

6th June 2023.

**REPORT TO THE POLICE AND CRIME PANEL
REPORT OF THE CHIEF OF STAFF AND MONITORING OFFICER
COMPLAINTS AGAINST THE POLICE AND CRIME COMMISSIONER ANNUAL
REPORT – APRIL 2022 - MARCH 2023**

1. Purpose of the Report

- 1.1 To provide the Police and Crime panel with the annual report about the complaints and purported complaints received and every conduct matter recorded by the Monitoring Officer between April 2022 and March 2023.

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 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 regarding 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 three complaints between 1.4.22 – 31.3.23 none of which were upheld.

Received	Nature of Complaint	Recorded / Action Taken
16 th February 2023	This complaint relates to a Subject Access Request that they believe was not actioned properly.	<p>The complainant was advised that the PCC had no role in this matter, so it cannot be a conduct issue.</p> <p>The complainant was advised to raise any concerns regarding his Subject Access Request with the Information Commissioner's Office .</p> <p>Not upheld.</p>
14 th February 2023	The complainant believes that the PCC has colluded with a number of agencies to submit false allegations to a Court.	<p>The Complainant was advised that the OPCC has no role in police investigations.</p> <p>The matter was referred to the Professional Standards Department.</p> <p>Not upheld.</p>
22 nd March 2023	The complainant believed that the Police and Crime Commissioner appears to be failing to comply with her duty of accountability and is thereby in breach of the Code of Conduct.	<p>Regarding accountability – the complainant was advised that Police and Crime Commissioners in accordance with the PRSRA 2011 are held to account by Police and Crime Panels.</p> <p>There was no evidence of a breach of the Code of Conduct.</p> <p>Not Upheld.</p>

3 Recommendation

3.1 Members are asked to note the report.