31 March 2022. These complaints are made by members of the public in relation to the conduct of those serving in the Force and recorded under Schedule 3 of the Police Reform Act (PRA) 2002.

The Policing and Crime Act 2017 made significant changes to the police complaints system to achieve a more customer-focussed complaints system. From 1 February 2020 Forces were required to log and report complaints about a much wider range of issues including the service provided by the police as an organisation, handled outside of Schedule 3 of the PRA 2002.

Data for this report is extracted from the Professional Standards Department live case management system.

This report will make mention of several terms. They are explained below:

Schedule 3: - The complaint must be recorded and handled under Schedule 3 of the legislation if the complainant wishes it to be or if it meets certain criteria as defined within the guidance.

Outside of Schedule 3: - The complaint can be logged and handled outside of Schedule 3 with a view to resolving the matter promptly and to the satisfaction of the complainant without the need for detailed enquiries to address the concerns.

Complaint: - Any expression of dissatisfaction with police expressed by or on behalf of a member of the public. Nationally complaints are grouped under specific categories and sub-categories as directed by the IOPC (see pages 43-44 for the full list of categories).

Allegation: - Complaints are made up of allegations. Alleged behaviour from officers/staff which has resulted in dissatisfaction and a complaint can contain any number of allegations.

A full explanation can be found in the IOPC Statutory Guidance at the following link:
[Statutory guidance | Independent Office for Police Conduct](#)

Executive Summary

- A total of 371 complaints were received in the reporting period, 1 April 2021 to 31 March 2022. Of these complaints, 288 were recorded under Schedule 3 and 83 were logged outside of Schedule 3 of the PRA 2002.

To compare with 2020/21, 403 complaints were received and of these, 264 were recorded under Schedule 3 and 139 were logged outside of Schedule 3.

This is a decrease in complaints received of 8% compared to the previous year.

- The Independent Police Complaints Commission (IOPC) introduced new categories and sub-categories of complaint allegations which came into force with the new Regulations. This report details the categories and sub-categories, and the totals recorded in the reporting period.

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The largest area of complaint has been recorded under the category of Delivery of duties and service. Of the 1,007 allegations recorded under new Regulations in the reporting period, 380 have been recorded under this category, which is 37.7% of the total.

The types of complaint recorded under Delivery of duties and service relate to the service received, the action of officers following contact received, operational and organisational decisions, information provided and the general level of service.

The sub-categories of complaint were introduced in order to better understand the concerns raised by the complainant. Of the complaint allegations recorded, the top 5 sub-categories of complaint across the Force are:

- A1 Police action following contact (211 allegations – 21%)
- H5 Overbearing or harassing behaviours (73 allegations – 7.2%)
- B4 Use of force (67 allegations – 6.7%)
- H1 Impolite language/tone (65 allegations – 6.5%)
- A2 Decisions (60 allegations – 6%)

Examples of the categories of complaint are included within the report.

- Chapter 6 of the IOPC Statutory Guidance states that complaints should be logged and the complainant contacted 'as soon as possible'. Of the 371 complaints received in the reporting period, 86.8% were logged within 2 working days and 58.7% of complainants were contacted within 10 working days.
- Complaints recorded under Schedule 3 are handled reasonably and proportionately by way of investigation, otherwise than by investigation (responding to concerns raised and seeking to resolve them) or by taking no further action. A total of 244 complaints have been finalised in the reporting period and of those, 11.5% were investigated, 51.6% were handled otherwise than by investigation and 27.9% were resulted as no further action as they were assessed that the complaint had already been addressed or that there was insufficient information to progress. The remaining 9% of complaints were either withdrawn or discontinued under Regulation 41 (complainant decided not to proceed with the complaint).
- The outcome for complaints handled outside of Schedule 3 will be either resolved or not resolved. Of the 87 complaints finalised in the reporting period, 78 were resolved which is 89.7% of cases. The 9 cases not resolved is 10.3% of complaints finalised. If the complainant is dissatisfied with the outcome of their complaint they can ask for their complaint to be recorded under Schedule 3.
- All allegations are finalised to show the action taken as a result. Actions can include providing the complainant with an explanation, offering an apology/acknowledging that something went wrong, individual and organisational learning and review of policy/procedures. Details are provided in this report of the actions taken where it was determined that the service provided was acceptable, and where the service provided was not acceptable under Schedule 3, as well as the actions taken to resolve complaints outside of Schedule 3.

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- A member of the public is considered a complainant if they are directly or adversely affected by the conduct, witnessed the conduct or are acting on behalf of someone who meets the criteria of a complainant. As such, more than one complainant can be recorded on a complaint case. A total of 395 complainants have made the 371 complaints received in the reporting period. The ethnicity of complainant has been recorded where it has been provided and in the reporting period 72% of cases contain the complainants' ethnic details. This is a slight decrease from 2020/21 where 74% of complainants provided their ethnicity.

Of the 395 complainants recorded on the 371 complaint cases, 10.9% are BAME, 61% are White and 27.8% are unknown ethnicity.

- Of the total 1,007 allegations recorded in the reporting period, 42 have been made alleging discrimination. Of these, 26 have been made under the protected characteristic of race which is 62%. The complainants feel the service they received was not acceptable, or they were treated less favourably, due to their ethnicity or ethnic appearance.
- A total of 444 Suffolk Police officers, Special Constables and members of police staff are identified on the complaints recorded. Of the 422 Police officers and Special Constables, 3.6% are BAME, 95% are White and 1% are unknown/not stated.
- The learning identified from complaints, internal investigations and other matters referred to PSD are summarised and grouped within themes later in this report.

IOPC data capture

In November 2021 the IOPC published their Annual Report of Police Complaint Statistics for 2020/21. These are experimental statistics¹ as this is the first year of reporting on the changes to the complaints system. Alongside the Annual Report, the IOPC published the Q4 data for each Force which allowed us the first opportunity to review how data is being captured for our Forces including our most similar Forces group and nationally.

Since this time, the IOPC have captured the Q1-Q2 data for the period 1 April to 30 September 2021, however due to some technical challenges there have been considerable delays in sharing this data collection with Forces. The IOPC are in the process of gathering the end of year data, covering the period 1 April 2021 to 31 March 2022, which will hopefully be published in due course.

¹ The Office for National Statistics describes these as 'a series of statistics that are in a testing phase and not yet fully developed'.

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Access to the complaints process

A significant amount of work has been ongoing to improve the accessibility of the complaints process.

Leaflets and Posters

Leaflets have been produced which provide members of the public with simple advice about how they can make a complaint against the police and the relevant processes that follow. The leaflets have been distributed to all custody suites and public enquiry offices across Norfolk and Suffolk.

We have updated the information available on our internet to ensure the advice and guidance is reflective of the reforms to the complaint regulations, and of the guidance in the leaflets.

A poster has been produced providing a snapshot of methods that can be used by members of the public to make a complaint and directs them to the website link above which provides further information.

The posters have been distributed to partner agencies, support groups and public buildings, as below, across Norfolk and Suffolk to encourage members of the public to contact the Force with feedback and/or complaints:

- Law Services
- Citizens Advice
- BAME support groups
- LGBT+ Groups
- Libraries
- Hospitals

Coronavirus

Coronavirus and the lockdown measures have impacted policing significantly and in order to measure the number of complaints made about the use of police powers on the restrictions, police powers on infected persons and Coronavirus other (where the enforcing of the powers are not the issue, but the coronavirus has still impacted the incident in some way), the IOPC created national factors to capture this information.

Restrictions are no longer in place however there have been 13 complaints made in the reporting period, which is 3.5% of the complaints received.

Of the 13 complaints, 12 were recorded as Schedule 3 complaints and 1 was logged outside of Schedule 3.

The complaints relate to the following allegations:

- 9 relate to not wearing PPE/exposing complainant to risk
- 2 relate to the action taken by officers to establish if a breach of restrictions had taken place

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- 1 relates to an allegation officers failed to take action in relation to a breach of the restrictions
- 1 alleges the officer was in breach of Coronavirus restrictions

Of the 13 complaints recorded, 10 have been finalised to date:

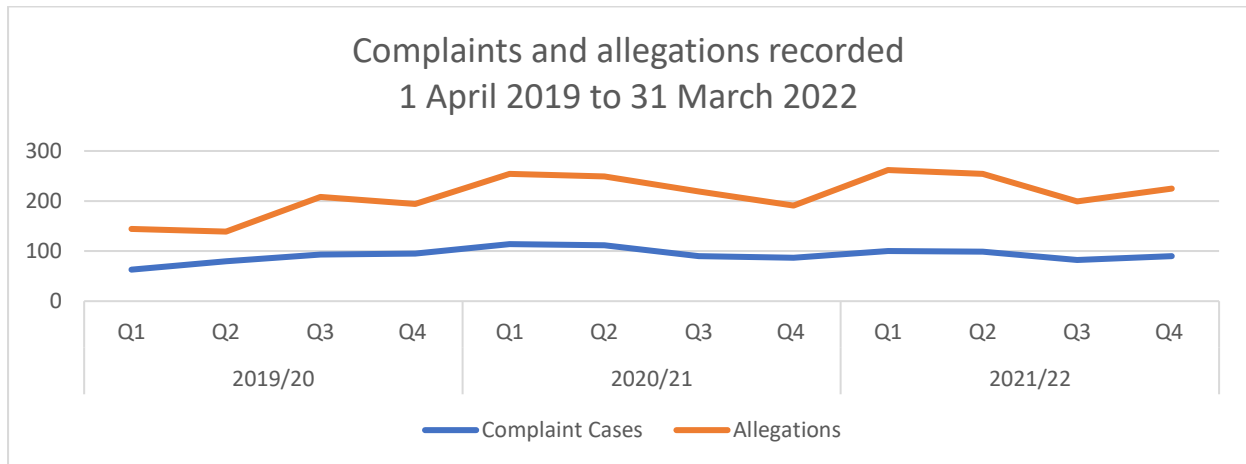
- 4 were determined that the service provided was acceptable
- 2 were determined the service provided was not acceptable
- 3 resulted in no further action being taken as in all cases the concerns had already been addressed.
- 1 was resolved outside of Schedule 3

In respect of the 2 complaints which were resulted as the service provided was not acceptable, both were in relation to officers not wearing face coverings when entering shop/premises. In both cases the officers received learning.

Complaint Cases

All complaints received in the Professional Standards Department are assessed and either recorded under Schedule 3 of the PRA 2002 or logged outside of Schedule 3.

(Chart 1): The chart below shows all complaint cases received in the reporting period both recorded under Schedule 3 and logged outside of Schedule 3 together, with the number of allegations recorded quarterly over the last three years:



(Table 1): The table below shows quarterly the number of complaints received and allegations recorded on the complaint cases:

<u>Year</u>	<u>Quarter</u>	<u>Schedule 3 complaints recorded</u>	<u>Outside Schedule 3 complaints logged</u>	<u>Total complaints received</u>	<u>Allegations Recorded</u>
2019/20	Q1	63	N/A	63	144
	Q2	80	N/A	80	139
	Q3	93	N/A	93	208
	Q4	73	22	95	194
2020/21	Q1	74	40	114	254
	Q2	72	40	112	249
	Q3	62	28	90	219
	Q4	56	31	87	191
2021/22	Q1	77	23	100	262
	Q2	77	22	99	254
	Q3	64	18	82	199
	Q4	70	20	90	225

The introduction of new Regulations on 1 February 2020 (within Q4 2019/20) requires Forces to log complaints received which are suitable for handling outside of Schedule 3 and the table above details the complaints recorded under Schedule 3 and logged outside Schedule 3.

All complaints received prior to the introduction of the new Regulations are recorded under Schedule 3 of the Police Reform Act.

Schedule 3 and outside Schedule 3 complaints

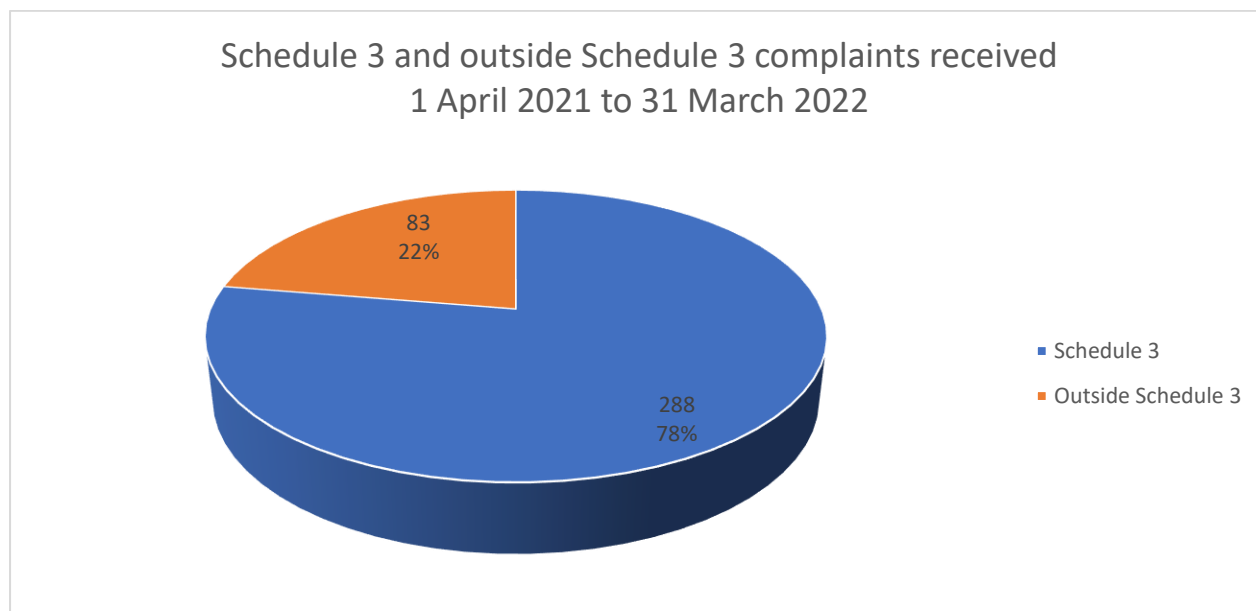
The IOPC Statutory Guidance states:

A complaint must be recorded under Schedule 3 to the *Police Reform Act 2002*, and handled in accordance with the provisions of that Schedule, if at any point the person making the complaint wants it to be recorded. This applies even if previous attempts have been made to handle the complaint outside of the requirements of Schedule 3. Where a complainant's wishes are unclear, reasonable steps should be taken to clarify what they are.

A complaint must also be recorded and handled under Schedule 3 if the chief officer or local policing body (where it is the appropriate authority or it has taken on responsibility for the initial handling of complaints) decides that it is appropriate or if the complaint:

- is an allegation that the conduct or other matter complained of resulted in death or serious injury
- is an allegation that, if proved, might constitute a criminal offence by a person serving with the police or justify the bringing of disciplinary proceedings
- is about conduct or any other matter which, if proved, might have involved the infringement of a person's rights under Articles 2 or 3 of the European Convention on Human Rights or
- meets any of the mandatory referral criteria

(Chart 2): The pie chart below shows the number and percentage of complaints received in the 2021/22, broken down into either recorded under Schedule 3 of the PRA Act 2002 or logged outside of Schedule 3:



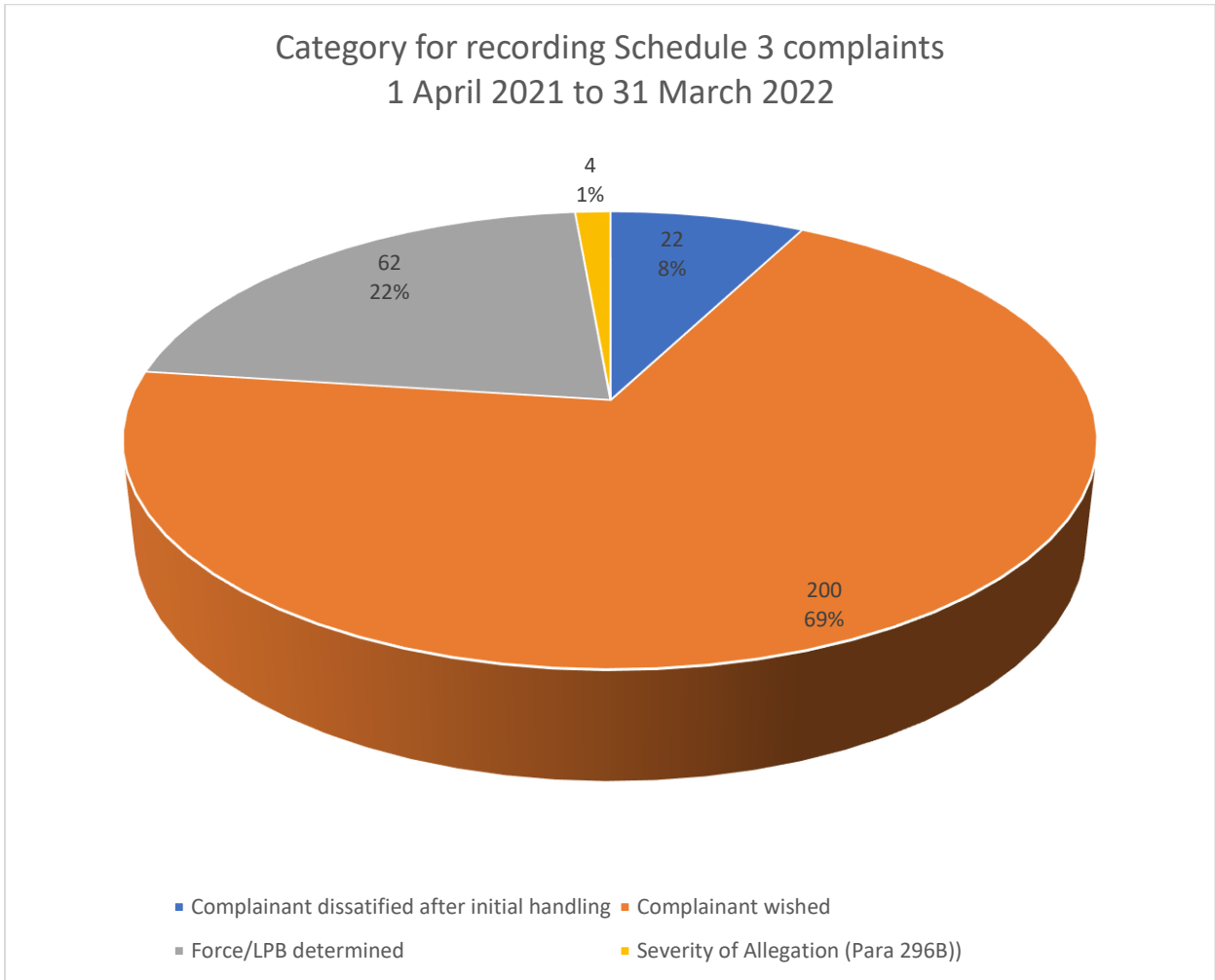
Of the complaints received, 78% have been recorded under Schedule 3, with the remaining 22% logged outside of Schedule 3.

In the previous 12-month period, 65.5% of complaints were recorded under Schedule 3, with the remaining 34.5% logged outside.

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Schedule 3 complaints are recorded under categories to provide context for the reasons the complaints are recorded as such.

(Chart 3): The pie chart below shows the number and percentage of each of the categories:

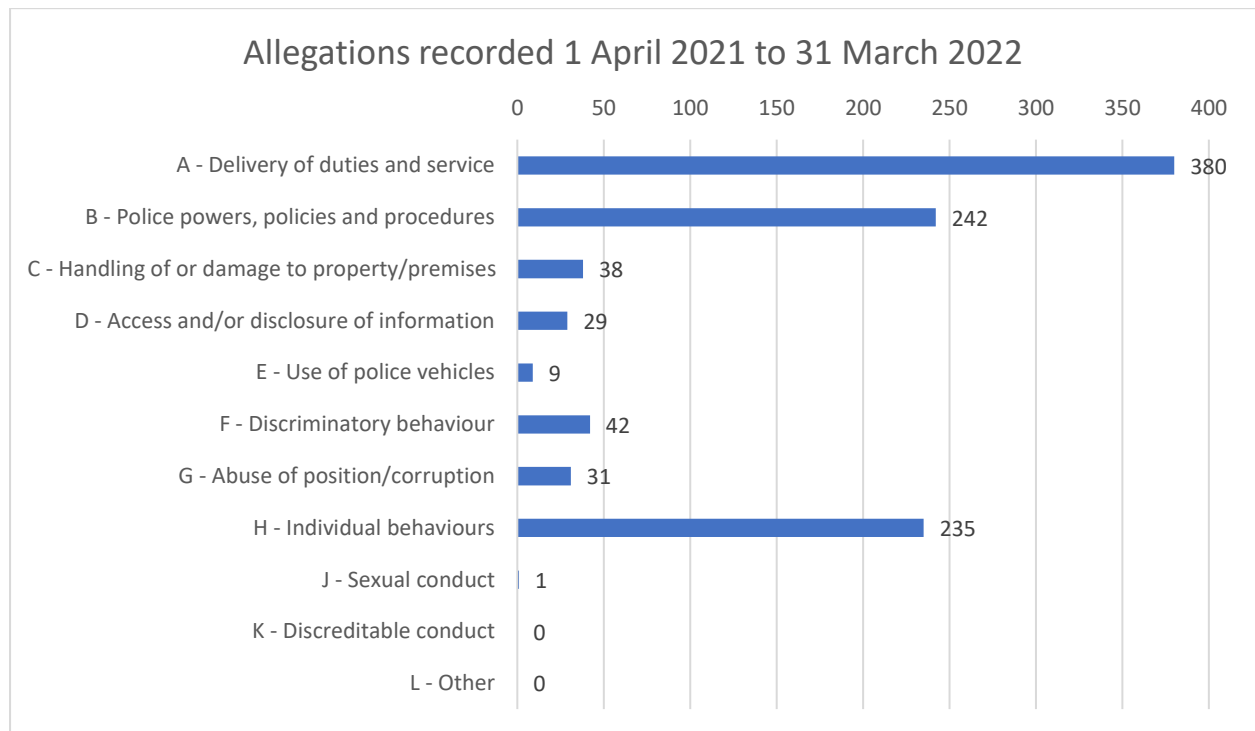


Allegations recorded

An allegation is made by the complainant about the service they have received. Multiple allegations can be recorded on complaint cases and new allegations can be added to complaints at any point during the complaint handling process, following discussion with the complainant to fully identify the allegations.

With the change in Regulations the IOPC devised a new set of 11 categories of complaint.

(Chart 4): The graph below shows the number of allegations under each category, recorded during the reporting period. Some of the allegations will be recorded on complaints logged and recorded prior to the reporting period:



The largest area of complaint has been recorded under the category of Delivery of duties and service. Of the 1,007 allegations recorded, 380 have been recorded under this category, which is 37.7% of the total.

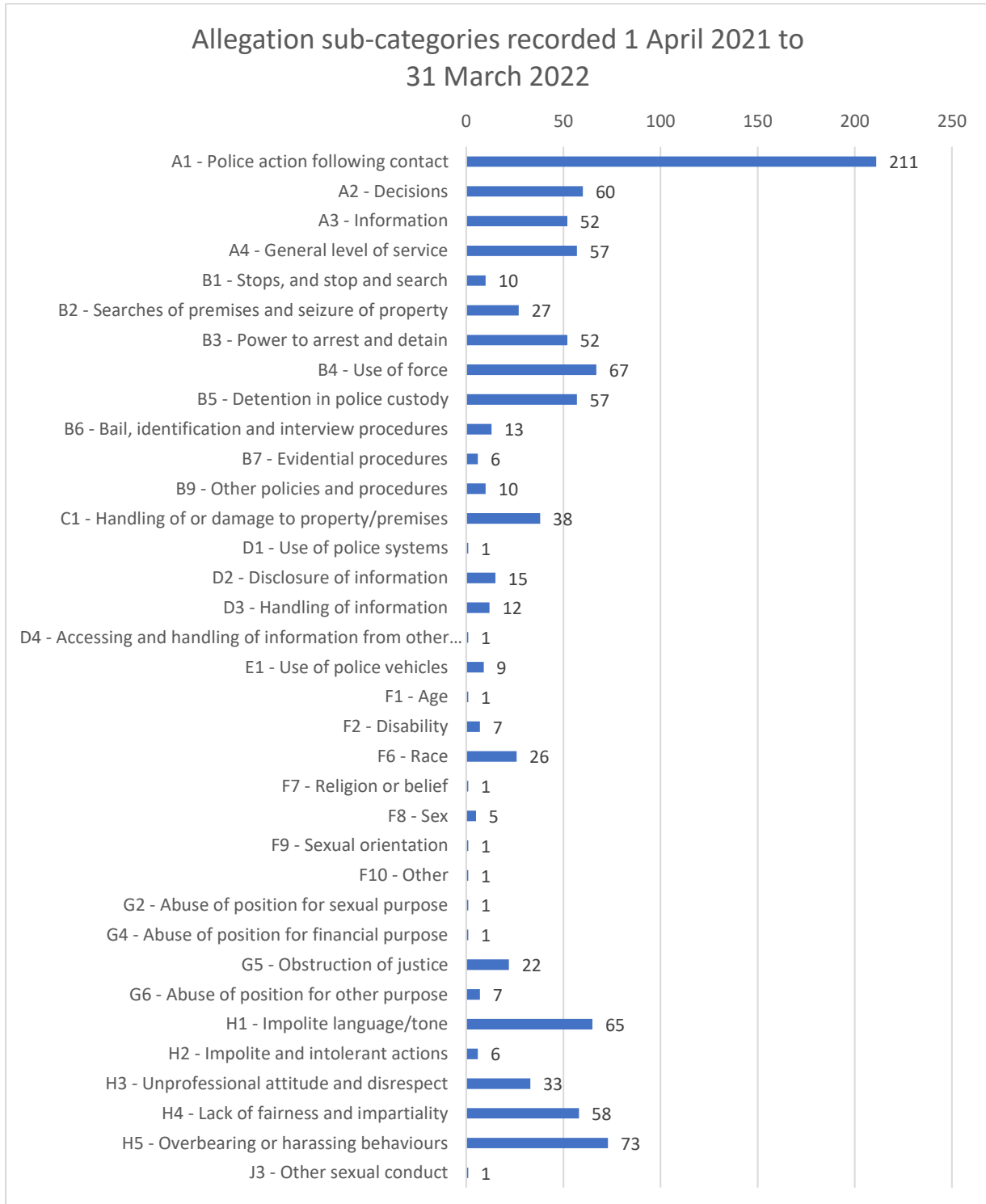
The types of complaint recorded under Delivery of duties and service relate to the service received by the complainant, in terms of the action of officers following contact (the police response to calls from the public), operational and organisational decisions (how the Force decides what action to take), information provided (how we communicate information) and the general level of service provided to the public

The second largest category of complaint is Police powers, policies and procedures which is 24% of all allegations recorded and by Individual behaviours, which is 23.3%.

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When the IOPC devised the complaint categories they created new sub-categories with a view to better understanding the nature of the complaints made.

(Chart 5): The graph below shows the sub-categories of the 1,007 allegations recorded in the reporting period:



The largest sub-category recorded is Police action following contact and it shows that 21% of allegations are recorded under this category. The types of complaint defined under this category can include:

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- No or insufficient action in response to a reported incident. For example: the number of officers deployed to an incident or no officers attended, no action taken by the police, or a failure to investigate.
- The size, nature or quality of an investigation. This includes allegations that evidence was not sought or obtained, and witnesses were not spoken to.
- No or insufficient response to a communication or other contact with police, such as no response to a letter sent to the chief officer.
- Timeliness of the response (including an investigation) to a reported incident, communication or other contact.

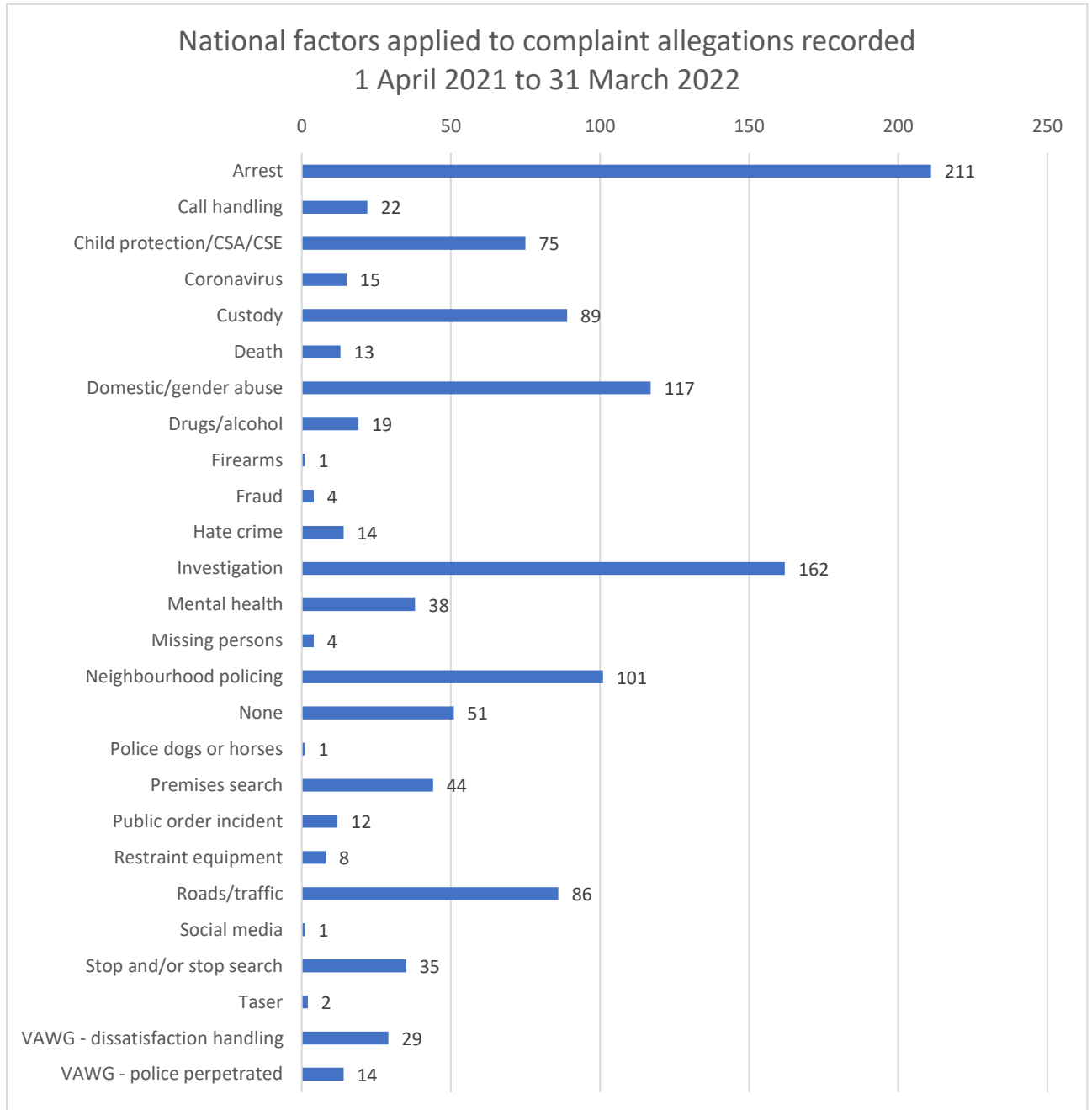
Following review of the IOPC annual statistics at the end of last year we identified that there may be discrepancies in our interpretation relating to the recording of complaint allegation sub-categories which is being addressed.

Police action following contact is in relation to the action following contact received from the public rather than the service provided during general contact where the sub-category of General level of service should be applied. This should be reflected in future data collections.

National and local factors

Every allegation recorded has a national and local factor applied to it. The purpose of the factors is to capture the situational context of the dissatisfaction. Multiple factors, both national and local, can be applied to each individual allegation.

(Chart 6): The chart below shows the national factors applied to the 1,007 allegations recorded in the reporting period:



The most frequently used national factor is Arrest which has been applied to 211 allegations and is 21% of all allegations recorded.

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Where the national factor of Arrest is applied to the allegations, half have been recorded under the category of Police powers, policies and procedures, with the largest number being linked to the Power to arrest and detain and Use of force:

- 23% of allegations relate to the power to arrest and detain whereby complainants state the arrest was unlawful or unnecessary
- 21% of complaints alleged the use of excessive force

Just under a quarter of the complaints relating to arrest have been recorded under the category of Individual behaviours, with 11% of allegations overall being recorded under the sub-category of Overbearing or harassing behaviours.

The types of complaint made relate to allegations that officers were aggressive, threatening or bullying and in some cases the complainant felt the number of officers attending the incident was disproportionate.

The next most frequently used national factor is Investigation and this has been applied to 162 allegations, and of these:

- 23% relate to an allegation of failure to investigate
- 18% are dissatisfied with the conclusion/outcome of the investigation
- 14% relate to a failure to update
- 10% relate to failure to secure and/or ask for evidence
- 5% are made alleging a failure to record the crime
- 2% are dissatisfied with the time taken to investigate.

Violence against women and girls (VAWG)

In March 2022, the VAWG taskforce from the College of Policing (CoP) contacted all Forces to request that complaints and conduct cases recorded in the year 2021 be reviewed and national factors applied to cases. The data collection has been returned and the findings will be available in due course.

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Timeliness for logging complaints and contacting complainants

Chapter 6 of the IOPC Statutory Guidance states that complaints should be logged, and the complainant contacted ‘as soon as possible’.

The length of time taken to log the complaints in Professional Standards and the time taken to make initial contact with the complainant are both measured.

The logged complaint timescales are from the date the complaint is received in Force to the date it is logged in Professional Standards.

Initial contact is measured from when the complaint is made to the point when initial contact is made with the complainant.

(Table 2): The table below shows the average number of working days to log and make initial contact, broken down quarterly over the reporting period:

<u>Year</u>	<u>Quarter</u>	<u>Average number of working days to log complaint</u>	<u>Average number of working days to contact complainant</u>
2020/21	Q1	2	4
	Q2	2	8
	Q3	1	10
	Q4	5*	17**
2021/22	Q1	2	12
	Q2	2	12
	Q3	3	7
	Q4	3	10

*One complaint recorded in Q4 2020/21 was received in Force in April 2020 but not referred to PSD until February 2021 at which point it was recorded. This is reflected in the average working days recorded, without this case the average would be 2 days.

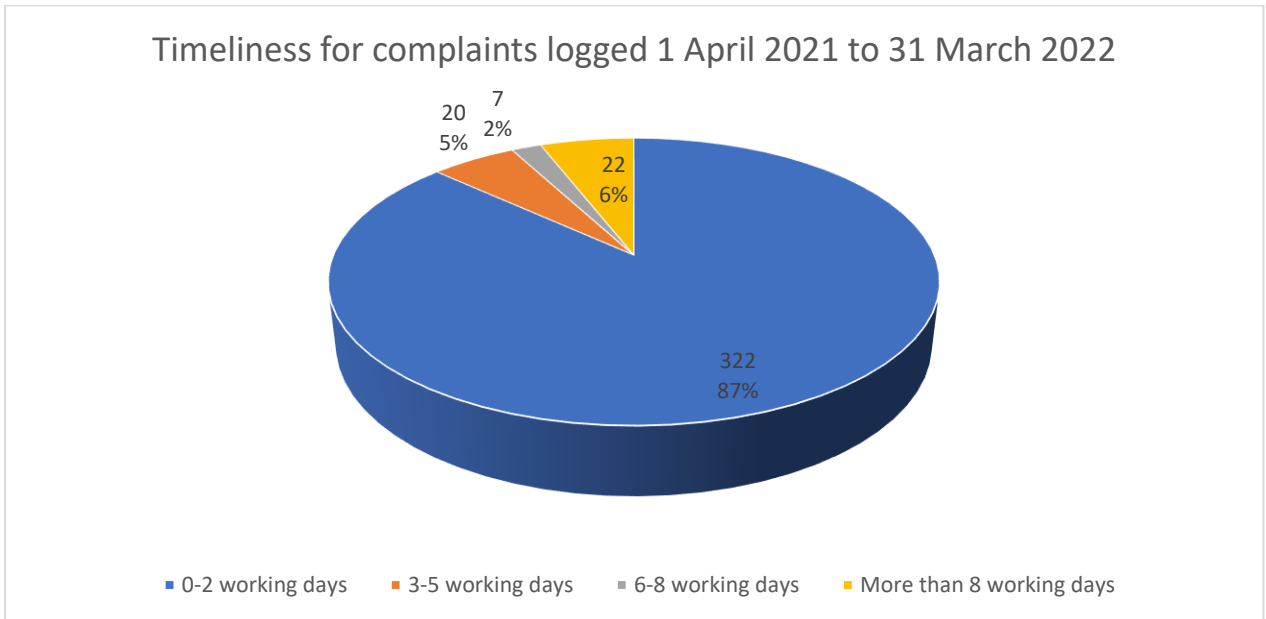
**The case referred late to PSD has also impacted on the average working days to contact the complainant. If this case were not included, the average would be 15 days.

(Table 3): The table below details the percentage of cases against the number of working days:

<u>Measure</u>	<u>1 April 2020 to 31 March 2021</u>	<u>1 April 2021 to 31 March 2022</u>
% of cases logged within 2 working days	89.3%	86.8%
% of cases logged within 3-5 working days	4.2%	5.4%
% of cases logged within 6-8 working days	2.2%	1.9%
% of cases logged in more than 8 working days	4.2%	5.9%
% of complainants contacted within 5 working days	37.3%	25.8%
% of complainants contacted within 6-10 working days	32.2%	32.9%
% of complainants contacted in more than 10 working days	30.5%	41.3%

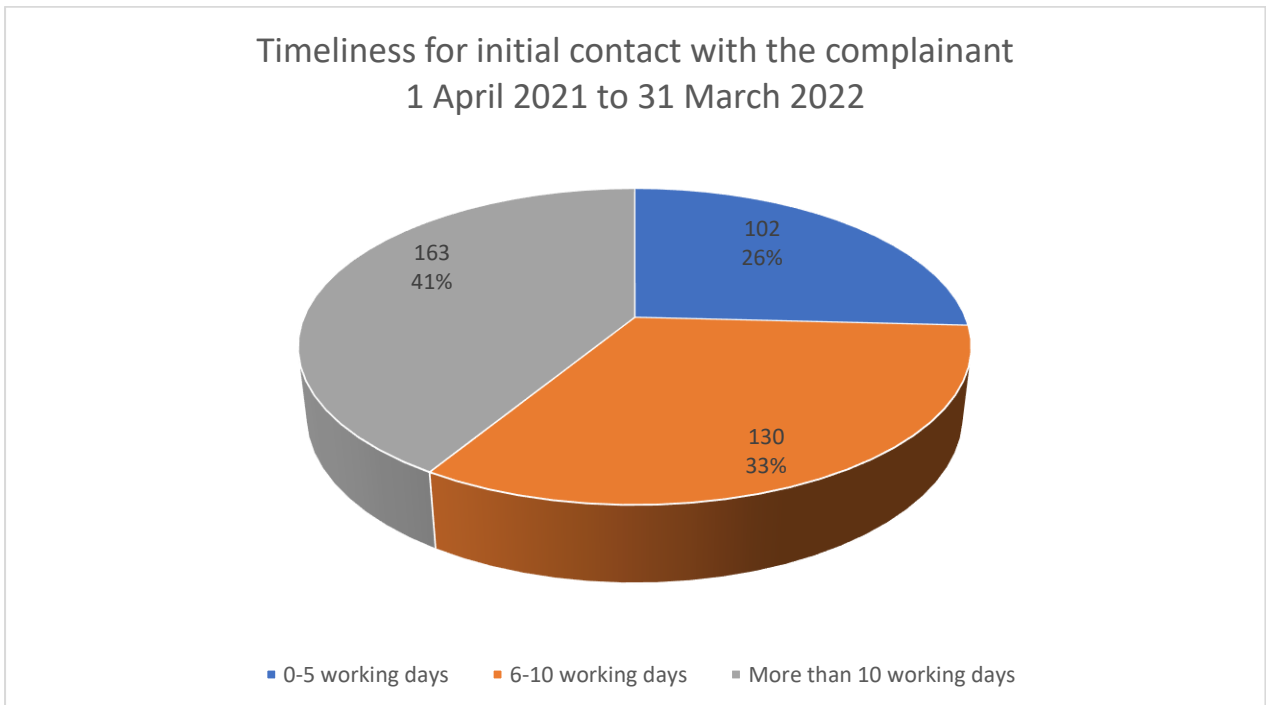
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(Chart 7): The chart below shows the timeliness for complaint cases logged in Professional Standards in the reporting period:



Of the 371 complaints received under new Regulations, 86.8% were logged within 2 working days.

(Chart 8): The following chart shows the timeliness recorded for initial contact with the 395 complainants who made the 371 complaints:



Over the 12-month reporting period, it took on average 10 working days to make initial contact with the complainant.

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Some dissatisfaction, which does not meet the criteria for recording a complaint under Schedule 3 of the PRA 2002, may be resolved quickly to the satisfaction of the complainant. There is no requirement to log these expressions of dissatisfaction as police complaints.

Other expressions of dissatisfaction must be logged, provided they meet the following criteria:

- the person making the complaint must be eligible to make a complaint
- the complainant wants the matter formally recorded.

Ideally contact should be made on receipt of the complaint, but this is not always possible. We aim to log and make contact within 1-10 days. Under the old Regulations, the requirement was to record within 10 days and communicate a recording decision within a further 5 days.

Over the reporting period the number of cases logged within 2 working days has remained consistently high at 86.8%.

The average time to make contact with the complainant over the year was 10 working days.

The percentage of complainants contacted in excess of 10 working days has increased from 30.5% in 2020/21 to 41.3% in 2021/22. This is not an insignificant increase and has been due in part to the number of contacts received. In the reporting period a total of 2,595 contacts were made to the Joint Professional Standards Department and 2,505 were received within the previous year, resulting in challenges managing the demand with current resources. To seek to make improvements, changes have been made to processes and 2 new roles have been created, Early Intervention Officers.

The Early Intervention Officers will be responsible for managing low level dissatisfaction, utilising the 'Listen, Say Sorry, Fix-it' principle. They will contact complainants at the earliest opportunity to seek to resolve their dissatisfaction outside Schedule 3 and if unable to do so, obtain information to inform the assessment process. This new process will serve to improve significantly the contact times, as well as the level of service provided to complainants.

Complaint and allegation outcomes (Schedule 3)

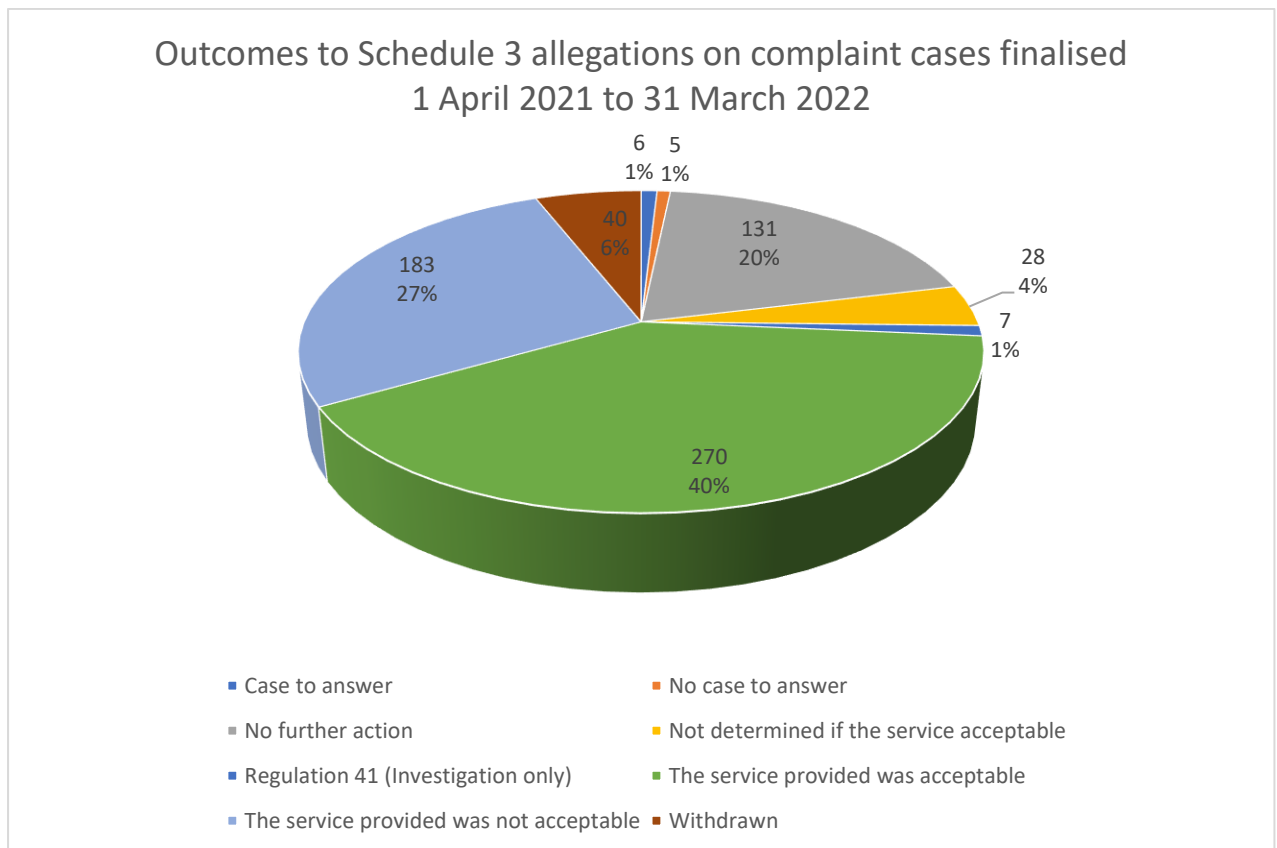
Under new Regulations, Schedule 3 complaints will either be investigated, handled otherwise than by investigation (responding to concerns raised and seeking to resolve them) or determined that no further action will be taken.

In some cases, the complaint will be withdrawn by the complainant or discontinued under Regulation 41.

(Table 4): A total of 244 complaint cases were resulted under Schedule 3 in the reporting period and the table below shows the way in which the complaint cases have been handled:

<u>Year</u>	<u>Quarter</u>	<u>Investigation</u>	<u>Otherwise than by investigation</u>	<u>No Further Action</u>	<u>Regulation 41 (Discontinued)</u>	<u>Withdrawn</u>
2020/21	Q1	0	11	10	0	0
	Q2	9	26	13	1	1
	Q3	4	35	19	1	0
	Q4	4	32	11	1	5
2021/22	Q1	7	15	18	2	2
	Q2	9	46	24	1	6
	Q3	5	35	17	1	7
	Q4	7	30	9	2	1

(Chart 9): Every complaint contains at least one allegation. The chart below details the outcomes to the 670 complaint allegations on the Schedule 3 complaints finalised in the reporting period:

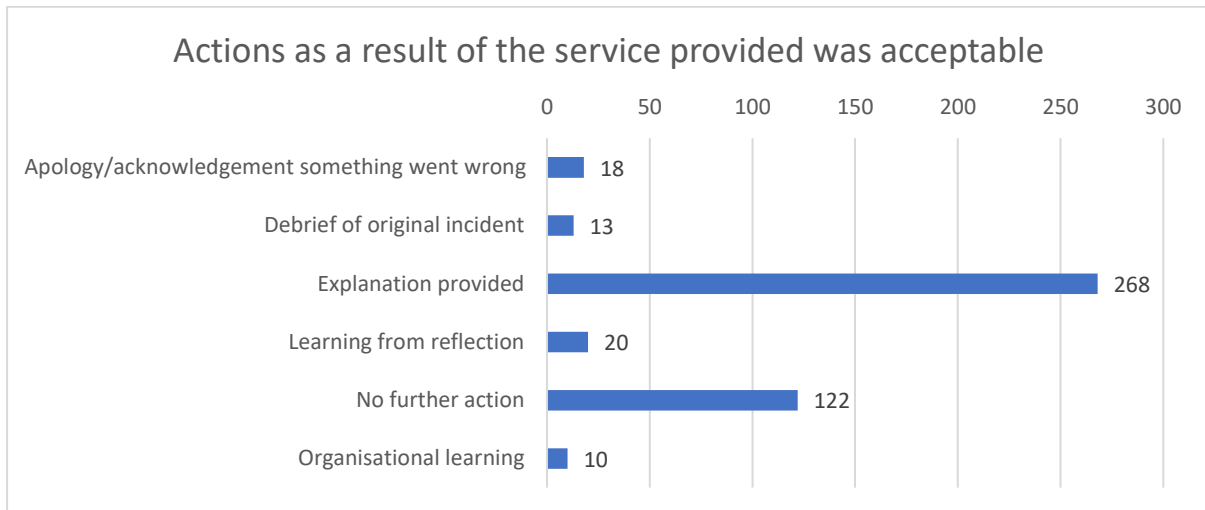


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Allegations resulted under the new Regulations show an action recorded for each allegation, which shows how the matter has been resolved.

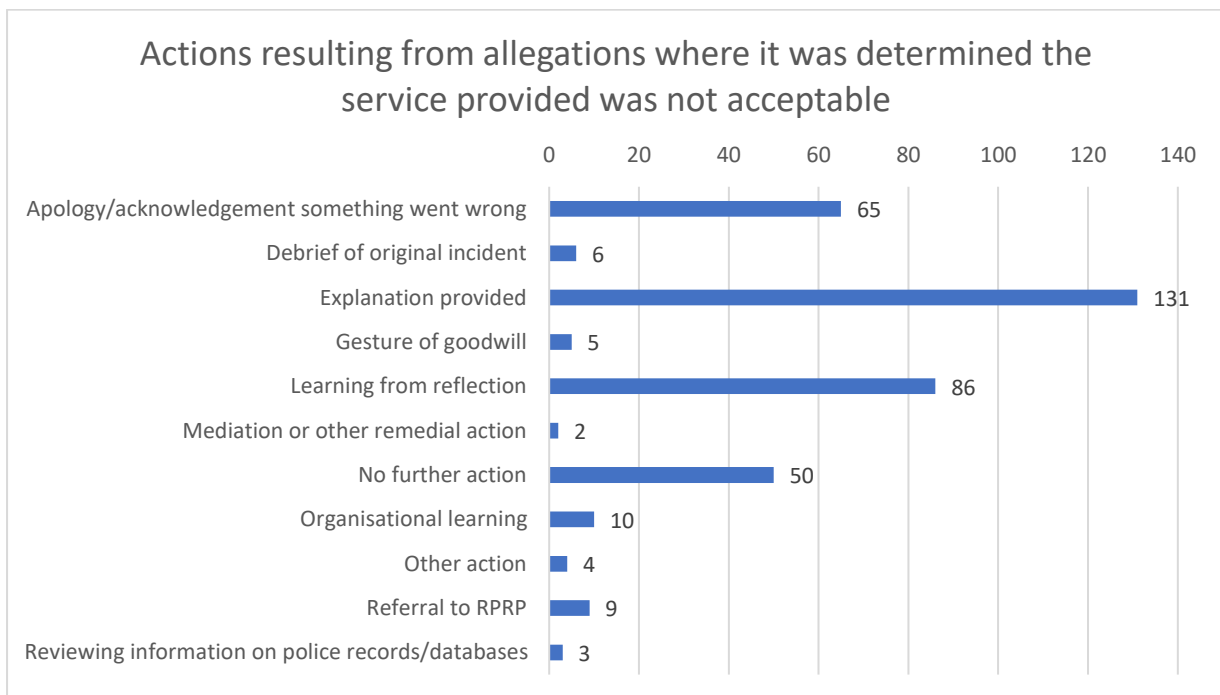
Even where it has been determined the service provided was acceptable, there are opportunities to resolve the issues and learn from the complaints in a number of ways.

(Chart 10): The graph below shows the actions which have resulted from the 270 allegations where it was found that the service provided was acceptable:



In the majority of cases an explanation was provided to the complainant. Learning for the individuals involved and also the organisation can be identified and, where appropriate, an apology given.

(Chart 11): It was determined that the service provided was not acceptable for 183 allegations on complaint cases finalised in the reporting period. These 183 allegations have resulted in the following actions:



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The largest action recorded is providing the complainant with an explanation, followed by learning for the individual and organisation, and an apology or acknowledgement to the complainant that something went wrong.

Gesture of goodwill and other actions relate to damage to property and agreement to settle costs/forward to insurance section to review compensation.

(Table 5): The table below shows the average working days taken to deal with complaint cases recorded under Schedule 3, for cases finalised quarterly in the reporting period. This is calculated from the date the complaint is recorded to the date the complainant is informed of the outcome. The working days do not include any time the case was suspended due to being sub judice:

<u>Year</u>	<u>Quarter</u>	<u>Average working days (not including time suspended)</u>
2021/22	Q1	53
	Q2	69
	Q3	53
	Q4	82

All cases handled under Schedule 3 took on average 65 working days to finalise from the date the complaint was recorded to the date the complainant was informed of the result.

Reflective practice

The Reflective Practice Review Process (RPRP) encourages officers to reflect and learn from any mistakes or errors and was introduced to increase the emphasis on finding solutions, rather than focussing on a punitive approach. It is not a disciplinary process or a disciplinary outcome.

RPRP is as a result of a determination of Practice Requiring Improvement following an investigation and in the reporting period 5 officers were referred for reflective practice in relation to 3 complaint cases.

Reflective practice is encouraged for all complaints, not just those investigated, and is a process which can be conducted by the complaint handler at any stage during the resolution of a complaint.

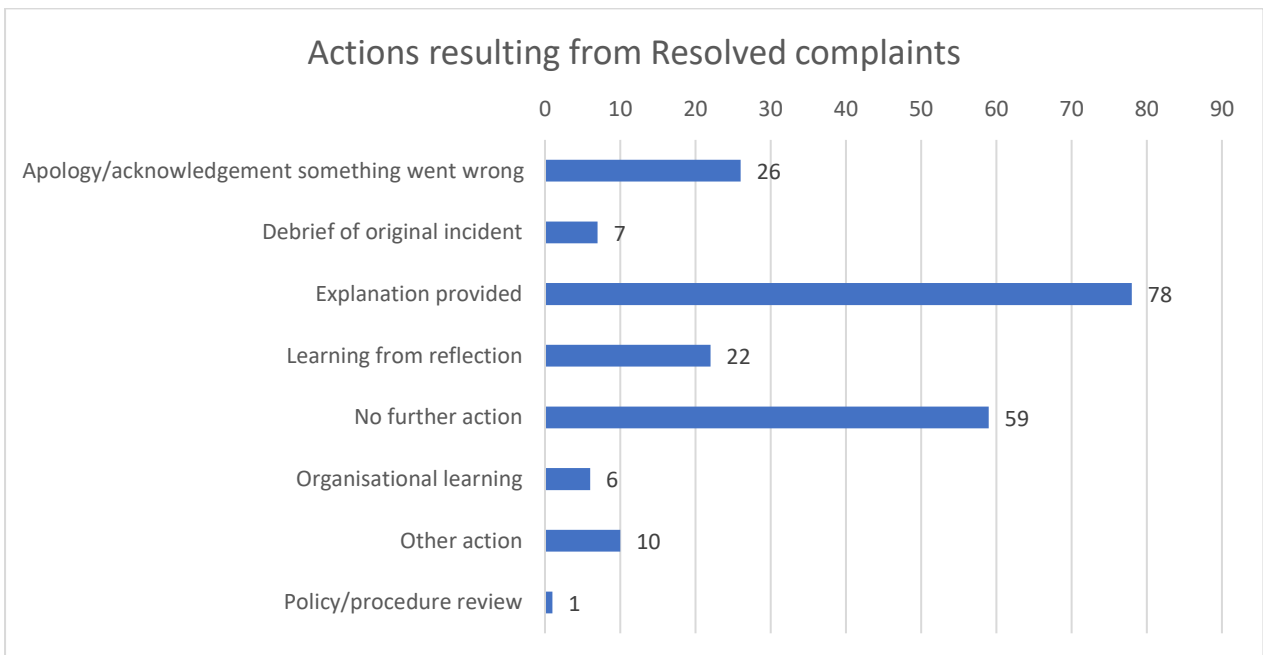
Complaint and allegation outcomes (Outside Schedule 3)

Cases dealt with outside of Schedule 3 of the PRA 2002 are handled with a view to resolving them to the complainant’s satisfaction. It allows complaints to be addressed promptly and, in many cases, complainant’s may only want an explanation or for their concerns to be noted.

(Table 6): A total of 87 complaint cases were handled outside of Schedule 3 in the reporting period and the table below details the outcomes to those cases:

<u>Year</u>	<u>Quarter</u>	<u>Resolved</u>	<u>Not resolved – No further action</u>
2020/21	Q1	27	2
	Q2	35	3
	Q3	30	3
	Q4	24	5
2021/22	Q1	25	2
	Q2	27	4
	Q3	11	2
	Q4	15	1

(Chart 12): The graph below shows the actions resulting from the 138 allegations which were resolved in the reporting period:



As with complaints handled under Schedule 3, there are opportunities to learn and offer an apology where appropriate. In the majority of cases, an explanation was provided to the complainant.

Other action included such things as an application to remove a caution, record a Victims right to review, the return of property, contact agreement with suspect, other action by partner agencies and forwarding a claim for compensation.

Where a complaint has been logged outside of Schedule 3, the complainant can request their complaint is recorded under Schedule 3 and in the reporting period, 11 cases were

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moved to Schedule 3. Data has only recently been collected for this area and therefore comparisons will be made in future reports.

(Table 7): The table below shows the average working days taken to deal with complaint cases logged outside Schedule 3, for cases finalised quarterly in the reporting period. The working days are calculated from the date the complaint is recorded to the date the complainant is informed of the outcome.

<u>Year</u>	<u>Quarter</u>	<u>Average working days</u>
2021/22	Q1	47
	Q2	51
	Q3	29
	Q4	34

Cases handled outside of Schedule 3 took on average 43 working days to finalise from the date the complaint was recorded to the date the complainant was informed of the result.

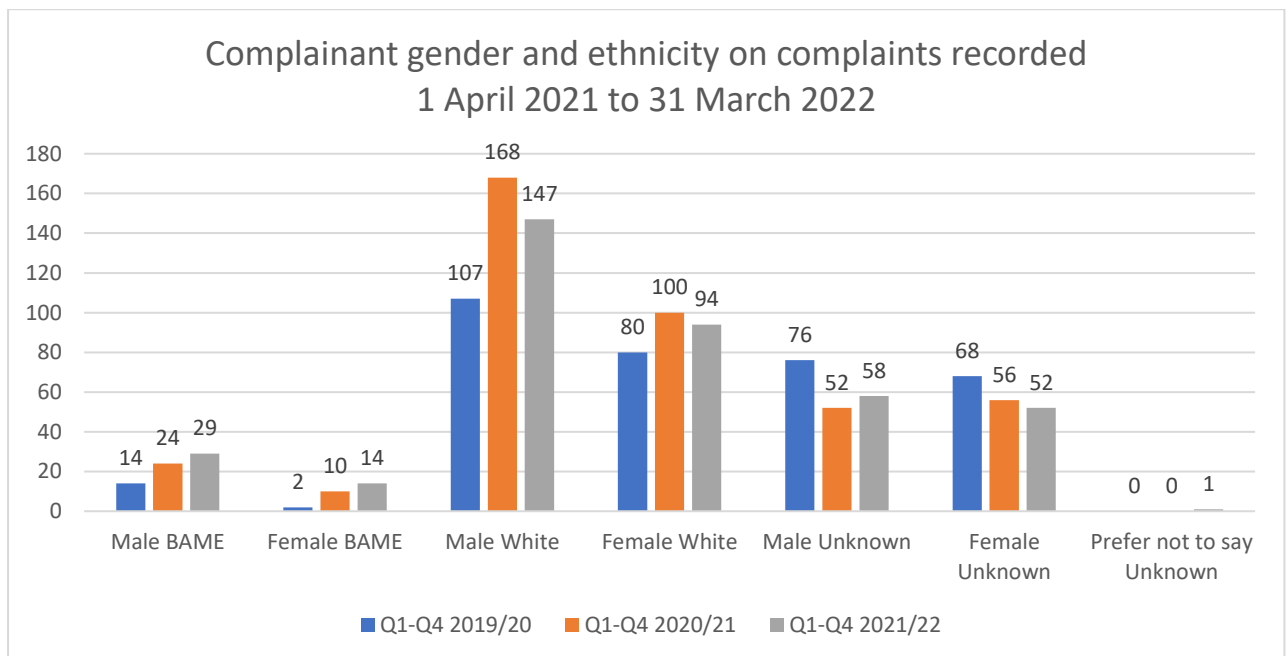
Complainant demographic

A member of the public is considered a complainant if they are directly or adversely affected by the conduct, witnessed the conduct or are acting on behalf of someone who meets the criteria of a complainant. As such, more than one complainant can be recorded on a complaint case.

In the reporting period, 1 April 2021 to 31 March 2022, 371 complaint cases were received. A total of 395 individual complainants are recorded as having made the complaints and where known, details of the complainant’s gender and ethnicity are recorded.

There is no requirement for complainants to provide their ethnicity when making a complaint. Of the complaints recorded in the reporting period the complainant’s ethnicity has been recorded on 72% of cases. This is a slight decrease from 74% of complainants providing their ethnicity in 2021/22 but an increase on 58.5% in 2019/20.

(Chart 13): The graph below shows the gender and ethnicity of the those making complaints, in comparison with the previous 2 years:

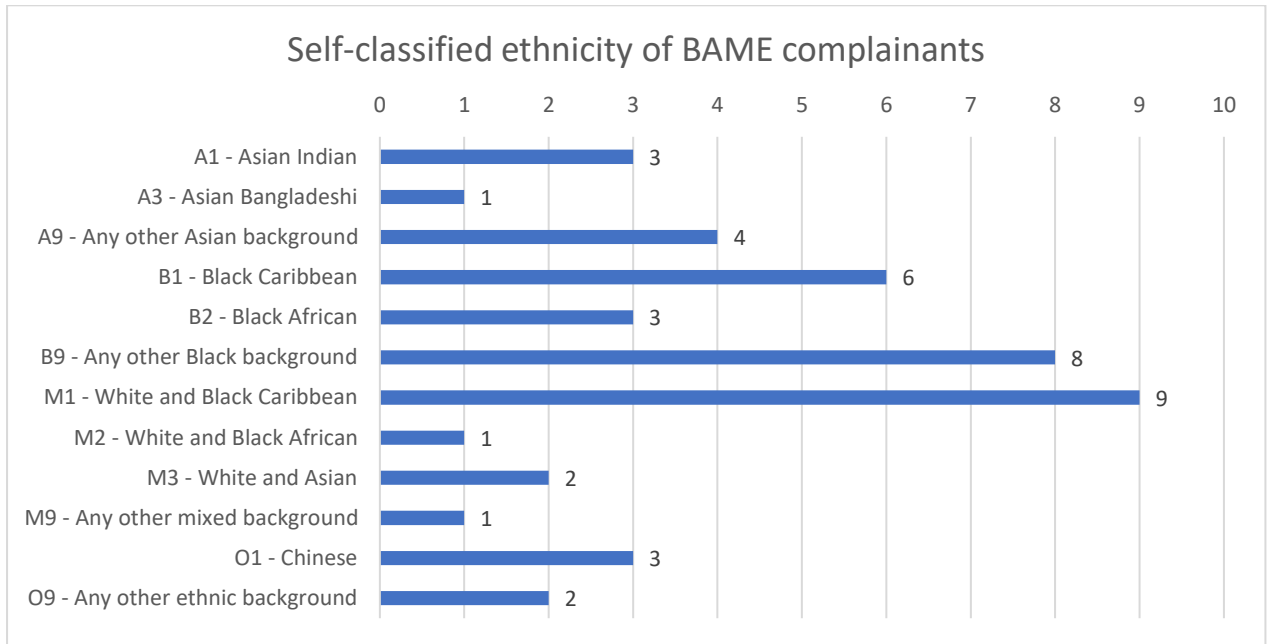


Complaints made by Black, Asian and Minority Ethnic

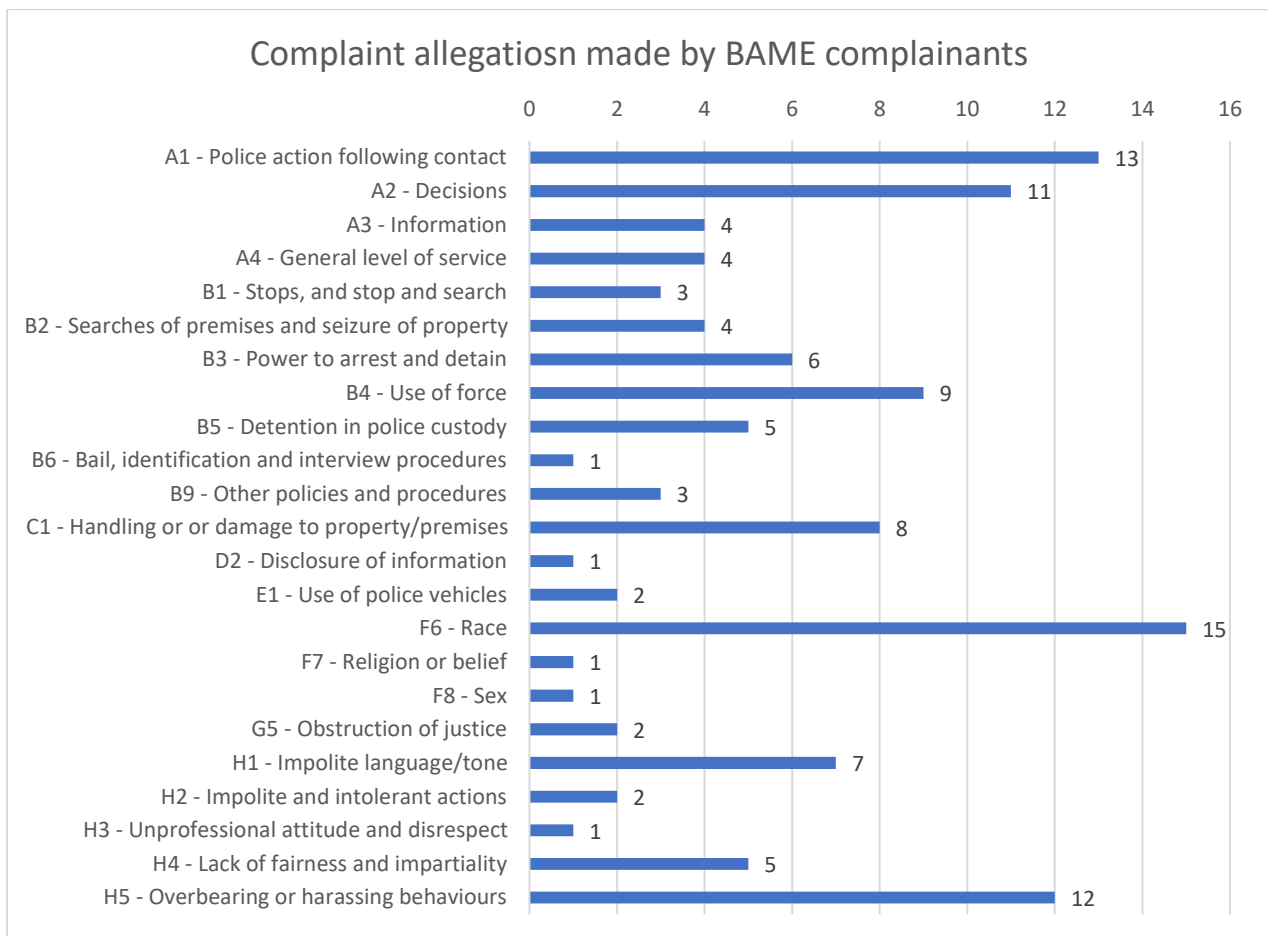
Of the 395 complainants recorded on the cases, 43 have advised PSD they are Black, Asian and Minority Ethnic (BAME). This is 10.9% of all complainants recorded.

This compares to 34 complainants from BAME backgrounds in 2020/21, which was 8.3% of the 410 complainants recorded and 16 complainants in 2019/20, which was 4.6% of the 347 complainants.

(Chart 14): The chart below details the self-classified ethnicity of the 43 BAME complainants:



(Chart 15): The 43 complainants from BAME backgrounds have made 120 separate complaint allegations in the reporting period and these are broken down into the following sub-categories:



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The largest number of complaints have been made in relation to discrimination on the grounds of Race, this is followed by Police action following contact and Overbearing or harassing behaviours.

Examples of the allegations recorded between 1 April 2021 to 31 March 2022 under the top 5 sub-categories are detailed as follows:

- **Race** – the complainant states they were only arrested because of their race and believe they have been treated less favourably by police than a white person of a similar age.
- **Police action following contact** – the complainant is dissatisfied with the level and speed of an investigation into an historic sexual offence.
- **Overbearing or harassing behaviours** – following the complainant reporting several incidents they state the officer was intimidating and they received a threatening email from police.
- **Decisions** – the complainant is dissatisfied with the outcome to an investigation of which they were the victim.
- **Use of force** – during their arrest the complainant was taken to the floor and knelt on by officers despite not resisting and when returned to their feet, their head was slammed into a police vehicle.

Discrimination complaints

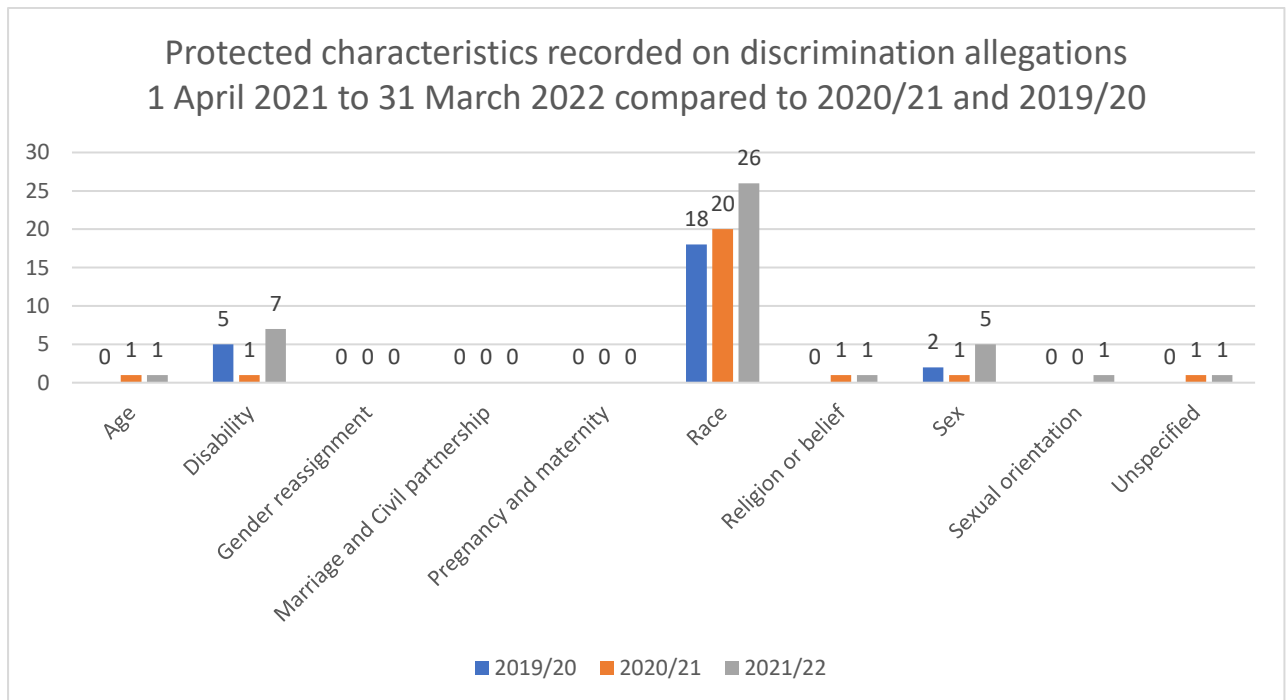
In the reporting period 1 April 2021 to 31 March 2022, the Professional Standards Department recorded 1,007 complaint allegations under new Regulations. Of this total, 42 allegations were recorded alleging discrimination which is 4.1% of the total.

To compare this to last year, 25 allegations of discrimination were recorded which was 3.1% of the total 797 new Regulation allegations recorded.

In 2019/20, 25 allegations of discrimination were recorded which is 3.7% of the 684 allegations recorded.

This category of complaint covers all discrimination under the protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation and other (identifiable groups not protected under the Equality Act 2010).

(Chart 16): The chart below shows the protected characteristics recorded on allegations received in the reporting period, compared the years 2020/21 and 2019/20:



The chart above shows there has been a year on year increase in allegations made of discrimination on the grounds of race.

In 2021/22, 62% of all allegations of discrimination were in relation to race.

Of the 42 allegations recorded, 26 were made under the protected characteristic of race. Complainant’s feel the service they received was not acceptable, or they were treated less-favourably, due to their ethnicity.

Of the 26 allegations recorded:

- 58% relate to an investigation, believing they have been treated differently or less-favourably during the investigation or that the arrest was made due to their ethnicity.

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- 31% relate to the pro-active use of police powers, i.e. traffic stops or stop and search where the complainant believes that the stop was motivated by race.
- The remaining complaints relate to interaction with police when responding to an incident, treatment in custody and comments made by an officer when having a conversation with the complainant.

The current status of all 42 discrimination allegations recorded, is as follows:

- 1 resulted as a case to answer
- 12 resulted as the service provided was acceptable
- 2 resulted as the service provided was not acceptable
- 1 resulted as not determined if the service provided was acceptable
- 3 resulted in no further action being taken
- 2 were resolved outside of Schedule 3
- 12 live investigations
- 1 investigation has been suspended as it is currently sub judice
- 7 are subject to IOPC reviews
- 1 is in the review period

The following cases resulted in a case to answer for misconduct:

- The complainant states the officer used language and described a situation which was discriminatory (Race). The investigating officer determined there was a case to answer for misconduct and the officer attended a misconduct meeting where the misconduct was proven, and they received a Written Warning.

The following cases were determined that the service provided was not acceptable:

- The complainant was arrested and believes they were discriminated against due to their gender (Sex). It was determined the service provided was not acceptable as the complaint handler identified that the complainant had made a counter allegation which was not recorded as a crime and investigated. The complaint handler considered this to be an oversight by the officers and has recorded the crime, apologised to the complainant and identified learning for the officers.
- Officers stopped the complainant whilst driving and made a racist comment (Race). It was determined the service provided was not acceptable. The complaint handler obtained accounts from officers present and the body worn video showed that when the officer was providing a rationale around the stop they made a comment about the driver's nationality. The complainant was provided with an apology and learning was identified for the officer.

The following case was resulted as not determined if the service was acceptable:

- The complainant states the officer had it in for them due to their Religion (Religion or belief). The complaint handler was unable to speak to the officer as they had left the Force and therefore it could not be determined if service provided was acceptable or not.

Police officers and staff subject of complaint

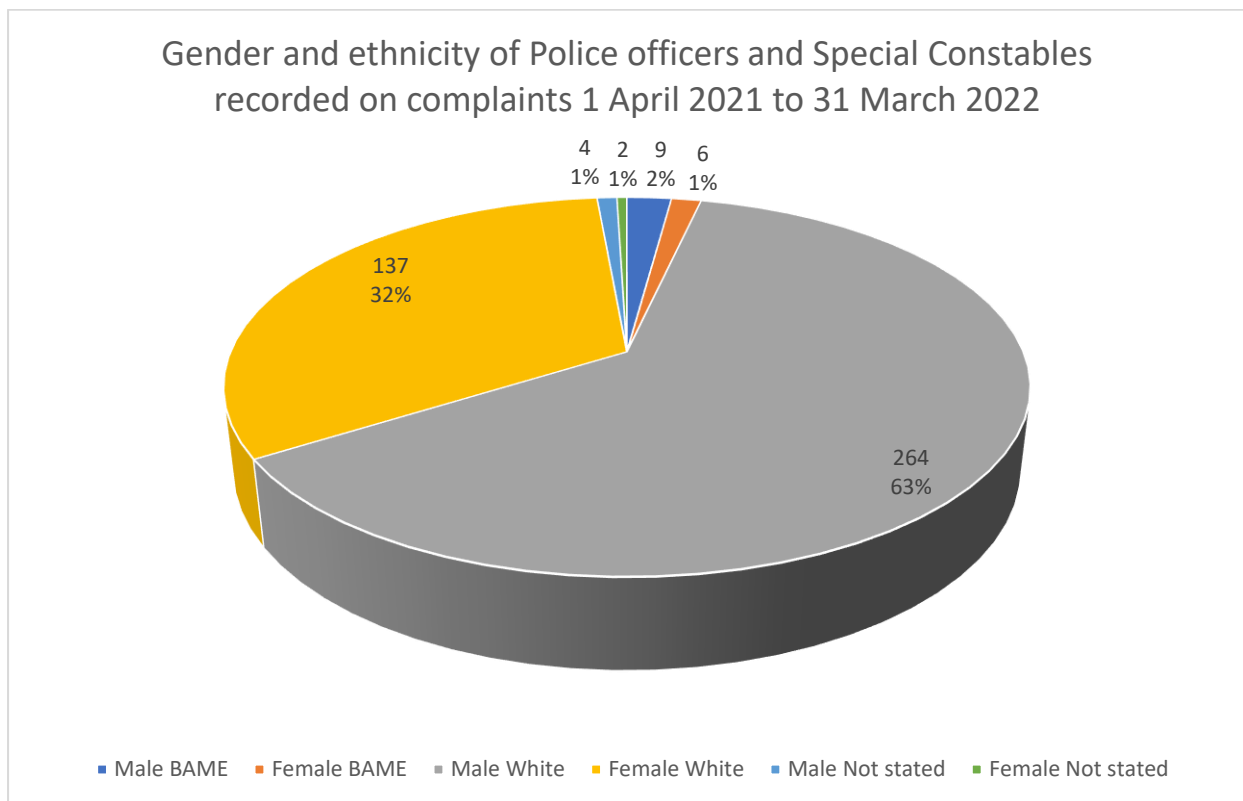
The 371 complaints received in the reporting period have been made against 732 Suffolk police officers, Special Constables and members of police staff (subjects).

Not all officers and staff are identified at the point the complaint is made as the complainant may not know the details of the person they had contact with.

A total of 444 individual officers and staff² have been identified on the 371 complaints received in the reporting period however it is likely that this number will increase during the investigation / resolution of the complaint.

Police officers

(Chart 17): Of the identified subjects, 422 are Suffolk police officers and Special Constables and details of their gender and ethnicity are shown in the chart below:



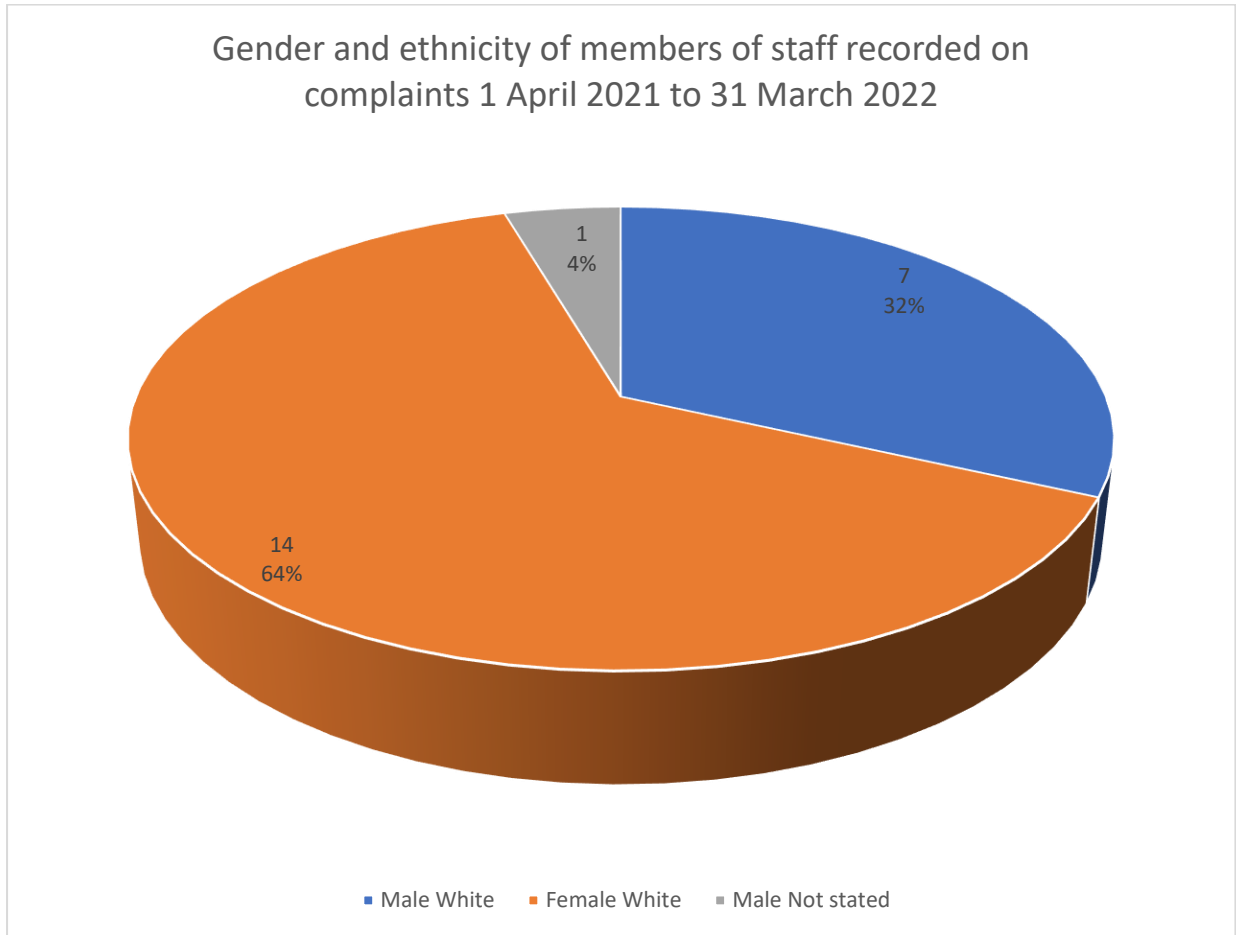
Of the 422 identified officers, 3.6% are BAME, 95% are White and 1% are unknown/not stated.

Suffolk workforce figures show that 2.5% of police officers are BAME, 95.9% are White and 1.6% have not stated their ethnicity.

² Officers and staff have been counted once regardless of how many complaints they may be linked to in the reporting period.

Members of police staff

(Chart 18): Of the identified subjects, 22 are members of police staff and details of their gender and ethnicity are shown in the chart below:



Organisational learning

Organisational and individual learning is a vital part of the complaints process and is closely monitored by the service improvement team within PSD. Opportunities to learn are identified in a variety of ways and from a number of sources. The service improvement team seek to share learning and implement processes to prevent similar occurrences in the future.

The following examples highlight some of the organisational learning from the reporting period where follow up action has been completed in order to reduce the likelihood of the same problem reoccurring:

1. As a result of a number of high profile cases, Officers in Suffolk have been reminded of the standards expected of them whilst engaging in private WhatsApp groups. An article was included in the learning times publication to highlight the positive obligation placed on officers & staff to report any inappropriate behaviour from their colleagues.
2. Custody officers have been reminded of the importance of correctly recording medication on Athena in custody. This arose from a complaint whereby two people were arrested and taken into custody and the medication for one of the detainees was booked into the property of the other. This resulted in the detainee being released from custody without their medication.
3. PSD have recorded complaints relating to poor levels of communication between the investigating officers and victims of crime. This has been addressed with individual officers by their line managers. In addition, further guidance has been produced and disseminated to all officers which highlights their responsibility under the victims code of practice (VCoP). This guidance has been published internally to all officers and members of staff.
4. A common theme of individual learning is under use of Body Worn Video which has been addressed accordingly – poster guidance has been produced and circulated to all operational bases across Suffolk. PSD have worked closely with Learning and Development to improve the use of Body Worn Video by providing additional support to student officers during their training period; to help them create the muscle memory of using body worn video. As a result, body worn video is now allocated to student officers at the start of their training and is used to record footage when completing role play scenarios. Officers are also reminded during taser courses of the importance of using BWV when deploying this use of force.
5. A concern was highlighted following an IOPC investigation into the safeguarding of vulnerable adults in Suffolk. It was identified that medium and high risk Adult Protection Investigations were not being routinely shared with mental health services. Suffolk Constabulary are currently reviewing their practices to ensure API's are shared with mental health services via an uplift of mental health nurses in the control room. Officers have also been provided a phone number to call from scene whilst members of the public are in crisis. The purpose of the phone call is to provide support to the individuals in circumstances where Section 136 of the Mental Health Act cannot be used by officer i.e. within private dwellings.

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The majority of individual learning is managed by line managers through advice which can be recorded as part of the PDR process and in some cases reflective practice. The use of reflective practice is under review. It is the desire of PSD that reflective practice becomes a daily practice whereby supervisors are empowered to challenge behaviour and actions and record this information centrally. The introduction of the electronic PDR should assist PSD to track the use of reflective practice and identify any trends.

Complaint training

Prior to the introduction of the new reforms in February 2020, a number of presentations were delivered to supervisors and senior managers in both counties, to raise awareness. COVID-19 has meant that training has had to be tailored to meet any restrictions and where possible training has been delivered face to face, but in the main via Teams. Presentations have been delivered to new supervisors as part of their development, as well as mini masterclasses on complaint handling to individuals and small groups arranged by local managers.

The PSD Intranet pages and communications, including Learning Times provide up to date information on the reforms, guidance and best practice, as well as any changes to process. Staff in CMU are available to respond to queries and to offer support and guidance in the management of cases.

Work continues with Learning & Development to produce a bespoke learning package for complaint handling for new supervisors on the Best I Can Be portal. When this is finalised, we will look to develop something similar for Inspectors who will be responsible for managing more complex investigations.

The Serious Cases Unit within Professional Standards has continued to support the training of Student Officers, Custody Sergeants and Special Constables, this has been further expanded to assist and support the development through presentations to Suffolk Sergeants and the Foundation Detective Course.

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Reviews

Complaints recorded under Schedule 3 of the PRA 2002 from 1 February 2020, allow the complainant to request a review if they remain dissatisfied with the outcome of their complaint.

The request for review is made to either the IOPC or the Local Policing Body and the outcome letter to the complainant will advise them who the relevant review body is.

IOPC reviews

In 2021/22 the IOPC received 23 requests to review the outcome of the complaint and of those, 13 were concluded within the reporting period.

The IOPC determined on 20 reviews in the reporting period (includes reviews received prior to the reporting period) and of those:

- 11 were determined as the outcome was reasonable and proportionate
- 8 were determined as the outcome was not reasonable and proportionate
- 1 was withdrawn

In the 8 cases upheld by the IOPC:

- 3 cases the IOPC were not satisfied with the findings and determined the matters should be investigated
- 3 cases the IOPC determined that the part of the complaint was not sufficiently investigated and should be subject to a re-investigation
- 1 case it determined that the outcome should show that the service provided was not acceptable and the officers concerned be referred to the Reflective Practice Review process
- 1 case was upheld as the complaint had not been referred to the IOPC. The original determination was to take no further action and the IOPC gave no direction to complete an investigation.

Local Policing Body (PCC) Reviews

Where the relevant review body is the PCC, the Office of the PCC (OPCC) will review the complaint and consider whether the response provided by Suffolk Constabulary appears 'reasonable and proportionate' based on the evidence supplied. The review will also consider whether the outcome of the complaint was reasonable and proportionate and whether there is a need to make any recommendations to Suffolk Constabulary.

In the event that any recommendations are necessary, Suffolk Constabulary must provide a written response to both the complainant and the PCC.

In the reporting period 1 April 2021 to 31 March 22 the Local Policing Body received 31 requests to review the outcome of the complaint. Of those, 26 were concluded within the reporting period. The breakdown is as follows:

- 20 were determined as the outcome was reasonable and proportionate
- 2 were determined as the outcome was not reasonable and proportionate
- 2 the review was not valid
- 2 the LPB was not the relevant review body (these have been sent to the IOPC)

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In the 2 cases which were upheld:

- 1 case the LPB determined that not all complaints had been responded to and no learning had been documented. It was recommended that the complaints be investigated.
- 1 case the explanation provided to the complainant was not substantial enough for them to understand the action taken by the Force. Additional information was provided to the complainant by the LPB and no further action was required.

Chapter 13 Reviews

Where a local investigation is not completed within 12 months the appropriate authority must provide the local policing body and the IOPC with details, in writing, of the cases including the progress of the investigation, an estimate of the timescales, the reason for the length of time taken and a summary of the steps to progress the investigation and bring it to a conclusion.

In the reporting period, 1 April 2021 to 31 March 2022, 6 complaint cases were highlighted as not being completed within 12 months. In 3 of the cases the investigation had been suspended for a period of time due to the complaints being sub judice. There were also 2 conduct cases which met the criteria.

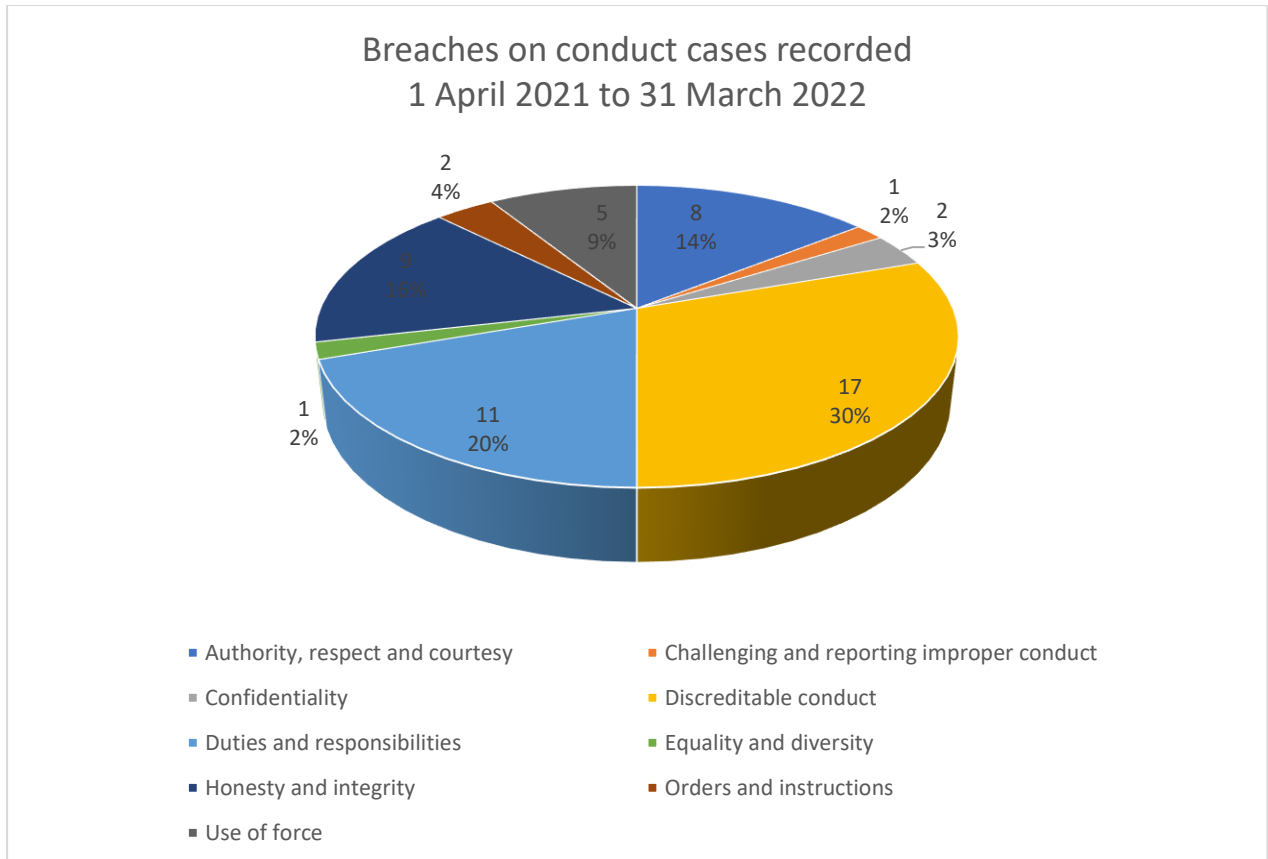
The IOPC confirm there is no requirement to review cases which are sub judice and provide a formal response. However, it has been agreed that the appropriate authority will advise the local policing body of all cases which meet the 12-month time period and also highlight any IOPC independent investigations which take longer than 12 months to complete. During the reporting period there were 3 cases which met this criteria, none of which were IOPC independent investigations.

Internal Investigations

In the reporting period, 1 April 2021 to 31 March 2022, 39 internal conduct cases were recorded.

A total of 56 separate breaches of the Standards of Professional Behaviour have been recorded on the 39 conduct cases. These breaches relate to 35 Police officers, 8 members of Police staff and 1 member of the Special Constabulary.

(Chart 19): The chart below displays a breakdown of the breaches recorded on the conduct cases under each category and as a percentage overall:



The most frequently recorded breach in the reporting period was ‘Discreditable conduct’ which is 30.4% of the total recorded. This was followed by ‘Duties and responsibilities’ at 19.6% and ‘Honesty and integrity’ at 16.1% of the total recorded.

Examples of some of the breaches recorded are as follows:

- Allegation the member of staff had committed criminal offences
 - *No further action was taken criminally and determined the member of staff should receive management action*
- Allegation the officer made inappropriate comments to colleagues
 - *Live investigation*
- Allegation the officer failed to adequately deal with an item of property

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- *Misconduct meeting resulting in a written warning*
- Allegation the officers have inappropriately accessed a computer device
 - *Referred to the reflective practice review process*
- Allegation the member of staff has received a payment they are not entitled to
 - *Live investigation*

Of the conduct cases recorded in the reporting period, 20 have been finalised to date:

- 5 cases resulted in a case to answer and were referred to proceedings
- 5 cases resulted in the matter being determined as Practice Requiring Improvement and were referred for Reflective Practice
- 1 case resulted in Unsatisfactory Performance Procedures
- 5 cases resulted in informal management action
- 4 cases resulted in no case to answer for misconduct and no action was taken

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Misconduct outcomes

(Table 8): The following table provides details of the misconduct outcomes recorded against police officers, police staff and members of the Special Constabulary as a result of hearings and meetings.

MISCONDUCT HEARINGS 1 APRIL 2021 TO 31 MARCH 2022		
1	A misconduct hearing was held for a former police officer for Authority, respect and courtesy and Discreditable conduct Inappropriate behaviour towards a female colleague	Amounted to misconduct rather than gross misconduct and as the officer is no longer serving no further action will follow
2	A police officer attended a misconduct hearing for Discreditable conduct. Inappropriate behaviour with a member of the public	Referral to Reflective Practice Review Process
3	A police officer attended a misconduct hearing for Authority, respect and courtesy and Discreditable conduct. Exchanged inappropriate messages with a member of the public	Final Written Warning
4	A member of police staff attended a misconduct hearing for Honesty and integrity. Accessed Force systems without a policing purpose	Final written warning
5	A member of police staff attended a misconduct hearing for Honesty and integrity, Authority, respect and courtesy, Duties and responsibilities, Confidentiality and Discreditable conduct. Failed to carry out role in line with policy Disclosed confidential information Behaved in an unacceptable manner towards colleagues	Dismissed
MISCONDUCT MEETINGS		
1	A police officer attended a misconduct meeting for Duties and responsibilities Failed to provide prompt and accurate information to colleague	Written Warning

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2	A police officer attended a misconduct meeting for Use of force Used a level of force which was not proportionate	Referral to the Reflective Practice Review Process
3	A police officer attended a misconduct meeting for Authority, respect and courtesy and Equality and diversity Used discriminatory language in presence of members of the public	Written warning
4	A police officer attended a misconduct meeting for Use of force Used unnecessary and excessive force	Written warning
5	A police officer attended a misconduct meeting for duties and responsibilities Failed to adequately deal with an item of property	Written warning
6	A police officer attended a misconduct meeting for Authority, respect and courtesy Used discriminatory language in presence of colleagues	Written warning

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Resignations

The Policing and Crime Act (PCA) 2017 contains a number of reforms and from 15 December 2017 allows officers under investigation to resign or retire however there is an expectation that misconduct proceedings for gross misconduct will be taken to conclusion.

The Police Barred List is a list of all officers, special constables and staff members who have been dismissed from policing after investigations under the Police (Conduct) Regulations 2012 or Police (Performance) Regulations 2012 as well as the equivalents for police staff.

The Police Advisory List is a list of all officers, special constables and staff members who have resigned or retired during an investigation into a matter that could have resulted in their dismissal, or who leave before such an allegation comes to light. They will remain on the Advisory list until the outcome of the investigation is determined. This list also includes designated volunteers who have had their designated status withdrawn due to conduct or performance matters.

Both lists are held and administered by the College of Policing.

In the reporting period two police officers resigned whilst under investigation. One resulted in a misconduct hearing for the former officer and in the other case, no further action was taken.

Public Hearings

Since 1 May 2015, in cases where an officer is given notice of referral to misconduct proceedings under regulation 21 (1) or 43 (1) of the conduct regulations, the case will be heard in public. This is also the case for special case hearings (fast track cases). Exemptions from this are subject to the discretion of the person chairing or conducting the hearing to exclude any person from all or part of the hearing.

The regulations do not apply to misconduct meetings or third stage unsatisfactory performance meetings.

Venues for public hearings will be carefully selected according to the nature of the hearing.

In cases where an officer is given notice of referral to misconduct proceedings under regulation 21 on or after 1 January 2016 the hearing is heard by legally qualified chairs. Any cases prior to this date will continue to be heard by a member of the National Police Chief's Council (NPCC).

Three misconduct hearings were held in public within the reporting period and of those, 2 had reporting restrictions in place.

Dip Sample by the Office of the Police and Crime Commissioner

Dip sampling of complaint files is a key component of the oversight arrangements which are implemented by the Police and Crime Commissioners in pursuit of the statutory duties set out in the Police Reform and Social Responsibility Act 2011, and further strengthened in the Policing and Crime Act 2017.

Since the last report was presented to the Accountability and Performance Panel, the OPCC has completed Dip Sampling from the finalised cases provided by the Constabulary's Professional Standards Department (PSD) for the periods of 1 July 2021 to 30 September 2021 and 1 October 2021 to 31 December 2021.

A total of 17 files were subject to Dip Sampling with all complaints being handled under the new complaint system introduced as part of the Policing and Crime Act 2017 that came into effect on 1 February 2020.

The finalised complaints included files where investigations were conducted by both Suffolk Constabulary and PSD (and included complaints where the level of service was judged to be acceptable and not acceptable). Consideration was also given to files where it was decided to record and take no further action as well as complaints that were withdrawn.

Overall, the files sampled were completed to the expected standard with processes and procedures followed. There were several positive examples of complainants being interacted within at an early stage of the complaints process with a view of remedying their dissatisfaction as soon as possible. There were also positive examples of detailed final written reports being provided which responded to all the issues raised within the complaint. There were also examples where additional operational learning was identified on elements that did not form the focus of the complaint received.

This Dip Sample highlighted a few areas of improvement that have been discussed with the Suffolk Constabulary Professional Standard Department (PSD). These issues included:

- Delay in initial complaint assessment.
- Delay in final documentation being provided to complainants.
- Delay in progressing complaints by investigating officer.
- Incorrect recording of the complaint outcome on internal systems.
- Officers not being informed of the complaint outcome.

Within the response to this Dip Sample, PSD has provided details to the OPCC of future process changes and training initiatives that is hoped will improve the quality of the complaint process. Information was also provided on the increasing workload faced within both PSD and the officers tasked with responding to complaints on area.

In conclusion, whilst there have been some issues highlighted it must be stated that this was a positive Dip Sample with clear examples of detailed investigations taking place which covered a number of sensitive subjects. There were several examples of positive and proactive engagement with complainants, and it is clear Suffolk Constabulary continue to strive for improvements within this process even in view of other challenges being faced.

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Glossary

Appropriate authority - the appropriate authority for a person serving with the police is:

- for a chief officer or an acting chief officer, the local policing body for the area of the police force of which that officer is a member; or
- in any other case, the chief officer with direction and control over the person serving with the police

In relation to complaints not concerning the conduct of a person serving with police, the appropriate authority is the chief officer of the police force with which dissatisfaction is expressed by the complainant.

Complaint – any expression of dissatisfaction with police expressed by or on behalf of a member of the public

Complaint handler – is any person who has been appointment to handle a complaint

IOPC Statutory Guidance – is the guidance from the IOPC to assist local policing bodies and Forces to achieve high standards in the handling of complaints, conduct matters, and death or serious injury (DSI) matters concerning those serving with the police, and to comply with their legal obligations.

Schedule 3 – The complaint must be recorded and handled under Schedule 3 of the legislation if the complainant wishes it to be or if it meets certain criteria as defined within the guidance.

Outside Schedule 3 – The complaint can be logged and handled outside of Schedule 3 with a view to resolving the matter promptly and to the satisfaction of the complainant without the need for detailed enquiries to address the concerns.

Investigation – an investigation of the matter recorded under Schedule 3.

Otherwise than by investigation – responding to concerns raised and seeking to resolve them under Schedule 3.

Service provided was not acceptable – the service provided (whether due to the actions of an individual, or organisational failings) did not reach the standard a reasonable person could expect.

Not been able to determine if the service provided was acceptable – should only be determined in situations where despite the complaint being handled in a reasonable and proportionate manner, there is too little information available on which to make the determination.

Local Policing Body – is the term for the Police and Crime Commissioners

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.

Regulation 41 – the Regulation under the Police (Complaints and Misconduct) Regulations 2020 under which the appropriate authority contacts the complainant following a suspension of the investigation of a complaint to ascertain whether they wish for the investigation to be started or resumed. If the complainant does not want the investigation started or fails to

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reply the appropriate authority must determine whether it is in the public interest for the complaint to be treated as a recordable conduct matter.

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

Relevant review body (RRB) – the relevant body (the IOPC or the Local Policing Body) to consider a review made under Paragraph 6A or 25, Schedule 3, Police Reform Act 2002.

Withdrawn complaints – a complaint that is withdrawn in accordance with regulations 38 and 39, Police (Complaints and Misconduct) Regulations 2020 following an indication or notification from the complainant.

IOPC Complaint Categories:

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Reference	Category / sub-categories
A	<p>Delivery of duties and service</p> <p>A1 Police action following contact A2 Decisions A3 Information A4 General level of service</p>
B	<p>Police powers, policies and procedures</p> <p>B1 Stops, and stop and search B2 Searches of premises and seizure of property B3 Power to arrest and detain B4 Use of force B5 Detention in police custody B6 Bail, identification and interview procedures B7 Evidential procedures B8 Out of court disposals B9 Other policies and procedures</p>
C	<p>Handling of or damage to property/premises</p>
D	<p>Access and/or disclosure of information</p> <p>D1 Use of police systems D2 Disclosure of information D3 Handling of information D4 Accessing and handling of information from other sources</p>
E	<p>Use of police vehicles</p>
F	<p>Discriminatory behaviour</p> <p>F1 Age F2 Disability F3 Gender reassignment F4 Pregnancy and maternity F5 Marriage and civil partnership F6 Race F7 Religion or belief F8 Sex F9 Sexual orientation F10 Other</p>
G	<p>Abuse of position/ corruption</p> <p>G1 Organisational corruption G2 Abuse of position for sexual purpose</p>

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Reference	Category / sub-categories
	G3 Abuse of position for the purpose of pursuing an inappropriate emotional relationship G4 Abuse of position for financial purpose G5 Obstruction of justice G6 Abuse of position for other purpose
H	Individual behaviours H1 Impolite language/tone H2 Impolite and intolerant actions H3 Unprofessional attitude and disrespect H4 Lack of fairness and impartiality H5 Overbearing or harassing behaviours
J	Sexual conduct J1 Sexual assault J2 Sexual harassment J3 Other sexual conduct
K	Discreditable conduct
L	Other

The above categories are explained in greater detail in this document (Appendix A):
[Guidance on capturing data about police complaints Jan2021.pdf](#)
policeconduct.gov.uk