

**COMPLAINTS AGAINST POLICE AND CRIME COMMISSIONERS AND/OR DEPUTY
POLICE AND CRIME COMMISSIONERS****REPORT OF THE CHIEF EXECUTIVE OF THE OPCC**

1. PURPOSE OF REPORT

- 1.1 To provide members with an overview of the procedure for dealing with complaints against Police and Crime Commissioners (PCC) and/or Deputy Police and Crime Commissioners (DPCC).

2. BACKGROUND

- 2.1. The Northumbria Police and Crime Panel has the statutory role of overseeing all complaints against the PCC and informally resolving non-criminal complaints, as well as overseeing 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.

3 ROLE OF THE POLICE AND CRIME PANEL

- 3.1 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. The IPCC is required to secure that the Panel maintains such arrangements and that:
- the arrangements comply with the Regulations, are efficient and effective and manifest an appropriate degree of independence;
 - public confidence is established and maintained in the existence, and with the operation, of the arrangements; and
 - such arrangements are conducive to, and facilitate, the reporting of misconduct by the PCC.
- 3.2 In accordance with the legislation the Panel may delegate all or any of its powers or duties under the Regulations. In November 2012 the panel agreed that these should be delegated to the PCC's Chief Executive who will act as Monitoring Officer.
- 3.3 A procedure for dealing with complaints against the PCC has been prepared. (Appendix 1)

4 POLICE AND CRIME PANEL MONITORING AND SCRUTINY

- 4.1 In respect of ongoing monitoring and scrutiny 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 reports, 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. A quarterly report, supplemented by an annual report, provides a

list of complaints against the PCC outlining, the date the complaint was received, the nature of the complaint, and the action taken by the monitoring officer.

- 4.2 Since November 2012 there have been 17 complaints received against the PCC, none of which have been Serious Complaints or Conduct Matters as defined in the legislation. It is worth clarifying for members that many of the complaints received refer to operational matters which have, following the receipt of correspondence, been referred to Northumbria Police for resolution.

5 OPENNESS AND TRANSPARENCY

- 5.1 To assure members of the transparency of this process Police and Crime Panel reports are published on Gateshead Council Website at <http://www.gateshead.gov.uk/Council%20and%20Democracy/home.aspx> . In addition a requirement in the Elected Local Policing Bodies (Specified Information Order) 2011 (as amended) (“SIO”) places a duty on the Commissioner to publish certain information including the number of complaints or conduct matters brought to the attention of a relevant office holder by the Police and Crime Panel (either because they have been referred to the Independent Police Complaints Commission, or because they are being subjected to informal resolution by the panel) is published on the PCC’s own website. To date there have been no complaints or conduct matters of this nature and this is, as required, reported on the website <http://www.northumbria-pcc.gov.uk/contact/complain/>.
- 5.2 For local people information about how to complain about the PCC, together with the Complaints Policy is available on the PCC’s own website, <http://www.northumbria-pcc.gov.uk/contact/complain/> .

6 FINANCIAL CONSIDERATIONS

- 6.1 There are no additional financial considerations arising from this report.

7 LEGAL CONSIDERATIONS

- 7.1 There are no legal considerations arising from the content of this report.

8 EQUALITY CONSIDERATIONS

- 8.1 There are no equality implications arising from the content of this report.

9 RISK MANAGEMENT

- 9.1 There are no risk management implications arising from this report

10 RECOMMENDATIONS

- 10.1 The Committee is asked to note this report.