

**COMPLAINTS PROCEDURE**

**Purpose of the Report**

1. To review the Police and Crime Panel's Complaints Procedure.

**Information and Advice**

2. The Police and Crime Panel is required to make suitable arrangements for handling complaints against the Police and Crime Commissioner. Criminal complaints are to be referred to the Independent Police Complaints Commission, while local arrangements are required for dealing with other complaints.
3. The Panel adopted a Complaints Procedure on 3 December 2012, and agreed it should be reviewed after it had been in operation for 6 months.
4. Since the Procedure was adopted only one complaint has been received by the Panel. This complaint related to a policy decision made by the Commissioner, which the complainant disagreed with. The conclusion reached was that the complaint did not fall within the complaints process because, while the Panel can consider whether a decision was taken properly, it should not question the merits of decisions as the Commissioner has a mandate from the electorate for his policies and priorities.
5. In light of this complaint it is proposed that the Procedure be amended to include a definition of 'complaint' for clarity.
6. It is proposed to add the following paragraph to the Procedure: -

**MEANING OF 'COMPLAINT'**

This Policy relates to complaints about the conduct of the Commissioner and the Deputy Commissioner. 'Conduct' means the way things are done or not done, statements are made and decisions taken. It does not cover complaints about the merits of a decision, for example where somebody disagrees with a policy the Commissioner has introduced. The Panel can consider whether a decision was taken properly and in accordance with procedures, but it cannot substitute another view for that of the Commissioner.

7. No further amendments to the Procedure are proposed at this time; however it will be kept under review. Complaints are included as an agenda item for each meeting, and reports will be brought if a complaint is received or if a change to the Procedure is proposed.

## **Other Options Considered**

8. The Panel could decide to leave the Policy unchanged or to review the wording proposed for inclusion.

## **Reason/s for Recommendation/s**

9. To provide clarity for those considering making a complaint under the Procedure.

## **RECOMMENDATION/S**

- 1) That the definition of 'complaint' as set out in paragraph 6 of the Report be added to the Complaints Procedure for clarify.

### Background Papers and Published Documents:-

The Police Reform and Social Responsibility Act 2011

<http://www.legislation.gov.uk/ukpga/2011/13/contents/enacted>

The Elected Local Policing Bodies (Complaints and Misconduct Regulations 2012

<http://www.legislation.gov.uk/uksi/2012/62/part/1/made?view=plain>

Report to the Panel dated 3 December 2012

<http://www.nottinghamshire.gov.uk/dms/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/2882/Committee/470/Default.aspx>

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