

COMPLAINTS UPDATE

Purpose of the Report

1. To update the Police and Crime Panel on complaints considered under the Complaints Procedure.

Information and Advice

2. The Police and Crime Panel (the Panel) is required to make suitable arrangements for handling complaints against the Police and Crime Commissioner (the Commissioner). Criminal complaints must be referred to the Independent Police Complaints Commission, while local arrangements are required for dealing with other complaints. The Panel has adopted a Complaints Procedure which is attached for reference as an **Appendix** to this report.
3. In January 2018 the Independent Police Complaints Commission was replaced by the Independent Office for Police Conduct. Terminology will be updated accordingly in the Complaints Procedure.
4. Since the last report to Panel in April 2017 two complaints have been addressed to the Panel.
5. One complaint related to the investigation and handling of issues dating back to the 1990's. The complainant was advised that their complaint was outside the jurisdiction of the Panel, because it related to the merits of a decision the Commissioner made not to record a complaint about Nottinghamshire Police Force. It is not within the remit of the Panel's Complaints Procedure to consider the merits of a decision.
6. The second complaint related to issues that were previously raised by the same individual in 2015. The complainant was advised that the Panel would not be dealing with the complaint as it was identical or repetitious. Some aspects of the complaint related to conduct by Nottinghamshire Police Force staff; the complainant was advised that the Panel does not have jurisdiction to consider matters relating to operational policing or Police Force staff.
7. Government has undertaken a consultation regarding complaints about police and crime commissioners. The reason given for the consultation was that the Government identified a need to expand commissioners' roles within the police complaints system; in tandem with reform to police complaints, it was therefore proposed to make changes to the system for complaints against commissioners, creating a more transparent and easily understood system.

8. A summary of consultation responses and next steps was published in December 2017 and the findings have been summarised as follows: -
- a. Government will take forward non-statutory guidance to clarify the definition of a complaint and the parameters of informal resolution
 - b. Government will ensure that wider police approaches to dealing with unreasonable complainant conduct can be used in response to vexatious complaints made against police and crime commissioners
 - c. Government will introduce the power of investigation for police and crime panels in relation to non-serious complaints where possible
9. Panel will be kept informed about any changes to legislation and statutory guidance, and whether as a result any changes to the Panel's Complaints Procedure are required.

Other Options Considered

10. None.

Reasons for Recommendation/s

11. To ensure the Panel's Complaints Procedure is updated as required by law.

RECOMMENDATION/S

- 1. That the Police and Crime Panel note details of the complaints received in respect of the Police and Crime Commissioner since April 2017.
- 2. For a further report to be brought to Panel regarding any changes in respect of Police and Crime Panel Complaints Procedure.

Background Papers and Published Documents

[Consultation outcome – Complaints about police and crime commissioners - published](#)

For any enquiries about this report please contact:-

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