



**REPORT TO THE POLICE AND CRIME PANEL
REPORT OF THE MONITORING OFFICER
COMPLAINTS AGAINST THE POLICE AND CRIME COMMISSIONER ANNUAL
REPORT – APRIL 2016 - MARCH 2017**

25th April 2017

1. Purpose of the Report

- 1.1 To provide the Police and Crime panel with the third 'annual' report about the complaints and purported complaints received and every conduct matter recorded by the Monitoring Officer between April 2016 and March 2017.

2. Background

- 1.2 The Police and Crime Panel has the statutory role of overseeing all complaints against the PCC and informally resolving non-criminal complaints, as well as criminal complaints or conduct matters that are referred back to the Panel by the Independent Police Complaints Commission (IPCC).
- 2.2 The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 (the Regulations) make provision regarding the Panel's powers and duties in regard to complaints made about the conduct of the PCC. The aim of the complaints system is to deliver resolution as quickly and effectively as possible for the majority of complainants through local resolution.
- 2.3 In accordance with the Regulations, the Panel is required to maintain suitable arrangements for handling complaints, recording conduct matters where there is an indication that the PCC may have committed a criminal offence and prescribing the manner in which any complaints alleging conduct which constitutes or involves, or appears to constitute or involve, the commission of a criminal offence and conduct matters are handled. A procedure for dealing with complaints against the PCC was approved by panel members in November 2012 appointing the Chief Executive of the Office of the Police and Crime Commissioner as the Monitoring Officer
- 2.5 In respect of record keeping the panel agreed in this procedure that the Monitoring Officer will keep records of: every complaint and purported complaint received and every conduct matter recorded by the Monitoring Officer. In addition the Monitoring Officer is to report, on a regular basis, the summary details (such as can be reported in public), on the exercise of any and all of these functions to the Police and Crime Panel for monitoring purposes. As a consequence of this a full list of complaints received between April 2015 and March 2016 is provided, a total of 6, some of which have had a number of components. 5 have previously been reported to the panel in quarterly update with 1 which has been resolved since the last panel report in February 2017. It is worth the panel noting that in some cases complainants are historic and correspondence has been taking place for a number of years.

Received	Nature of Complaint	Recorded / Action Taken
Sent to IPCC 6 th April 2016, received in Office of the Police and Crime commissioner on 27 th April 2016	That the PCC has not met with the complainant to discuss his concerns that her office have been forging letters from the PCC. The follows correspondence with the office over a number of years around this issue.	Complaint not upheld as it did not meet the criteria set down in legislation. The concerns raised include operational matters which have been referred, on receipt of all the correspondence over a number of years have been referred to Northumbria Police.
27 th April 2016	Complaint that the PCC has neglected her duties. In addition he lists a number of complaints that he feels the PCC should deal with.	Complaint not upheld as it did not meet the criteria set down in legislation. The concerns raised include operational matters which have been referred, on receipt of all the correspondence over a number of years have been referred to Northumbria Police.
14th June 2016	PCC has neglected to take action following a number of complaints referred to her that were against the Chief Constable of Northumbria Police	Complaint not upheld as it did not meet the criteria set down in legislation. All complaints made about the Chief Constable were responded to by the PCC. The complainant took up the option to appeal the Commissioners decision to the IPCC. Two of the three complaints appealed were not upheld by the IPCC, we await the outcome of the third.
23 rd December 2016	4 complaints: i. PCC refused to release an investigative report. ii. PCC failed to comply with her Equality Duty. iii. PCC failed in her duty to hold the CC to account. iv. PCC has neglected duty in failing to respond appropriately to correspondence.	Complaint not upheld as it did not meet the criteria set down in legislation. i. PCC has dealt with the matter fully and the complainant was advised how the report would be used. ii. An external review dismissed the allegations made in the complaint. iii. An external review dismissed the allegations made in the complaint. iv. Data Protection Act prohibited a response in this circumstance.

Received	Nature of Complaint	Recorded / Action Taken
20 th January 2017	<p>4 complaints:</p> <ul style="list-style-type: none"> i. PCC has failed to act fairly/transparently and discriminated against the complainant. ii. PCC appointed someone who is not the appropriate authority to investigate a complaint against the CC. iii. PCC failure to deal appropriately with a complaint against the CC. iv. PCC referring a complaint to the IPCC where the local resolution process was not complete. 	<p>Complaint not upheld as it did not meet the criteria set down in legislation:</p> <ul style="list-style-type: none"> i. The PCC or her office have responded to all emails and kept the complainant updated in respect of how the case is progressing. ii. The PCC complied with IPCC guidelines which state that under local resolution the resolving officer must be under the direction and control of the CC. A further review took place and it was determined that the best course of action was for the IPCC to make an independent ruling on this complex case, we await the outcome of this referral. iii. Addressed in point ii. iv. Complainant was informed by the PCC that his complaint would be dealt with by the IPCC rather than through local resolution. The PCC determined that the best course of action was for the IPCC to make an independent ruling on this complex case, we await the outcome of this referral.
18 th January 2017	<p>Follow up to the complaint recorded on the 23rd December 2016 - two further complaints were received.</p> <ul style="list-style-type: none"> i. That the Commissioner, as the complainants employer should have investigated the complaints against former staff under the grievance procedure. ii. That the Commissioner failed to investigate a matter of sexism that was raised with her, which the complainant believes should be investigated 	<p>Complaints not upheld as they did not meet the criteria set down in legislation.</p> <ul style="list-style-type: none"> i. The complainant did not at any time submit a formal grievance under the grievance procedure to the Commissioner whilst working for Northumbria Police. The commissioner has therefore not failed to investigate a formal grievance as none was reported to her. ii. In responding to earlier complaints alleging that the Commissioner has failed in her equality duty,

Received	Nature of Complaint	Recorded / Action Taken
		all the circumstances of the allegation have been considered and it is believed that an appropriate investigation has taken place including consideration of the issues by an outside force –West Yorkshire.