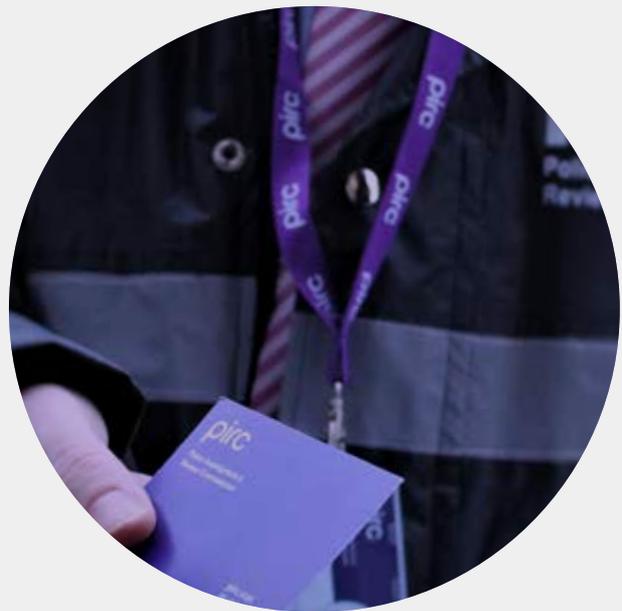




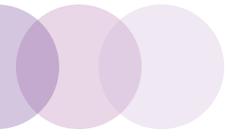
Police Investigations &
Review Commissioner



Business Plan 2021-22

Independent & Effective Investigations & Reviews





Contents

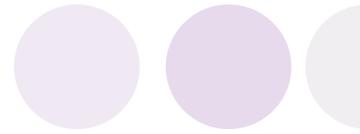
Commissioner Foreword	3
Who is the Commissioner & what is her role.....	7
Strategic Priorities:	9
Investigations	9
Reviews.....	10
Corporate Services	10
Funding breakdown	11

Foreword



Michelle Macleod
Commissioner

The Business Plan for 2021-22 outlines how we plan to deliver our key priorities in the final year of our 2019-22 Strategic Plan and provides a summary of our performance in the previous 12 months.



The past year has proved to be the most challenging the organisation has ever experienced due to the COVID-19 pandemic, which has impacted hugely on all our lives. Like many other organisations, the pandemic had an immediate impact on how we conducted our daily business. However, our 'Business Continuity' planning quickly took effect and within the first few weeks of the initial 'lockdown', our staff quickly adapted to new ways of working, primarily from home.

Our Corporate Team worked tremendously well to ensure all staff had the necessary equipment, while providing vital HR services to help colleagues adapt to the new way of working. Everyone has their own way of dealing with change and new pressures and we have been mindful to ensure welfare support is there for those who need it, with a particular focus on mental health.

The professionalism, commitment and flexibility of everyone in ensuring that we have continued, almost seamlessly, to deal with day-to-day business, often with the combined pressures of caring for others and home schooling, is highly commendable.

This is typified by an attendance rate of more than 98%. We continue to provide a vital service, that is central to improving policing in Scotland.

Looking forward, there is cautious optimism that we can begin to emerge from the pandemic and return to some kind of 'normality' by the second half of the year. As we begin this transition, the likelihood is that we will adapt to a new hybrid way of working, which is likely to see some staff splitting their time between home and the office.

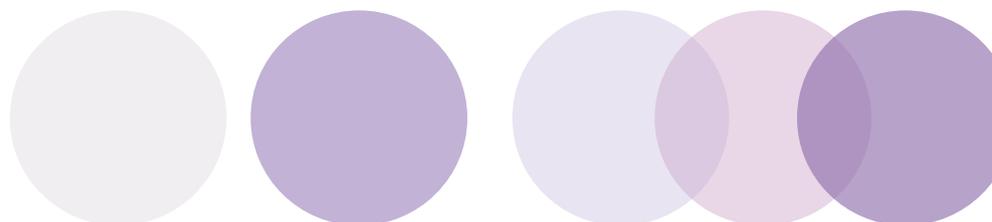
A review of our policies will be undertaken to see what posts may fall into the category of supporting a more agile way of working, taking into account our investment in technology and work done to amend our business practises. Our COVID Working Group has already carried out a substantial amount of work in preparing for our eventual return to the office and this work remains ongoing.

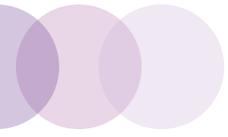
Our core strategic priorities for the year ahead, supported by a number of key actions, remain unchanged:

80% of all investigation reports are submitted to the referring body within 3 months of the start of the investigation;
90% of all referrals are assessed and an investigation decision taken within 5 working days of receipt of relevant information;

80% of Complaint Handling Review cases finalised within four months of receipt;

To demonstrate effective and efficient governance.





These priorities underpin our aim to increase public confidence in policing through independent scrutiny of their actions and how they handle complaints made by members of the public. To achieve these, many of the significant challenges identified in last year's Business Plan remain. These include:

- The publication of Dame Elish Angiolini's final report in November 2020 on police complaints handling, investigations and misconduct issues in relation to policing in Scotland. The report made a series of wide-ranging recommendations, which include the provision of a suite of new powers and responsibilities for the PIRC. These are designed to strengthen independent investigation and oversight of complaints against the police. Significantly, Dame Elish identified gaps in the system that she believes the PIRC is well placed to fill, pointing to the independence, expertise and experience of our staff as evidence that the organisation is ready and able to take on new responsibilities.

Many of the recommendations are dependent on legislation and some will require more resources. We have produced an action plan to progress the various recommendations and are working collaboratively with key partners to consider how to take forward those recommendations that require joint working. Overall, we anticipate a phased approach to implementing some of the more radical and structural changes proposed.

- The public inquiry into the circumstances surrounding the death in custody of Sheku Bayoh, of which we are a core participant, has commenced. To facilitate the requirements of the Inquiry we established a dedicated team. A substantial amount of work has gone into gathering material and information and to date we are compliant with all requests made from the Inquiry team.
- The ongoing upward trend in the number of referrals from the Crown Office and Procurator Fiscal Service (COPFS) and Police Scotland is further evidence of the confidence in the role and work of the PIRC.
- The planned Cop 26 UN environment summit in Glasgow in November.

The backdrop to these numerous and varied challenges is an increase in our general workload and the impact of COVID-19. As mentioned above, this has resulted in new restrictions and safety considerations which, in turn, has meant the introduction of revised working practices to ensure we continue to deliver our core responsibilities.

In 2019-20, we dealt with 76 investigations which increased to 78 in 2020-21. Notably, this included a substantial rise in death investigations, which are more resource intensive and often more protracted. Despite this, and taking into account the impact of COVID-19 and staffing and resource issues, we still managed to complete 78% of our cases within three months. This has been achieved by further streamlining the way in which we carry out our investigations. A good example of this was our timeous, professional and thorough investigation of a fatal police shooting of a 28-year-old man in Glasgow in June 2020, the first time we have dealt with such an incident.

For our Review Team, while there was a slight drop in the number of cases completed, many of them took longer to conclude because of the complexity and increase in the average number of heads of complaint in each case. Overall, 270 requests for Complaint Handling Reviews (CHRs) were received in 2020-21, down by 9 compared with the previous year.



Overall, we completed 38.2% within four months of receipt. While this is significantly below our target to complete 80% of CHR cases within four months of receipt, given the backlog of cases that were over 4 months old at the beginning of the year, the target was always aspirational.

There were, however, other extenuating factors that impacted on the work of the review team during this year. When we had to close our offices due to the pandemic, there were a number of the Review team who did not have immediate access to a lap-top and were limited to working on hard copy files that were in their possession at that time. It also took some time to implement a system whereby files could be transferred by Police Scotland electronically. Due to the impact of COVID-19, our recruitment of more Review staff, to give us a greater capacity, took longer than expected. However, from March 2021 these staff are now fully on board.

It is of note that although we have some way to go to achieve the KPI, the average timescales for completing a CHR has reduced by 27% from 8.7 months to 6.3 months, indicating a positive direction of travel.

Our focus in the past year has been to place more emphasis on learning for the police to drive improvements, in addition to highlighting procedural and administrative issues associated with complaint handling. This collaborative approach with Police Scotland has contributed towards an overall improvement in police complaint handling, resulting in 71% (an increase of 9%) of CHRs where the complaint was reasonably handled.

We reported in last year's Business Plan a welcome increase in our funding, to better equip the organisation in meeting its statutory functions. To provide further reassurance and confidence in the handling of complaints by the police and the Scottish Police Authority (SPA), we plan to carry out more regular audits this year, including thematic reviews, of specific areas such as the classification of complaints, front line resolution and how learning is being captured.

Notably, this was one of the priorities identified by Dame Elish in her review.

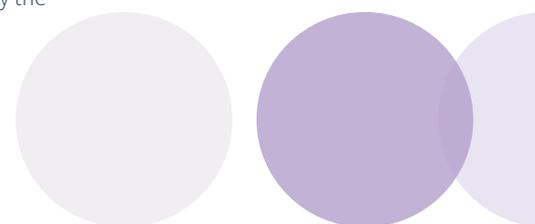
Throughout the year, we regularly review the demands placed on our organisation with Scottish Government Sponsor Team officials. The authorised grant in aid for the PIRC for 2021-22 is £5,474k. This represents an increase of £778k from our 2020-21 budget allocation. A large part of this budget increase is to support implementation of some of the Dame Elish recommendations, including the recruitment of additional staff.

While we have incurred additional expenditure to support home working, significant savings have been made, particularly in reducing the amount of travel and office costs. We will continue to ensure that we provide best value with our resources and support the public sector, as we prepare to emerge from the current health crisis.

Robust governance processes ensure that we continue to maintain progress in achieving our priorities. Despite the substantial change in working patterns, performance and risks continue to be reviewed monthly by the Heads of Department Group (HoDG) and quarterly by the PIRC's Audit and Accountability Committee.

Our corporate governance has been further strengthened with a number of appointments made to the Audit and Accountability Committee. Through an open and transparent recruitment process, new members and the Chair are now in place. I'm pleased to welcome the wide range of experience and expertise that these new members will bring to the organisation, in ensuring we carry out our functions and manage our finances appropriately. In addition, the organisation is held accountable for financial matters by the Auditor General for Scotland.

**Commissioner
Michelle Macleod**



Who is the Commissioner & what is her role?

The role of the Police Investigations & Review Commissioner (PIRC) was established in 2013 at the same time as the single Police Service of Scotland.

The Commissioner, who is appointed by Scottish Ministers, is independent of the police and delivers a free and impartial service. Her role is to independently investigate incidents involving the police and independently review the way the police handle complaints from the public.

The PIRC ensures that the SPA and the Chief Constable maintain a suitable system for handling complaints and issues statutory guidance where appropriate.

By delivering our four priorities, we aim to contribute towards the Scottish Government's national outcomes, primarily:

- We live in communities that are inclusive, empowered, resilient and safe;
- We respect, protect and fulfil human rights and live free from discrimination.



The Police Investigations & Review Commissioner can investigate:

Incidents involving the police, referred by the Crown Office and Procurator Fiscal Service (COPFS). These may include deaths in custody and allegations of criminality made about police officers.

Allegations of misconduct by senior police officers of the rank of Assistant Chief Constable (ACC) and above, if requested by the SPA.

Serious incidents involving the police, at the request of the Chief Constable or the Scottish Police Authority (SPA) or other policing bodies operating in Scotland.* Reasons for requests for investigations from the Chief Constable or other policing bodies may include the serious injury of a person in police custody, the death or serious injury of a person following contact with the police or the use of firearms by police officers.

Relevant police matters which she considers would be in the public interest.

At the conclusion of an investigation, the Commissioner can recommend improvements to the way the police operate and deliver services to the public in Scotland.

The Police Investigations & Review Commissioner can review:

How the police in Scotland handle complaints from members of the public.

The purpose of the Complaint Handling Review (CHR) process is to examine the manner in which non-criminal complaints about the police have been dealt with and to determine whether or not the complaint was handled to a reasonable standard.

The PIRC cannot carry out CHRs into:

Complaints of criminality.

Complaints made by individuals currently serving, or who formerly served, with the police about the terms and conditions of their service.

At the conclusion of a CHR, the Commissioner can make recommendations, identify learning points, and direct the policing body to reconsider their response

* For further detail on the policing bodies we can investigate and review complaints about, please go to this link:

[What you need to know about the PIRC | Guidance for Police | Police Investigations & Review Commissioner \(PIRC\)](#)





Strategic Priorities:

Investigations

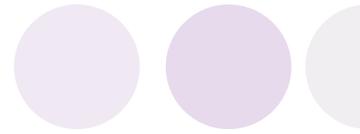
80% of all investigation reports are submitted to the referring body within 3 months (of the start of the investigation).

90% of all referrals are assessed and an investigation decision taken within 5 working days of receipt of relevant information.

ACTIONS:

- Provide staff with relevant training and professional development to allow them to develop and effectively undertake their role.
- Invest in the PIRC trainee investigation programme to maximise the potential of the trainee investigators.
- Engage with policing bodies, and other criminal justice partners to deliver proportionate, fair and effective outcomes.
- Improve communication with stakeholders and communities, taking account of their concerns, and raising awareness of our work and its impact.





Reviews

80% of Complaint Handling Review cases finalised within four months of receipt.

ACTIONS:

- Maintain effective case management throughout the CHR process and seek to reduce the time to conclude reviews.
- Monitor implementation of recommendations and compliance with reconsideration directions by policing bodies.
- Work closely with the Professional Standards Department of relevant policing bodies to promote continuous improvement in policing.
- Maintain and develop the skill set of the Review Team.
- Set standards, produce guidance and share best practice to improve consistency for complainants.

Corporate Services

To demonstrate effective and efficient governance

ACTIONS:

- To create an Equality and Diversity Group who will ensure that diversity is at the core of all work that is undertaken.
- To comply fully with requests for information under UK GDPR legislation and the Freedom of Information (Scotland) Act.
- Monitor best value and promote efficiency savings across the PIRC.
- Publish regular media releases to highlight how Investigation and Review recommendations are improving policing and increasing public confidence.
- Publish Learning Point bulletins to policing bodies, identifying thematic issues and potential learning.
- Further develop our health and wellbeing strategy to support the welfare of staff.
- Invest in training and development to ensure our staff have the right skills and opportunities to reach their potential.





Funding in 2021–2022

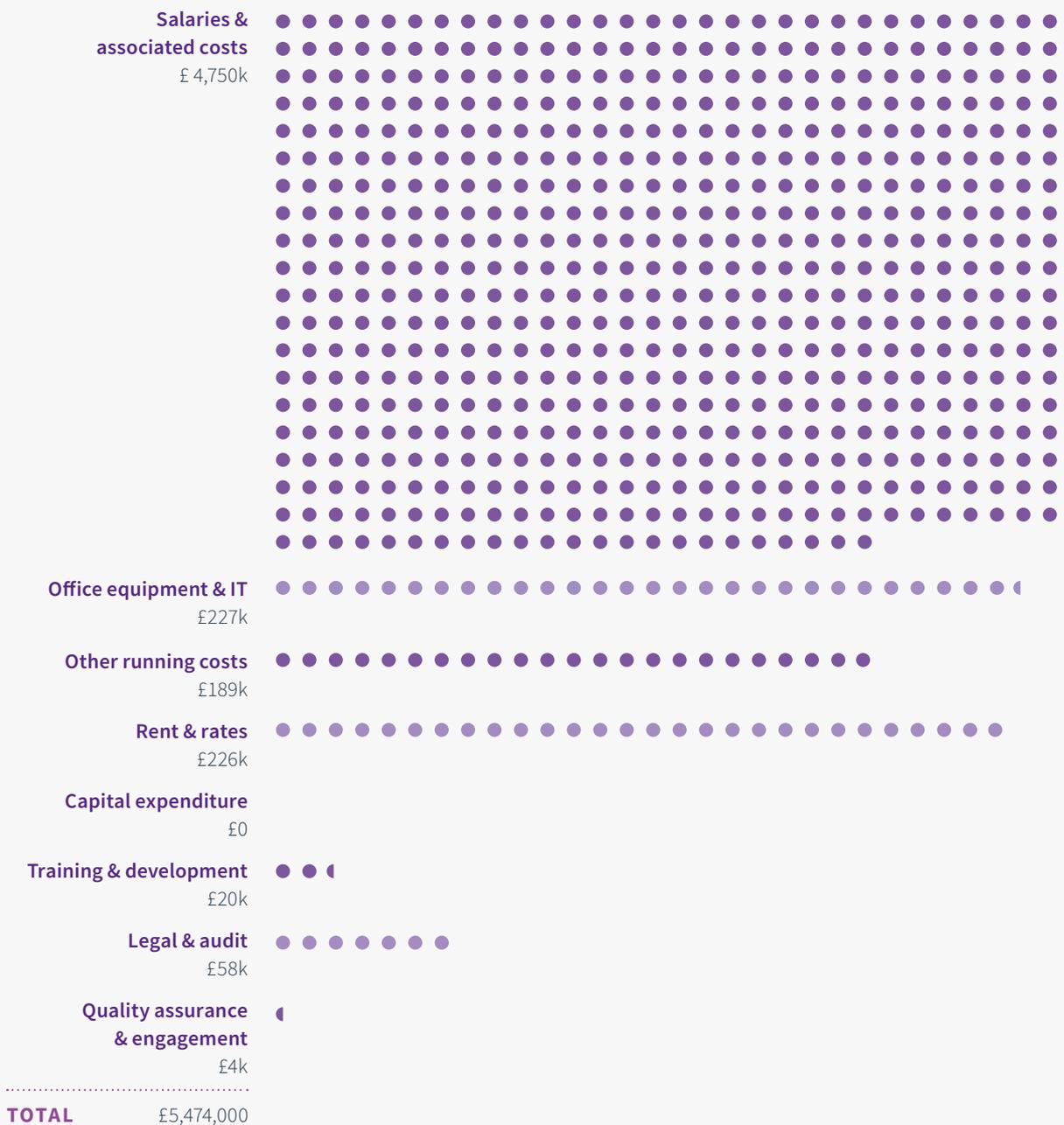
The PIRC is funded by the Scottish Government through grant in aid which is received throughout the year in instalments aligned to expenditure on pay and services.

The funding allocation was set at £5,474k for the financial year 2021-22.

The management of our budget is linked to a framework of achieving best value for money through ensuring that resources are applied economically, efficiently and effectively to support business aims and our strategic objectives.

A breakdown of our funding is contained in the diagram below.

FUNDING CATEGORIES





Police Investigations &
Review Commissioner

Hamilton House
Hamilton Business Park
Caird Park
Hamilton
ML3 0QA

T: 01698 542 900 E: enquiries@pirc.gov.scot | [in](#) | [@PIRCNews](#) | pirc.scot

April 2021 © Police Investigations & Review Commissioner

