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DYFED-POWYS
POLICE AND CRIME
COMMISSIONER

SUMMARY DECISION SHEET

PURPOSE: COMMISSIONER DECISION – REF. DLI174

Timing: ASAP

Title: Sancus Solutions Ltd Procurement Appointment

Category of Decision / Business Area Impact: Quality of Service

Executive Summary:

As part of the Improving Police Integrity programme the police complaints and disciplinary systems for policing are currently in the third phase of reform. Phase 3 will impact on the way all complaint, misconduct and death or serious injury (DSI) investigations are handled.

This phase also provides a stronger role for Police and Crime Commissioners (PCC's) within the complaints system and provides three different models. The PCC made the decision to implement Model 1 and needed to make a decision on how that would be managed, from a practical perspective.

Recommendation:

Background

On Friday 10th January 2020, the Home Office introduced legislation in relation to how complaints made against the police are handled and to improve the discipline system for officers. The changes, which came into effect on 1st February 2020, ensure that complaints can be dealt with quickly, effectively and proportionately, not just for the benefit of the public, but also for the police.

As well as simplifying the complaints system, the changes mean that Police and Crime Commissioners' will have a greater role to increase independence and improve complaints handling. From 1st February 2020, if a complaint has been recorded under Schedule 3 of the Police Reform Act 2002 and an individual is unhappy with the outcome or handling of their complaint, they can submit an application for a review to the Police and Crime Commissioner for Dyfed Powys. The review will consider whether the outcome of the handling of their complaint is reasonable and proportionate.

Recommendation (cont):

Importantly, the reforms aim to make the discipline system more proportionate and encourage a much greater emphasis on learning from mistakes. The Home Office has worked closely with the National Police Chiefs' Council (NPCC), the Independent Office for Police Conduct (IOPC), the Association of Police and Crime Commissioners (APCC), staff associations and others to develop a comprehensive package of improvements. These include:

- Enhanced role for Police and Crime Commissioners will strengthen independence.
- Further measures to increase the IOPC's effectiveness and independence in investigating all serious and sensitive matters involving the police.
- Focusing the formal discipline system on breaches of professional standards that would result in formal disciplinary action, enabling line managers to focus on improving individual learning and behaviours in response to lower level conduct matters – based on a new Reflective Practice Review Process.
- There are new provisions to improve the efficiency and transparency of misconduct investigations
- Increasing the transparency of appeals against misconduct findings, by replacing the current retired police officer as a member of the panel with an independent layperson and introducing new provisions to improve the timeliness and efficiency of proceedings

Following the decision log regarding Police Reforms Act 2019 – Option 1 Agreement (<http://www.dyfedpowys-pcc.org.uk/media/8964/c-users-65015-desktop-dll-dec-s.pdf>), the PCC made the decision to implement Option 1 i.e. for those complaints recorded under Schedule 3 of the Police Reform Act 2002, the Office of the Police and Crime Commissioner (OPCC) is responsible for the Complaint Reviews.

The OPCC considered that in order to support the Police and Crime Commissioner (PCC) to fulfil this role, an advisory post would be required. This role would consider each Complaint Review received by the OPCC, preparing a suggested response and accompanying rationale to present to the PCC; in order for the PCC to make a final decision on the outcome.

Consideration was given to various options, including:

1. A member of OPCC staff absorb this advisory role as part of their role responsibilities;
2. Employing a new member of staff
3. Outsource this work to an independent provider

When considering options 1 and 2, figures were sought from the Professional Standards Department to predict demand levels alongside actual output when considering Complaint Reviews. This data was analysed to understand whether an individual would need to be employed on a part-time/full-time basis etc. and the salary scale. It was determined that due to the change in the legislation from 1st February 2020; the OPCC were unable to predict the levels of Complaint Reviews received, as there may be a spike in the figures due to the change in process etc.

Collaboration Work

It was agreed that Option 3 on an initial basis, could be the most financially viable option and would also allow the opportunity of time to understand the level of demand and work output,

Recommendation (cont):

prior to the request of an OPCC staff member to absorb these duties/potential employment of an individual to undertake these duties.

Both Gwent and North Wales OPCC reached the same conclusion and it was agreed that the three OPCC's would commence a joint tender process in respect of Option 3 - the Office of the Police and Crime Commissioner for Dyfed Powys led this process.

Procurement Overview

The procurement process was advertised through Sell2Wales with procurement documents available on Etenderwales electronic sourcing platform. A total of five suppliers accessed the tender exercise, with two suppliers providing a response.

The evaluation was undertaken through the Award Tool and the panel consisted of representation from all three Welsh OPCC's with oversight from the Dyfed Powys Police Procurement Department. Each supplier was scored on the same set of questions, with each score awarded accompanied by a rationale, completed by each OPCC representative. At the conclusion, the Procurement Department considered the scores and the recommendation is to award a contract to Sancus Solutions Limited. This contract period is for 12 months with an option to extend for a further 12 month period. This Agreement shall be reviewed annually and may be amended if all parties agree.

Key Performance Indicators (KPI's)

In order to monitor the output of Sancus Solutions, the following KPI's have been set:

1. Total number of Reviews conducted
2. Total number of Welsh Language Reviews recorded
3. Total number basic/enhanced/complex reviews – the following breakdown is required for each category:
 - a) Complaint Type/Category of each Review
 - b) Length of time taken to complete each review – in order to calculate an average time
 - c) Total no Reviews that resulted in each of the following outcomes:
 - **Referral to the IOPC**
 - **Investigate**
 - **Remedied under Paragraph 28ZA** (The kinds of recommendation described for the purposes of paragraph 28ZA(1) of Schedule 3 (recommendations by the Director General or a local policing body)([27](#)) are— (a)a recommendation that an apology be made to the complainant concerned; (b)a recommendation that any property seized from the complainant concerned be returned; (c)a recommendation that a matter be referred to be dealt with under the reflective practice review process; (d)any other recommendation, other than a recommendation that compensation be paid, which the Director General or local policing body (as the case may be) considers appropriate to remedy the dissatisfaction expressed by the complainant concerned).
 - **Not Upheld**
 - d) Total number Reviews Agreed/Overtaken by PCC

Recommendation (cont):

Police and Crime Plan

Police and Crime Commissioners (PCCs) act as the voice of the public on policing and crime matters. They are responsible for setting the strategic direction for policing within their respective force areas.

They are now (as of 1st February 2020) involved in the implementation of new complaints and conduct legislation arising from police integrity reforms 2019. A key element of the reforms is to carry out independent reviews of police complaints where the Commissioner has been assessed as the relevant appeal body and the complainant formally requests a review in respect of the Force's handling of their complaint.

This forms part of the Commissioners' priorities i.e. keeping our communities safe, safeguarding the vulnerable and connecting with communities.

Proposal

The Police and Crime Commissioner's Office suggest that the contract is awarded to Sancus Solutions Ltd on a 12 month period, with an option to extend for a further 12 month period. In addition, the review of the Model 1 option is undertaken 18 months from the implementation date.

Police and Crime Commissioner for Dyfed-Powys

I confirm I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with the Nolan Principles for Conduct in Public Life.

The above request has my approval / does not have my approval / I note the information contained within the report (delete as appropriate)

Signature:



Date: 03/04/20