

Complaints Annual Report 2022-23

Purpose of the Report

1. This report updates the Police and Crime Panel on complaints made against the Police and Crime Commissioner in 2022/23. It also summarises the outcome of closed complaints and the status of active complaints.

Information and Advice

2. The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 set out how to handle complaints or conduct matters about a Police and Crime Commissioner. This process is not an appeal mechanism for Police Force complaints, nor does it cover complaints about the merits of decisions made by the Commissioner.
3. The Regulations require Police and Crime Panels to make suitable arrangements for handling complaints against the Police and Crime Commissioner. The Panel must refer conduct matters and serious complaints to the Independent Office for Police Conduct (IOPC). The Panel must put local arrangements in place for dealing with other complaints.
4. The Panel last reviewed its complaints procedure in January 2019.
5. The Panel delegated authority for the initial handling of complaints, together with other aspects of the process, to the Host Authority's Monitoring Officer (Nottinghamshire County Council's Monitoring Officer) under Section 101(2) of the Local Government Act 1972.
6. In the interests of transparency, it is appropriate to update the Panel about the number of complaints received and the way the Monitoring Officer is using their delegated authority. It is also helpful to highlight where complaints fall outside the Panel's remit.
7. During 2022/23 a total of 55 complaints were received.
8. 48 complaints related to speeding offences committed by the Commissioner, which were addressed through the Court.
9. As set out in the following Regulations, these complaints fall outside the Panel's arrangements for dealing with complaints and conduct matters.
10. Regulation 9 of Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012) states that:

(6) *Nothing in this regulation shall require the notification or recording by any person of any complaint if –*

(a) That the person is satisfied that the subject-matter of the complaint has been, or is already being, dealt with by means of criminal proceedings against the relevant office holder

11. Regarding conduct matters, Regulation 12(2)(b) states that the Panel does not need to record a conduct matter if it *“has been, or is already being, dealt with by means of criminal proceedings against the person to whose conduct the matter relates.”*

12. An overview of the 7 other complaints is set out below:

- Complaint A had two elements. The first part related to an operational policing matter and so was out of scope. The other matter was found not to be substantiated.
- Complaint B again addressed two matters. The first related to the speeding offences and so was out of scope. The other part of the complaint was also out of scope as it related to the Chief Constable.
- Complaint C was found to be unsubstantiated.
- Complaint D was out of scope because it related to police officers and not the Commissioner.
- Complaint E made broad allegations against the Commissioner, but no evidence was provided to support them.
- Complaint F was out of scope because it related to an operational policing matter.
- Complaint G was out of scope because it related to the office of the Police and Crime Commissioner rather than the Commissioner herself.

Other Options Considered

13. The report is for noting only.

Reasons for Recommendation

14. Providing an update report for Panel members allows them to oversee the use of the complaints procedure and the way complaints are being handled on their behalf.

RECOMMENDATION/S

1. That the Panel notes those complaints received in 2022-23 and the outcome of them.

Background Papers and Published Documents

- 1) Nottinghamshire Police and Crime Panel Complaints Procedure
- 2) The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012
- 3) IOPC operational advice note to Police and Crime Panels
- 4) Complaints Annual Report 2021/22 considered by the Panel on 6 June 2022

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