

POLICE AND CRIME PANEL**10th September 2019****REPORT OF THE CHIEF OF STAFF AND MONITORING OFFICER****COMPLAINTS AGAINST THE POLICE AND CRIME COMMISSIONER – JULY TO AUGUST 2019.**

1. Purpose of the Report

- 1.1 To provide the Police and Crime Panel with information about the complaints and purported complaints received and every conduct matter recorded by the Monitoring Officer since November 2012.

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 Office for Police Complaints (IOPC).
- 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.
- 2.4 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. In this instance there have been two complaints received between July and August 2019 neither of which were upheld.

Received	Nature of Complaint	Recorded / Action Taken
5th August 2019	The complainant alleged that the PCC had criminal intention to conceal a crime and refused to carry out her duties under the PRA (2002) in relation to a complaint made against the Chief Constable. The complainant also alleged that the PCC did to preserve evidence of a crime.	Not upheld It is not the role of the PCC to investigate any reports of crime. This was explained in the reply. In relation to the complaint against the Chief Constable, he had followed protocol by referring the complaint involving police officers to PSD.
10 th August 2019	Complainant is in dispute with their neighbour. The complainant believed that no action was happening from police as the neighbour was a relative of the PCC. The complainant also listed a number of complaints re how the case was handled by police officers.	Not upheld. The PCC is not related to any person concerned in any dispute regarding this case. The issues relating to how the police handled matters has been dealt with by an Inspector and the Complaints Team based at the OPCC.