

## **POLICE AND CRIME PANEL – 5 DECEMBER 2012**

### **COMPLAINTS PROCEDURE**

#### **INTRODUCTION**

1. Police and Crime Panels (PCP) have statutory responsibilities under the Elected Policing Bodies (Complaints and Misconduct) Regulations 2012 relating to the handling and recording of complaints.
2. These responsibilities relate to the conduct or behaviour of the Police and Crime Commissioner or his deputy if one is appointed.

#### **PROCEDURE**

3. The PCP may choose to delegate this function but it must ensure that it is kept informed about complaints and the way that they are being handled.
4. The recent Police and Crime Panels (Application of Local Authority enactments) Regulations 2012 provide for this function to be delegated to a sub-committee of the Panel or to an officer of any local authority in the police area.
5. Practically speaking it would make sense to delegate this function to the Monitoring Officer of Wiltshire Council as host authority for the PCP. The Monitoring Officer can then use the expertise within that Council's complaints team to administer the complaints process.
6. A flow chart is attached as Appendix 1 to this report and this shows in outline the way the complaints process would work. In essence the Monitoring Officer would discuss all complaints that fall within the remit of the PCP (see para 8 below) with the Chairman and Vice Chairman of the PCP and on the basis of their advice would either try and resolve the matter informally or he would refer the issue to a Complaints Sub Committee of the PCP to resolve the matter.
7. A detailed complaints procedure will be brought to the next meeting of the PCP based on this flow chart and recent guidance issued by the LGA/Home Office and the IPCC.

## COMPLAINTS

8. As mentioned in paragraph 2 above the complaints that fall within the remit of the PCP are those that relate to the conduct or behaviour of the PCC or his deputy.
9. Other complaints will be dealt with as follows:-
  - Operational policing matters or the conduct of individual policemen to be referred to the Chief Constable
  - Policing policy matters or complaints relating to the conduct of the Chief Constable to be referred to the PCC
  - Criminal matters to the IPCC
10. The PCP will retain the responsibility for the overall effectiveness of this procedure and will monitor on a regular basis its practical implementation. Regular reports will be received by the Panel on the numbers and types of complaints received and their handling.
11. Part of the administrative responsibilities of the Monitoring Officer will be to filter complaints to the appropriate person/body and to keep the PCP informed on a regular basis of the administration of the complaints process.

## RECOMMENDATIONS

- A. To delegate to the Monitoring Officer the Panel's responsibilities for handling and recording complaints as laid out in this report.**
- B. To establish a Complaints Sub Committee to informally resolve those complaints referred to it by the Monitoring Officer after consultation with the chairman and vice chairman of the Panel.**
- C. To note that a detailed complaints process will be reported to the next meeting of the Panel for approval.**

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1. Background Papers: Elected Policing Bodies (Complaints and Misconduct) Regulations 2012 and recent guidance issued by the LGA/Home Office and the IPCC.