

AVON AND SOMERSET POLICE AND CRIME PANEL

REPORT OF THE CHIEF EXECUTIVE

COMPLAINTS AGAINST THE POLICE AND CRIME COMMISSIONER

30 OCTOBER 2014

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 have been three complaints 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)). These complaints have had Panel oversight, one being solely handled by the Panel.
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. Live complaint files are available at the Police and Crime Panel meeting. However, complaint case number 17 is being handled solely by the Panel and not within the office of the Police and Crime Commissioner. 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 were taken with the complaint.</p>	Yes	The Panel	Not substantiated	Closed
16.	09/07/2014 / 6250	Complaint against the content of the PCC's letter dated 14 August 2013 to Rt. Hon. Damien Green (then Minister of State for Policing and Criminal Justice) regarding Injury on Duty pension payments.	Yes	Chief Executive	Informally resolved by way of an explanation	Closed
17.		Complaint sent directly to Police and Crime Panel who referred it to the IPCC and it was referred back to informally resolve.		The Panel		
18.	30/07/2014 / 6466	Complaint against expressions in the content of the PCC's letter dated 14 August 2013 to Rt. Hon. Damien Green (then Minister of State for Policing and Criminal Justice) regarding Injury on Duty pension payments.	Yes	The Panel		Closed