



**REPORT TO THE POLICE AND CRIME PANEL**

**16<sup>th</sup> MARCH 2021**

**REPORT OF THE CHIEF OF STAFF AND MONITORING OFFICER**

**COMPLAINTS AGAINST THE POLICE AND CRIME COMMISSIONER –  
DECEMBER 2020 to MARCH 2021**

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**1. Purpose of the Report**

- 1.1 To provide the Police and Crime Panel with a report about the complaints and purported complaints received and every conduct matter recorded by the Monitoring Officer between December 2020 and March 2021

**2. Background**

- 2.1 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. 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.
- 2.4 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.
- 2.5 There were four complaints received between December 2020 and March 2021 and the report provides an update on complaint previously reported to the Panel.

<b>Received</b>	<b>Nature of Complaint</b>	<b>Recorded / Action Taken</b>
<p>12<sup>th</sup> November 2020 (previously reported to panel 8.12.20)</p> <p><b>Also</b> 5<sup>th</sup> February 2021</p>	<p>Made Criminal allegations that the OPCC had not dealt with their subject access request properly.</p> <p>Made Criminal allegations against the Police and Crime Commissioner following the outcome of a review decision (the statutory appeal mechanism for people dissatisfied with the way a complaint has been handled by a Police Force)</p>	<p>Referred to IOPC. The IOPC have responded and are satisfied that the complainant had been provided with an explanation by the OPCC, who provided justification for any reasonable doubts they had which meant they required identification, which the complainant was informed of, as well as their right to raise a complaint with the ICO.</p> <p><b>NOT UPHELD</b></p> <p>The review process is delegated to the PCC's Director for Confidence, Standards and Statutory Reviews. The review decision is final and there is no right of appeal – the only option available is a judicial review.</p> <p><b>NOT UPHELD</b></p>
<p>29<sup>th</sup> November 2020/</p> <p><b>Also</b> 11<sup>th</sup> February 2021.</p>	<p>Continuation of previous complaints over a number of years.</p> <p>Continuation of previous complaints over a number of years,</p>	<p>Following dissatisfaction with a response from Northumbria Police Professional Standards Department the complainant aimed to advance their complaint through a different route.</p> <p>Response letter agreed with Gateshead Council <b>NOT UPHELD .</b></p> <p>Following dissatisfaction with a response to a complaint against the Chief Constable the complainant aimed to advance their complaint through a</p>

Received	Nature of Complaint	Recorded / Action Taken
		different route. <b>NOT UPHELD</b>
12 <sup>th</sup> February 2021	<p>Complaint that an FOI was not answered properly by the OPCC. The complainant was advised that the OPCC does not hold the information and to contact the Local Authority.</p> <p>Subsequently the complainant responded that the Local Authority had not responded and made a complaint against the PCC.</p>	<p>The complainant was advised of the action to be taken, that the PCC has no remit in respect of FOI requests to local authorities and if they want to report a crime to contact Northumbria Police.</p> <p><b>NOT UPHELD</b></p>

### 3 Recommendation

3.1 Members are asked to note the report.