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Complaint Ref. No.	Category of Complaint	Issues and comments from members	Force Response to issues raised
CM/57/15		<p>2 Members of the committee have reviewed this case and have a number of concerns:</p> <p>On 15/12/15 Inspector X appeared before a Misconduct Meeting in relation to a separate incident involving social media.</p> <p>Prior to this, on 8/12/15 Chief Inspector Y emails Superintendent Z where he indicates he is aware of the incident involving the complainant.</p> <p>It seems inappropriate (in the opinion of the reviewers) not to have referred the matter to PSD in the light of the existing investigation.</p> <p>It is possible, that if the disciplinary panel had been aware of the 2<sup>nd</sup> incident of potential misconduct, that it would have taken the view that collectively the incidents amounted to Gross Misconduct, amounting to a breach of trust and confidence, resulting in dismissal in other professions.</p> <p>This should, at least, have been put to the board.</p> <p>Note: The complainant's assessment that the issue had been dealt with is not sufficient grounds for non-referral to PSD given the other investigation and the evidence available.</p> <p>The reviewers feel that there are organisational lessons to be learned here.</p> <p>The reviewers feel that Chief Inspector Y and Supt Z could benefit from additional training in these matters, although it may be required more generally.</p> <p>The reviewers feel that the decision to allow Inspector X to continue working alongside the complainant and would be inappropriate unless agreed in</p>	<p>Comments Noted.</p> <p>It is the case that this matter CM/57/15 was initially assessed as a conduct matter by PSD on the 17<sup>th</sup> March 2016, some three months post the final written warning being imposed on Inspector X; 15<sup>th</sup> December 2015.</p> <p>It is apparent that Ch Insp Y referred the matter to Superintendent Z sometime in May 2015 and Supt Z believed that Ch Insp Y had dealt with the matter accordingly and did not refer the matter at that time. These are learning points which are to be addressed by the Head of PSD with Supt Z/ Ch Insp Y and via the Force Get it right First time Forum.</p> <p>Inspector X no longer works in CMD and is now a PRT Inspector. There is no complaint from a second complainant. Final assessments in these</p>

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		<p>subsequent mediation between all parties. Clarity required over a second complainant.</p> <p>End case assessment appears to be the same as CM/42/15, but classed as “case to answer” – consistency?</p>	<p>matters have to be dealt with on a case by case basis taking all issues into account before reaching a decision based on the facts of individual cases. (CM/42/15 did also have welfare issues to consider.)Your comments regarding consistency are however noted.</p>
CM/7/15	Conduct	<p>Slight concern over timescale, especially lag between advice of the outcome from PSD on 20/5/16 and meeting over 3 weeks later 2/6/15 with the member of staff concerned. Understand PSD pressures and timeline here, but would expect management advice to be more timely.</p> <p>Note also – recorded as no case to answer even though adjudged to be misconduct – similar to CM42/15?</p>	<p>Noted Thank you. The delay whilst not acceptable was to a degree understandable given issues with leave patterns and availability. However the issue of timeliness is one that will be kept under review.</p> <p>Noted; whilst it is accepted the outcomes are the same the rationale for the decisions are clearly laid out and in accordance with the Regulations. This was a one off occurrence and was dealt with appropriately.</p>
CM/42/15	Conduct	<p>File says no case, but assessment is misconduct – local action. Two issues:</p> <ol style="list-style-type: none"> <li>1) Assessment seems appropriate, but should it be recorded as “no case to answer”?</li> <li>2) Referral to Inspector on 24/11/15 but no management action until 2/7/16</li> </ol>	<p>Again Noted Thank you regarding time delay.</p> <p>The key phrase here being that if proved would amount to misconduct, therefore in this</p>

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			case there is a case to answer which in these circumstances has been deemed suitable for management action which is appropriate given the circumstances. I also note that the advice was accepted and that there have been no further such incidents reported.
CM/50/15	Conduct	Criminal decision is appropriate.  Decision not to invite to answer case for either Honesty or Integrity and/or Duties and Responsibilities looks generous.	Noted. Again I refer to the Final assessment in this case which provides the rationale for the decision in this case.
CO/146/15	Corrupt Practice	Appropriately dealt with.	Noted Thank you.
CO/205/16	Traffic Irregularity	Appropriately dealt with – good timeline.	Noted Thank you.
CO/180/16	Discrimatory Behaviour	Appropriately dealt with.	Noted Thank you.
0084/13  LR  P1	Neglect of Duty   Oppressive Conduct/Harassment	6 of 7 complaints not upheld. Agreed.  1 of 7 upheld – noted key learning – having an exhibits officer may have negated issues arising.  Noted – the very clear narrative provided by the IO, based on facts established.  Well done.	Noted Thank you. The DC will be notified of your comments.
00500/15  P1	Other Assault	2/3 complaints not upheld, 1/3 upheld and officer subject to Management Action/Words of Advice.  Appropriate outcome.	Noted Thank you.

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00648/15 LR	Neglect of Duty	Complaint concluded by Local Resolution. Agreed proper outcome.	Noted Thank you.
00124/16 P1	Neglect of Duty Discriminatory Behaviour	Complaint concluded after Proportionate Investigation. Proper outcome achieved. Officers dealt with sensitivities well.	Noted Thank you.
00602/15 LR	Incivility Oppressive Conduct / Harassment	Local Resolution – complaint withdrawn. Agreed proper outcome.	Noted Thank you.
CO/00219/16	Neglect or Failure in Duty Incivility	Satisfied that the correct action was taken for local resolution and indeed that the findings and subsequent actions were correct.	Noted Thank you.
CO/00416/16	Incivility	Satisfied that the correct action is <b>xx xx action</b> . Agree with conclusion.	Noted Thank you.
CO/00093/16	Oppressive Conduct or Harassment / Incivility	Satisfied that the conclusions of the investigation are correct.	Noted Thank you.
CO/00403/15	Oppressive Conduct or Harassment Breach Code C PACE	(Interesting that a racially aggravated Section 5 public order offence was a further arrest during interview – was she charged?) This seems to be a well investigated complaint, thorough and corroborative. Nothing to add/comment on.	Noted Thank You. The offender was charged with 2x counts of assault and the further offence of assault which was racially aggravated. The matter was dealt with by Restraining Order imposed by Leicester Crown Court. IO's; Inspector Barker, Inspector Henry, and PSD ISO Clay.
CO/00545/15	Breach Code C PACE	Agree with findings of investigation.	

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	Other Assault Discriminatory Behaviour	Records from body cam are very useful helping to clarify the complainant's action and that he voluntarily put himself on the floor on the second occasion.	Noted Thank you.
CO/00010/16	Neglect or Failure in Duty  Breach Code B PACE	Date wrong on section 3 details of complaint (March 18 <sup>th</sup> – should be 28 <sup>th</sup> )  Complaint was withdrawn – but would be good to know <b>own actions to be</b> taken as a result of learning from this case. Good that two officers were praised for their helpfulness.  I would like to understand more about the 'pocket book' issue.  Need for public info re property searches and what authority is needed, if not a warrant.	Thank you for raising these points – the issue concerning the date is duly noted.  The Pocket book issue amounts to a misunderstanding; the complainant queried if she should sign a pocket book has had been mentioned, there was no requirement for that to happen, and Sgt P sought to explain the process to the complainant.  Noted regarding information concerning property searches. Again for dissemination via the Force Get it Right First Time forum.
CO/00316/16	Incivility  Lack of Fairness  Breach Code B PACE	Agreed correct for local resolution.  I am not happy that section 18 was not recorded and that the paperwork was not left – (although the officer admits he forgot and apologised).  Seems to be no record of officer being asked to confirm or deny what they actually said which could be helpful here.	The issues you rightly raise concerning Section 18 searches will be addressed with Custody officers via the Head of the East Midlands Criminal Justice Service, and via the Force Get it Right First Time forum.

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		<p>Local resolution outcome – police officer spoken to – good but also needs to have actions with regard to recording and leaving paperwork.</p>	<p>Noted although it is apparent Sergeant O had obtained a response from both officers, and the action plan endorsed accordingly.</p> <p>Noted thank you; will be addressed via the Officer's line Manager.</p>
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