

Avon and Somerset Police and Crime Panel

11th December 2019

Title: Complaints Sub-Committee

1. Purpose of Report

The Panel is invited to:-

- (a) Determine the membership of the Complaints Sub-Committee until the next set of elections in accordance with the Terms of Reference which require a minimum size membership of 3 Panel Members.
- (b) Formally appoint a Link Member for complaints.
- (c) Note the future process for the complaints handling system following a meeting with the OPCC on 5th October 2019.

2. Summary

A report summarising the Panel's role in the handling non-criminal complaints against the Commissioner was considered at the Panel's last meeting on 8th October 2019. The proposed amendments to the Terms of Reference were agreed and the amended version is now attached at Appendix A to this report for information.

3. Membership

Membership of the Complaints Sub-Committee requires finalisation in accordance with the Terms of Reference. Following the resignation of Clare Torrible (Independent Member) the sub-committee currently consists of the Chair and Vice-Chair (Richard Brown and Andrew Sharman). For governance purposes, the Panel is required to appoint at least one further member to the sub-committee or two if the Panel feels this will provide some flexibility.

4. Link Member for complaints

As reported to the last meeting, the Panel is a member-led body and recent experience of complaints suggests that the Panel should appoint a Link Member to lead and maintain an overview on complaints that are escalated to the Panel with advice, guidance and support provided by the Lead Officer. This would also provide a filter for the less serious complaints and ensure that meetings of the sub-committee are only held when necessary. The Vice-Chair has been undertaking this role in an unofficial capacity and the Panel is invited to formally make this appointment.

5. The meeting with the OPCC referred to in the last report took place on 5th October 2019 to reflect on learning emerging from recent complaints and to refresh and align the complaints handling process with the appointment of a Link Member.

This was a useful meeting and in future a written context report will be provided when a complaint is referred to the Panel to provide a structured approach to the process. Any email correspondence from the complainant will inevitably feature as background information to test the commentary in the report. The report content will include:-

- an assessment of the substance of the complaint. Effectively the OPCC's understanding of the issue/what the complainant is aggrieved about with relevant commentary and explanation.
- A categorisation of the potential level of seriousness of the complaint
- Details of the OPCC's attempt at resolution – steps taken to address the complaint

When a complaint is escalated to the Panel, the Lead Office will meet with the Link Member in the first instance to provide advice and guidance. A decision will be taken as to whether:-

- the OPCC has satisfactorily dealt with complaint
- if it is necessary to refer back to the OPCC on any additional points – subject to any request for clarification from the Link Member and any representations from the complainant.
- if the Complaints Sub-Committee needs to meet to consider the complaint. The level of seriousness with which the complaint is regarded will inevitably steer this.

Opportunity for dip sampling of OPCC files has been in place since 2012 and this remains open to any Panel Members who have concerns about any complaint and wish to view the files.

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