

PIRC Strategic Plan 2023-2025

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Police Investigations &
Review Commissioner

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Commissioner's Foreword

The Strategic Plan for 2023-2025 outlines our key priorities over the next two years and how we plan to deliver them. To inform our strategic objectives, we undertook a performance data and demand review of the operational functions of PIRC.

The findings and recommendations of the review have influenced our strategic objectives for 2023-2025.

We have also taken account of the current challenging financial environment. The publication of the Scottish Government's Resource Spending Review (RSR) in May 2022 set out the spending framework for the years 2023 to 2027 and acknowledged the expectation for public sector organisations to deliver improved outcomes with less.

Our established headcount is 97 employees, which equates to 93 full time equivalent staff, as a number work flexibly. The indicative funding allocation for the financial year 2023-2024 is £6,087,000¹ which will provide a 2% uplift. As salaries and associated costs equate to approximately 85% of the budget allocation, this provides no resource for the recruitment of any additional staff to deal with increasing pressures.

PIRC, as an organisation, has developed significantly since its inception in 2013. The scope, scale and complexity of the workload of PIRC has increased considerably.

The existing Key Performance Indicators (KPIs) do not take cognisance of the significant increase in workload, fiscal constraints on recruitment and the associated pressures on staff wellbeing. We have taken account of these factors in developing the strategic objectives for 2023-2025. Our focus will continue to be a commitment to learning and continuous improvement.

Our strategic priorities will require to be delivered alongside major changes to PIRC's statutory responsibilities as a result of the Police (Ethics, Conduct and Scrutiny) (Scotland) Bill² that forms part of the

Scottish Government's legislative programme for this parliamentary year (2023-2024). It will seek to introduce a number of legislative provisions recommended in the Complaints Handling, Investigations and Misconduct Issues in Policing Final Report by the Rt Hon. Dame Elish Angiolini³ (the Angiolini Report) which will extend the current powers and responsibilities of PIRC and alter existing governance arrangements.



Michelle Macleod

Commissioner

“Our focus will continue to be a commitment to learning and continuous improvement.”

Michelle Macleod
Commissioner

¹PIRC has been provided with an additional £229,000 for 2023-2024 for legal costs associated with the Sheku Bayoh Public Inquiry.

²[Police \(Ethics, Conduct and Scrutiny\) \(Scotland\) Bill](#)

³Independent Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing: Final Report (www.gov.scot)



Our Vision

To increase public confidence in policing through independent scrutiny of police actions and promoting continuous improvement.

Accountability

The work of PIRC will directly contribute to the Scottish Government's vision for a Just, Safe Resilient Scotland.

Through the delivery of our priorities, we will contribute towards the Government's national outcomes, primarily the commitment to working towards communities that are 'inclusive, empowered, resilient and safe'.

Monitoring delivery of our strategic plan

Performance against these strategic objectives will be reviewed monthly by the Commissioner and the Senior Management Team (SMT). The SMT will continue to review the Risk Register monthly to address any potential risks to the organisation.

We will maintain regular communication and engagement with staff through a number of forums, including the Staff Representative Group, to ensure delivery of the corporate priorities.

Additionally, PIRC's Audit and Accountability Committee (AAC) and the Scottish Government's Sponsor team meet quarterly. The AAC provides independent oversight of PIRC finances, risk management, internal audit reports, key performance indicators and corporate governance. PIRC recognises and welcomes the critical importance of having an oversight body that is able to provide robust challenge, scrutiny, and support.

PIRC is also accountable to the Scottish Government and our accounts are audited by Audit Scotland. In the autumn, the Commissioner publishes her Annual Report and Accounts, which are laid before the Scottish Parliament.

We have set out our strategic priorities detailing how we plan to achieve our purpose and vision of increasing public confidence in policing through independent scrutiny of police actions and promoting continuous improvement.

1. To deliver timely and high-quality investigations.
2. To deliver timely and high-quality Complaint Handling Reviews and audits.
3. To support, value and invest in our staff.
4. To strengthen independent investigation and oversight of complaints.

Our Purpose and Values

We 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.
- Serious incidents involving the police, at the request of the Chief Constable or the Scottish Police Authority (SPA). Requests for an investigation from the Chief Constable 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.
- Allegations of misconduct by senior police officers of the rank of Assistant Chief Constable (ACC) and above, if requested by the SPA.
- Other matters relating to the SPA or the Police Service where the Commissioner considers it in the public interest.
- At the conclusion of an investigation, the Commissioner can recommend learning and improvements to the way the police operate and deliver services to the public in Scotland.

We can review:

- How the police in Scotland handle complaints made to them by the public. The purpose of the Complaint Handling Review (CHR) process is to determine whether or not the complaint was handled to a reasonable standard by the police.
- At the conclusion of a CHR, the Commissioner can make recommendations, identify learning points and direct the policing body to reconsider their response.

We cannot review:

- Complaints which have not been considered and adjudicated upon by the policing body.
- Complaints of criminality.
- Complaints made by individuals currently serving, or who formerly served, with the police about the terms and conditions of their service.

INTEGRITY

We are honest, open and accountable.



IMPARTIALITY

We carry out our work fairly and independently, ensuring that all evidence is considered objectively and decisions are based on sound professional judgement.



RESPECT

We treat everyone with courtesy and dignity, irrespective of their background and needs.



VALUES

Background

The implementation of recommendation 47 of the Angiolini Report, has resulted in a new Article 3 ECHR⁴ Assessment Unit to consider allegations of assault by on-duty police officers and police staff. It has resulted in 286 additional referrals to PIRC⁵ with 82 associated investigations. The additional referrals contributed to an overall 40% increase in referrals in a 12-month period.

The Reviews team has experienced similar challenges in respect of workload. Whilst the number of CHR applications has remained relatively steady in recent years⁶, other demands have caused an increase in workload year on year with the number of new records created on Centurion⁷ rising from 146 in 2017-2018 to 682 in 2021-2022. This is an increase of 367% and represents the wider business of dealing with contacts from dissatisfied complainers, where some level of enquiry is required to determine whether they are eligible for a CHR.

Benchmarking has been conducted with other similar oversight organisations including the Independent Office for Police Conduct (IOPC), the Scottish Public Services Ombudsman (SPSO) and the Garda Síochána Ombudsman Commission (GSOC). It established that PIRC had the most challenging timescales to complete its

investigations and reviews compared to other similar police oversight bodies in the United Kingdom.

The performance data review identified that the current statistical counting did not take account of delays outwith the control of PIRC and that the existing approach to performance reporting did not give a true reflection of how effective the organisation is at meeting our strategic objectives. Examples include the time spent waiting for background case papers from the police and instances where an investigation or review cannot progress any further due to a direct Crown instruction.

The new strategic objectives will take into account delays outwith the control of PIRC. These will not be reflected in public reporting, however, this will be monitored internally and fed back to the SPA Complaints and Conduct Committee (CCC).

Other comparable oversight organisations specifically exclude major investigations from their statistical counting for public reporting. PIRC will adopt this approach. It will only involve a small number of cases each year and will require the approval of the Director of Operations or the Commissioner.

The proposed revised KPIs take account of the capacity of the organisation to meet current and future demands whilst also having a positive impact on staff wellbeing.

⁴European Convention on Human Rights.

⁵As at 30 September 2022.

⁶271 in 2021-2022.

⁷Police computer management database for complaints.



Strategic Priorities

Strategic Objective 1

To deliver timely and high-quality investigations.

With the increase in volume of work, it is unsustainable to have the same timescales apply to all categories of investigation. Timescales for the new PIRC KPIs will be tiered according to the category of investigation. The proposed timescales for Category A investigations⁹ is 90 working days from the date the policing body provides the relevant case papers and 120 working days for Category B⁹ and Category C¹⁰ volume investigations. Category A investigations, including Crown directed death investigations, will remain as a priority.

We will:

- Complete 90% of assessments and investigation decisions within five working days¹¹ of receipt of all relevant background information.
- Complete and report 80% of Category A investigations (excluding major cases¹²) to the referring agency within 90 working days, following receipt of all relevant case papers.
- Complete and report 80% of Category B and C investigations to the referring agency within 120 working days, following receipt of all relevant case papers.
- Issue reports detailing our findings and recommendations to policing bodies and promote continuous improvements in policing.

Outcome

- Our investigations and recommendations will lead to improvements to policing, influence policy and increase confidence in the police.

⁹Investigations into deaths in police custody or following police contact; or a major investigation with complex lines of enquiry where the securing of evidence requires significant resource allocation over a protracted time period or an investigation which generates high levels of public/political interest placing additional demands on the organisation in relation to completion times.

⁹An investigation where the lines of enquiry are apparent from the outset but where the securing of evidence can only be achieved through prolonged investigation.

¹⁰A routine investigation where the lines of enquiry are apparent from the outset and the gathering of all relevant evidence can be achieved without placing great demands on the investigation team.

¹¹Working days is defined as the cumulative actual number of days an investigation is considered to be live. Time is deducted whilst awaiting relevant information from the policing body to be able to commence an investigation and for when an investigation cannot progress any further due to circumstances out with the control of the PIRC.

¹²Major cases include a small number of protracted complex cases each year that the Director of Operations or Commissioner has reviewed and authorised exemption from the above timescales.

Strategic Objective 2

To deliver timely and high-quality Complaint Handling Reviews and audits.

The timescales for the completion of CHRs (including discretionary decisions) will align with the timescale for the completion of Category A investigations at 90 working days for all categories of Reviews work.

We will:

- Complete 90% of assessments of CHR applications within five working days¹³ of receipt of all relevant background information.
- Carry out thorough and timely CHRs in 80% of Reviews including discretionary decisions¹⁴ (excluding major CHRs)¹⁵ from receipt to conclusion within 90 working days, following receipt of all relevant background papers and agreement of the Heads of Complaint.
- Undertake a rolling programme of dip sampling and audits of the processes and procedures of the SPA and policing complaints handling.
- Issue reports detailing our findings and recommendations to policing bodies and promote continuous improvements in policing.

Outcomes

- Our CHRs and recommendations will lead to improvements in police complaints handling.
- Our audits will deliver evidence-based findings and recommendations which hold policing bodies to account, influence policy and increase confidence in the police complaints system.

¹³Working days is defined as the cumulative actual number of days a Complaint Handling Review (CHR) is considered to be live. Time is deducted whilst awaiting relevant information from the policing body to be able to commence a review and for when a review cannot progress any further due to circumstances outwith the control of the PIRC.

¹⁴The PIRC may exercise discretion not to conduct a review in accordance with Section 35 of the Police, Public Order and Criminal Justice (Scotland) Act 2006.

¹⁵Major CHRs include a small number of protracted and complex cases each year that the Director of Operations or Commissioner has reviewed and authorised exemption from the above timescales.

Strategic Objective 3

To support, value and invest in our staff.

Our staff are pivotal to fulfilling our statutory responsibilities. It is essential to provide our staff with the necessary knowledge and skills and promote a healthy work-life balance for our workforce.

All staff will have a personalised development plan which will include role specific and aspirational training elements. We will consult with the various active staff groups to encourage involvement in policy development, culture change and promoting an inclusive place of work.

We will:

- Provide staff with relevant training and development to ensure they have the right skills and opportunities to reach their potential.
- Further develop our health and wellbeing strategy to support the safety and wellbeing of our workforce.
- Provide a safe, fit for purpose office environment.
- Continue to support hybrid working and promote a healthy work-life balance for our workforce.
- Nurture and embed an inclusive environment throughout the organisation.

Outcomes

- A highly skilled, diverse workforce that delivers an efficient, effective and high performing service.

Strategic Objective 4

To strengthen independent investigation and oversight of complaints.

The Angiolini Report made a suite of recommendations aimed at strengthening public confidence in policing. PIRC has, in collaboration with criminal justice partners, implemented all but one of the recommendations that relate to PIRC and that do not require legislation. The Police (Ethics, Conduct and Scrutiny) (Scotland) Bill will seek to introduce a number of legislative provisions recommended in the Angiolini Report which will extend the current powers and responsibilities of PIRC and alter existing governance arrangements.

We will:

- Engage with partners and the Scottish Government to implement the recommendations requiring legislation arising from the Angiolini Report.

Outcomes

- Increased awareness and heightened confidence in police complaints handling systems.



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