

REPORT OF THE POLICE AND CRIME COMMISSIONER

TITLE: Police and Crime Commissioner for South Wales' Update on Police Conduct

DATE: 8th December 2020

PURPOSE: For Noting

1.	<u>RECOMMENDATION</u> That the Police and Crime Panel considers the attached report on Police Conduct as requested.
2.	<u>INTRODUCTION & BACKGROUND</u> On 1 st February 2020, Phase 3 of the new legislative framework governing the Police Complaint and Conduct system for England and Wales was implemented. Professional Standards Department (PSD) handle both complaint and internal conduct matters. Conduct matters are different to complaints in that complaints are defined as 'any expression of dissatisfaction with a police force that is expressed by, or on behalf of, a member of the public'. Whereas a conduct matter is defined as 'any matter which is not and has not been subject of a complaint, where there is an indication (whether from the circumstances or otherwise) that a person serving with the police may have committed a criminal offence or behaved in a manner which would justify disciplinary proceedings' (Section 12, Police Reform Act 2002).
3.	<u>ISSUES FOR CONSIDERATION</u> The focus of the attached report is Conduct matters and the processes undertaken by PSD when misconduct is identified.
4.	<u>NEXT STEPS</u> The Police and Crime Panel are required to note the report.
5.	<u>FINANCIAL CONSIDERATIONS</u> There are resource implications for the investigation of misconduct complaints which are built into the broader resourcing of South Wales Police and are included within the Medium Term Financial Plan.
6.	<u>PERSONNEL CONSIDERATIONS</u> The oversight and management of conduct is carried out by the professional standards division in the first instance.
7.	<u>LEGAL IMPLICATIONS</u> There are a number of applicable Regulations that form the basis of misconduct rules: <ul style="list-style-type: none">• Police (Conduct) Regulations 2020

	<ul style="list-style-type: none"> • Police (Complaints and Misconduct) Regulations 2020 • Police (Performance) Regulations 2020 • Police Appeals Tribunal Rules 2020 • Police Barred List and Police Advisory List Regulations 2017
8.	<p><u>EQUALITIES AND HUMAN RIGHTS CONSIDERATIONS</u></p> <p>The regulations have been considered against the general duty to promote equality, as stipulated under the Strategic Equality Plan and has been assessed not to discriminate against any particular group.</p>
9.	<p><u>RISK</u></p> <p>Report for updating, therefore minimal risk.</p>
10.	<p><u>PUBLIC INTEREST</u></p> <p>This report is at the request of the Police and Crime Panel.</p>
11.	<p><u>CONTACT OFFICER</u></p> <p>Lee Jones, Chief Executive to the Police and Crime Commissioner for South Wales.</p>
12.	<p><u>ANNEXES</u></p> <p>The Annexe to this report is a copy of the Professional Standards report for noting.</p>