

**AVON AND SOMERSET POLICE AND CRIME COMMISSIONER'S OFFICE**

**AVON AND SOMERSET POLICE AND CRIME PANEL**

**7 DECEMBER 2015**

**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)). All complaints to date have had Panel oversight, including those solely handled by the Panel. This specific complaint has been escalated and has being handled and finalised by the Police and Crime 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. 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**

REPORT TO: AVON AND SOMERSET POLICE AND CRIME PANEL

Date: 7 Dec 2015

No.	Date rcvd / log no.	Summary	Recorded?	Handled by	Outcome	Live or Closed
20.	24/07/15 / 11836	The complaint allegations focus on the omission from the PCC's Annual report of: 1. The suspension of the Chief Constable 2. The PCC's public response regarding revealing the identity of a whistle-blower to the Chief Constable. 3. The PCC's response regarding the circumstances surrounding Mr Gargan leaving the Princess Diana enquiry.	Yes	CEO initially & then the Panel	Initial apology and explanation given by the CEO. Then escalated to the Police and Crime Panel on 12/08/15. Panel finalisation 01/10/15.	Closed