



OFFICE OF THE POLICE & CRIME COMMISSIONER FOR NORFOLK

ORIGINATOR: Deputy Head of Staff

REASON FOR SUBMISSION: FOR DECISION

SUBMITTED TO: POLICE & CRIME COMMISSIONER

SUBJECT: DEALING WITH COMPLAINTS AGAINST NORFOLK POLICE AND
CRIME COMMISSIONER

SUMMARY: The Police and Crime Panel is given specific functions under the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2011 (the Regulations) as to the handling and determination of complaints against the relevant office holders; and for Norfolk that is the Police and Crime Commissioner (PCC) and the person appointed as the Deputy Police and Crime Commissioner. The Regulations permit the Panel to delegate some or all of these to the PCC's Chief Executive (Head of Staff), in their role as Monitoring Officer. The Panel has decided that it wishes to delegate the function of the initial handling of complaints under the Police Reform and Social Responsibility Act 2011 (the Act) and the Regulations to the PCC's Chief Executive. Whilst there is no legal obligation to accept the delegation this report recommends that it is accepted, mindful that the PCC is bound to be an obvious point of contact for complaints from the public about a wide variety of policing matters, even if alternative points of contact are advertised; and the Chief Executive is therefore a natural focus for the collation and sorting of these.

RECOMMENDATION: In order to be efficient and effective, as required by the Regulations, it is recommended that the Police and Crime Commissioner accepts the delegation from the Police and Crime Panel for Norfolk to the Chief Executive (Head of Staff), in his role as Monitoring Officer, of the function of the initial handling of complaints under the Act and the Regulations.

DETAIL OF THE SUBMISSION

1. KEY ISSUES FOR CONSIDERATION:

1.1 The policing landscape and the police complaints system underwent major change in 2012. Amendments made to the police complaints system by the Police Reform and Social Responsibility Act 2011 were designed to streamline and remove unnecessary bureaucracy from the system, ensure that complaints are handled at the lowest appropriate level, and focus more on putting right the complaint made by a member of the public.

1.2 The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 set out the way in which complaints or conduct matters about the Police and Crime Commissioners (PCCs) and their deputies will be handled.

1.3 The appropriate authority for complaints made against PCCs, and their deputies, is the Police and Crime Panel. The Panel will be responsible for initial recording of complaints and conduct matters and for referring any complaint which allege criminality to the Independent Police Complaints Commission (IPCC). Where complaints do not allege criminality, the Panel will be responsible for handling and informally resolving these complaints.

1.4 The Regulations permit the Panel to delegate the initial handling of complaints to the PCC's Chief Executive (Head of Staff), in their role as monitoring officer. However, the Chief Executive would only be responsible for the initial handling and not the resolution of those complaints. Responsibility for resolving the complaint would remain with the Panel.

1.5 The Panel has decided that it wishes to delegate the function of the initial handing to the PCC's Chief Executive and has proposed a process in this respect. Whilst there is no legal obligation to accept the delegation, mindful that the PCC is bound to be an obvious point of contact for complaints from the public about a wide variety of policing matters, even if alternative points of contact are advertised, it is suggested that the Chief Executive is therefore a natural focus for the collation and sorting of these; and the delegation should be accepted.

1.6 Clearly arrangements need to be in place for the right communication to happen should there be a serious criminal conduct matter or complaint against the PCC; and therefore the issue of delegation was raised with the PCC-elect for consideration and agreement in principle, which was forthcoming, thus allowing the IPCC to be informed of a contact point and for some information to be placed on the Panel's website about the arrangements for complaints. Formal confirmation is now required.

2. FINANCIAL IMPLICATIONS:

2.1 The costs of carrying out the work under this arrangement, if approved, will be met from within existing budgetary provisions within the PCC budget.

3. OTHER IMPLICATIONS AND RISKS:

3.1 Whilst there is no legal obligation to accept this delegation it is considered that the proposal offers the most efficient and effective arrangement for handling complaints. It should be noted, however, that even with a robust procedure in place it might be hard to convince the public that there is an independent process in place for dealing with complaints about the PCC (or deputy).

A. W. Bell 22/11/12.