

# AVON AND SOMERSET POLICE AND CRIME COMMISSIONER'S OFFICE

## AVON AND SOMERSET POLICE AND CRIME PANEL

11 JUNE 2014

### REPORT OF THE CHIEF EXECUTIVE

### COMPLAINTS AGAINST THE POLICE AND CRIME COMMISSIONER

#### PURPOSE OF THE REPORT

1. To provide members of Avon and Somerset Police and Crime Panel with oversight of all complaints made against Avon and Somerset Police and Crime Commissioner, for scrutiny of the initial handling by the Chief Executive of Avon and Somerset Police and Crime Commissioner's Office.

#### BACKGROUND

2. Avon and Somerset Police and Crime Panel (the Panel) is the Appropriate Authority to handle complaints against the conduct of 'Relevant Office Holders', being Avon and Somerset Police and Crime Commissioner (PCC) and Deputy PCC if one is appointed, according to statutory regulations of the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 and as referred to in the Police Reform and Social Responsibilities Act 2011, section 31 and schedule 7.
3. However, the initial handling, which includes categorisation, recording decision-making, referral of criminal allegations to the Independent Police Complaints Commission (IPCC), disapplication decision-making, and responding to the complainant in the first instance, has been delegated by the Panel to the Chief Executive in the Office of Avon and Somerset Police and Crime Commissioner, with scrutiny and oversight of all complaints and any escalation for informal resolution, remaining with the Panel.

#### SUMMARY OF COMPLAINTS RECEIVED

4. There has been one complaint received since the last report against the *conduct* of the Police and Crime Commissioner ('conduct' including acts, omissions, statements and decisions (whether actual, alleged or inferred)). This complaint has had Panel oversight.
5. Please refer to the summary table in Annex 1.
6. All complaint files are available at the office of the Police and Crime Commissioner for viewing by the Panel, if requested. The document retention period is in accordance with the published Record Retention Policy and this is currently eight years.

## **EQUALITY IMPLICATIONS**

7. There are no equality implications arising from the handling of complaints against Avon and Somerset Police and Crime Commissioner. The protected characteristics of complainants are not necessarily known, and all complaints are logged and published in an open and transparent manner.

## **RECOMMENDATIONS**

8. Members are asked to review and comment on this complaints report and to advise of any recommendations or requests for informal resolution through the statutory process of escalating complaints to the Panel.

**JOHN SMITH**  
**CHIEF EXECUTIVE**

Contact Officer: Kathryn Palmer, 01275 816377

No.	Date rcvd / log no.	Summary	Recorded?	Handled by	Outcome	Live or Closed
14.	26/02/2014 / 4974	<p>After non-recording of complaint against Chief Constable, the complainant alleges collusion between the Police and Crime Commissioner (PCC) and Chief Constable regarding allegations of fraud by a Finance Company and the decision by the Police not to undertake any further investigations.</p> <p>Independent Police Complaints Commission's (IPCC's) decision after voluntary referral from PCC's office was to return it to the PCC's office to handle locally (informal resolution).</p> <p>Chief Constable's report presented to the Police and Crime Panel as an agenda item on 11 June 2014, for Panel member comments before further steps are taken with the complaint.</p>	Yes	Standards Officer		Live
15.	08/05/2014 / 5519	<p>A radio listener was dissatisfied with the PCC's response to the interviewer's questions on 7 May 2014 programme, regarding the youtube video of a police dog biting a person during arrest. The retired officer making the complaint took offence to the inference that the police might sweep the matter under the carpet and that it was only "she" [the PCC] who would make sure the matter was investigated.</p>	Yes	CEO	<p>Informal resolution by explanation and apology if any words had been misinterpreted. A copy of the radio interview transcript was also provided which included that 'the incident will be thoroughly investigated' after the IPCC returned the voluntary referral to the Constabulary for a Managed investigation.</p>	Closed and not escalated to the Panel