



Police Investigations &
Review Commissioner



Business Plan 2019–20

Independent & Effective Investigations & Reviews



Introduction

The PIRC's Business Plan details how we will deliver the first year of our 2019-22 Strategic Plan and lays out our vision to increase public confidence in policing through independent scrutiny of police actions.

Our Investigation and Complaint Handling Review (CHR) reports contain findings and recommendations designed to promote learning and continuous improvement in the service delivered by the police in Scotland.

In 2018-19, we met all of our Strategic Objectives and key performance measures with the exception of one relating to the number of audits we expected to carry out. Our difficulty in meeting that performance measure related to a lack of resources, however it did not impact on our overall achievement of the objectives.

This year's plan outlines our Priorities for the financial year 2019-20 and how we will achieve them through an agreed set of actions and performance measures. These Priorities have been set around a demand profile which has continued to grow throughout the last six years, with a marked increase seen in the past 12 months.

The Business Plan is linked to our annual funding award from the Scottish Government. We regularly review the demands placed on our organisation with Scottish Government Sponsor Team officials.

Whilst in 2017-18 we experienced a 200% increase in serious and complex investigations, in the past year we have experienced an additional 86% increase across our entire investigation workload.

In 2017-18, we submitted three budget bids to the Scottish Government from June 2017 onwards, seeking additional funding to meet the demands which we faced at that time. Following the Justice Committee's intervention, questioning whether the PIRC had sufficient funds to carry out its functions, the Scottish Government increased our budget allocation in April 2018 to £4,254,000 to address the 200% uplift in serious and complex investigations, seen the preceding financial year.



In November 2018, we submitted this year's (2019–20) budget bid to the Scottish Government highlighting the 86% increase in new investigations during 2018–19. In March 2019, the Scottish Government advised that our budget would remain unchanged at £4,254,000. We recognise that this allocation should allow the organisation to maintain current staffing levels and address the levels of investigation work seen in 2017-18. However, it does not address the 86% increase in new investigations carried out last year, nor the impact of inflationary rises or increased national pay and pension awards.

Therefore, it is unclear whether we will have sufficient funds to meet our proposed objectives until we receive clarity from the Scottish Government on whether any additional funding will be made available.

The increase in investigations seen in 2018–19 was a result of a sharp rise in referrals from the Crown Office and Procurator Fiscal Service (COPFS) and Police Scotland. The COPFS directed just over half of these investigations to us with a substantial increase in the number of death following police contact and criminal investigation cases.

The number of investigations referred to us by Police Scotland also more than doubled with a considerable uplift in the number of serious injury following police contact cases. Additionally, following the widespread roll out of Taser devices by police in June last year we investigated a number of the early incidents of Taser usage.

We recognise that it is essential that the PIRC's investigators remain equipped to deal with the increased complexities and demands placed on them. Accordingly, they will continue to undertake relevant professional development and training to ensure that they possess the necessary operational skills to deal with all incidents referred to the PIRC.

During 2018–19, there was a temporary dip in the Review Team staffing levels and despite receiving less applications for Complaint Handling Reviews (CHRs) this has led to a backlog of CHR cases. Additional staff have been recruited to the Review Team and they are now working hard to reduce the backlog of applications.

Of the CHR cases completed, we determined that less than half were reasonably handled by the police. This remains a concern and we will continue to work with Police Scotland to assist police complaint handlers in improving their complaint handling.

Robust governance processes ensure that we maintain progress in achieving our objectives. Performance and risks are reviewed monthly by the Heads of Department Group (HoDG) and quarterly by the PIRC's Audit and Accountability Committee.



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.

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

The work of the PIRC will directly contribute to the undernoted Scottish Government outcomes, as detailed in the PIRC's 2019–22 Strategic Plan:

- We live in safe, cohesive and resilient communities.
- Our system and interventions are proportionate, fair and effective.
- We deliver person-centred, modern and affordable public services.



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). Reasons for requests for investigations 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.

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 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.

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.



Carry out thorough and timely investigations of incidents involving the police

OBJECTIVE	ACTIONS	PERFORMANCE MEASURE
To undertake thorough impartial and timeous investigations	<p>Effective and timely investigation of all criminal and death enquiries referred to PIRC by COPFS</p> <p>Effective and timely enquiry of incidents referred by the police and SPA to the PIRC which require investigation</p>	<p>80% of Investigation reports are submitted to the relevant referring body within 3,4 and 6 months depending on the complexity of the investigation.</p> <p>Investigation reports contain all relevant evidence</p>
To undertake rigorous assessment of all referrals by policing bodies	<p>Rigorous assessment is carried out of all referrals to PIRC in terms of potential breaches of Article 2 and 3 of ECHR</p> <p>Rigorous assessment is carried out of all firearms referrals</p>	<p>90% of assessments are completed within five working days of receipt of the requested documentation</p> <p>All investigation decisions are fully recorded together with the rationale for each decision</p>
To ensure that the Investigation Team is adequately skilled through a process of continuous professional development and training	<p>Maintain and develop the skill set the Investigation Team through training and development</p> <p>Maintain the PIRC's trainee programme</p>	<p>A comprehensive Training Needs Analysis of the InvestigationTeam is completed by June 2019</p> <p>All Trainee Investigators receive necessary and appropriate training throughout their traineeships</p>
To engage positively with stakeholders, policing bodies and other relevant agencies operating in Scotland	<p>Deliver programme of presentations to policing bodies in Scotland and other relevant agencies such as the NHS etc</p> <p>Provide regular bulletins to policing bodies, identifying potential learning to allow improved service delivery</p>	<p>30 PIRC presentations are delivered to stakeholders and other relevant agencies</p> <p>Provide content for two Learning Point bulletins during the financial year</p>



Carry out thorough and timely reviews of the way police handle complaints made about them and improve the quality of police complaint handling

OBJECTIVE	ACTIONS	PERFORMANCE MEASURE
<p>To undertake robust and thorough complaint handling reviews (CHRs)</p>	<p>Maintain effective case management throughout the review process</p> <p>Ensure effective processes are in place to assure the quality of reports, recommendations and reconsideration directions</p> <p>Monitor the implementation of recommendations and fulfilment of reconsideration directions</p>	<p>Reduction in the overall timescales for CHR process</p> <p>Reduction in the backlog of outstanding applications for Complaint Handling Reviews</p> <p>Number of upheld challenges to material accuracy of CHR reports does not exceed 5%</p> <p>Ensure that all outstanding recommendations and reconsideration directions are pursued after the 56 day implementation period</p>
<p>To ensure that the Review Team is adequately skilled through a process of continuous professional development and training</p>	<p>Maintain and develop the skill set of Review Team</p>	<p>Review Team receive identified core training and development</p>
<p>Promote best complaint handling practice to police bodies in Scotland</p>	<p>Ensure regular engagement with Professional Standards Departments of relevant policing bodies</p> <p>Deliver presentations to officers involved in complaint handling</p> <p>Issue Learning Point bulletins to policing bodies, highlighting good complaint handling practices and identifying reoccurring issues</p> <p>Undertake audits of police complaint handling to ensure continual improvement</p>	<p>Meet monthly with Police Scotland’s Professional Standards Department to assist them in improving their complaint handling practices</p> <p>Deliver three PIRC presentations on complaint handling to policing bodies and/or other relevant agencies</p> <p>Provide content for two Learning Point bulletins during the financial year</p> <p>Undertake audits as required</p>



STRATEGIC PRIORITY 3

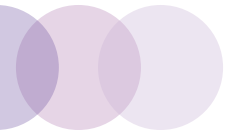
Carry out our functions with a high level of efficiency, governance and accountability

OBJECTIVE	ACTIONS	PERFORMANCE MEASURE
To demonstrate effective governance	<p>Establish and maintain the PIRC’s Business Plan, Business Continuity Plan and Risk Register</p> <p>Work closely with internal and external auditors to ensure compliance with PIRC’s policies and procedures</p> <p>To ensure compliance with GDPR and FOISA regulations</p>	<p>Publish the PIRC’s 2019-22 Strategic Plan in April every 3rd year; submit draft of annual Business Plan to the Scottish Government within a month of notification of annual budget allocation.</p> <p>Risk Register reviewed monthly at HODG</p> <p>Staff to be trained annually on Corporate Governance procedures</p> <p>Positive audit outcomes and 100% implementation of any audit recommendations which will be reviewed and presented to Audit and Accountability Group</p> <p>Respond to 95% of complaints about PIRC within standard of service timescales</p> <p>Complete 95% of FOISA and Subject Access requests within statutory timescales</p>
To demonstrate sound financial governance	<p>Set and allocate PIRC’s annual budget and forecast the budget for future financial years in alignment with the PIRC’s operational plan</p> <p>Track and monitor monthly expenditure, reporting this to the PIRC’s Accountable Officer, senior management team and the Audit and Accountability Committee</p> <p>Year end accounts completed to a timescale determined by the Auditors</p> <p>Work with staff in all teams to make efficiency savings</p>	<p>Grant in Aid request submitted on time monthly with a full breakdown and provide explanation of any variance of £10k and over</p> <p>Management Accounts to be submitted to the Accountable Officer by the 10th working day of the month; 95% of invoices paid within 10 days</p> <p>Publish the Annual Reports and Accounts by December 2019</p> <p>Achieve at least 3% annual efficiency savings</p>



OBJECTIVE	ACTIONS	PERFORMANCE MEASURE
<p>PIRC commitment to the recruitment, retention and development of staff</p>	<p>Ensure that all recruitment adheres to our Recruitment Policy and that staff are properly inducted</p> <p>Develop and maintain a training plan for all business areas</p> <p>Ensure that the staff appraisal process is followed by all managers</p> <p>Maintain and develop staff policies</p> <p>Conduct annual staff survey</p>	<p>Monthly recruitment statistics given to HoDG; corporate induction provided to all staff within 5 days of joining the PIRC</p> <p>Corporate training plan updated bi-annually depending on planned budget and staff appraisal training requirements</p> <p>All staff appraisals being completed by April 2019, with objectives being set for 2019–20 in April 2019</p> <p>All policies are compliant with legislation and are updated within 3 months of their review dates</p> <p>To conduct an annual staff survey and produce an action plan for staff linked to outcomes</p>
<p>Raise awareness and transparency of the PIRC</p>	<p>Publish complaint handling reviews and updates on the implementation of recommendations and reconsideration on the PIRC website</p> <p>Publish summarised reports of Police Scotland and COPFS referred investigations (involving a death) on the PIRC website where agreed</p> <p>Publish regular bulletins to policing bodies, identifying potential learning</p>	<p>Publish CHR reports, and updates for recommendations and reconsideration directions, timeously</p> <p>Publish reports timeously once all outstanding proceedings have been concluded</p> <p>Edit, design and publish two editions of Learning Point</p>
<p>Internal Communication</p>	<p>To engage with staff and ensure they are fully informed of changes within the organisation</p>	<p>Quarterly editions of our internal newsletter, Pirc Press</p> <p>Deliver annual Staff Development Day and quarterly breakfast meetings for staff from all three teams</p>





Funding in 2019–2020

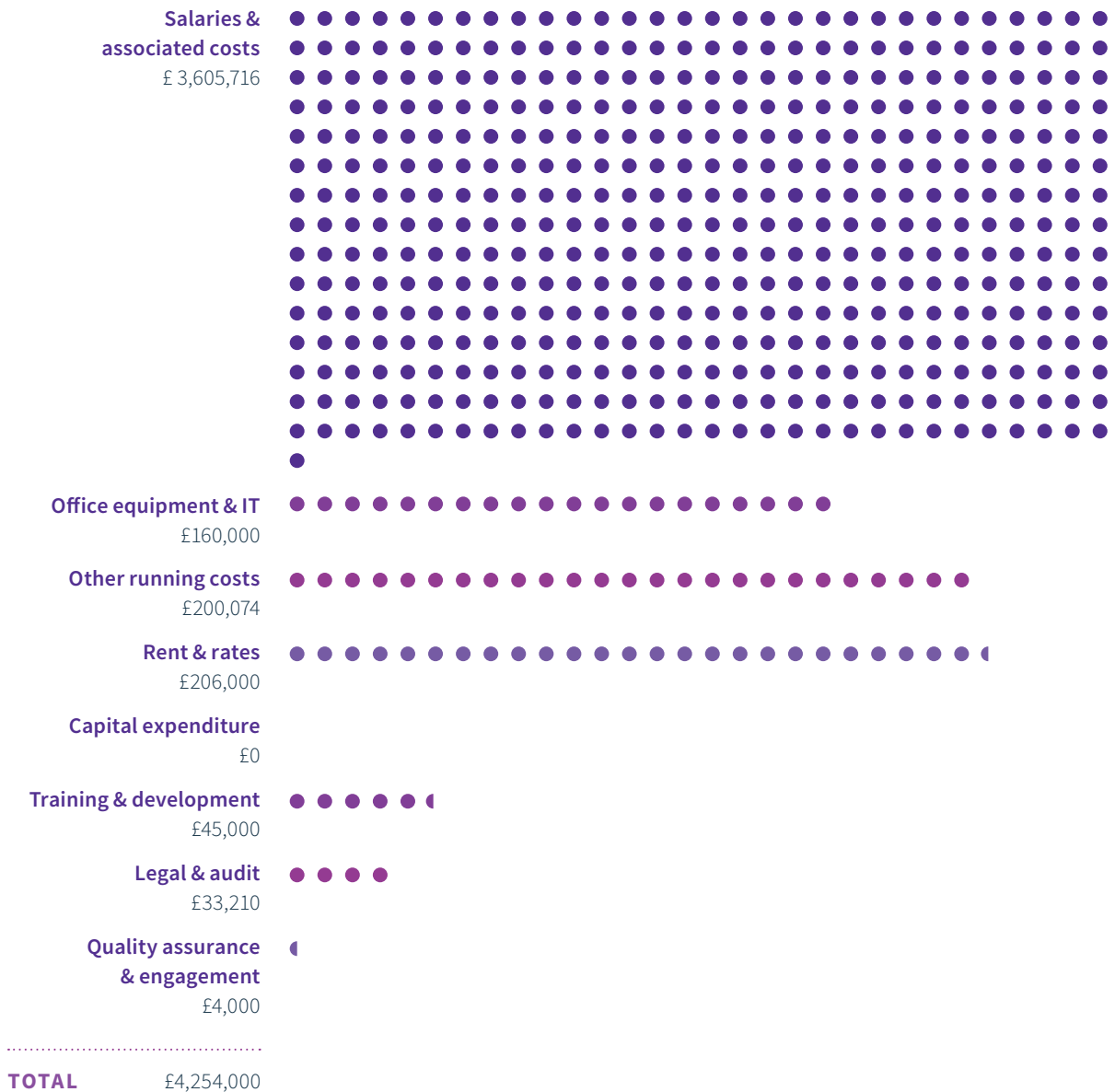
The PIRC is funded by the Scottish Government through grant in aid which is received throughout the year in instalments aligned to expenditure on pay and services.

The funding allocation was set at £4,254,000 for the financial year 2019–20.

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 strategic objectives.

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

FUNDING CATEGORIES



pirc

Police Investigations &
Review Commissioner

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