

## **AVON AND SOMERSET POLICE AND CRIME PANEL**

**20<sup>th</sup> March 2024**

### **REPORT OF THE CHIEF OF STAFF**

### **COMPLAINTS AGAINST THE POLICE AND CRIME COMMISSIONER AND COMPLAINT REVIEW UPDATE**

#### **PURPOSE OF THE REPORT**

1. To provide members of Avon and Somerset Police and Crime Panel with oversight of all complaints made against Avon and Somerset Police and Crime Commissioner for scrutiny of the initial handling by the Chief of Staff Avon and Somerset Police and Crime Commissioner's Office.

#### **BACKGROUND**

2. Avon and Somerset Police and Crime Panel (the Panel) is the Appropriate Authority to handle complaints against the conduct of 'Relevant Office Holders', being Avon and Somerset Police and Crime Commissioner (PCC) according to statutory regulations of the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 and as referred to in the Police Reform and Social Responsibilities Act 2011, section 31 and schedule 7.
3. However, the initial handling, which includes categorisation, recording decision-making, referral of criminal allegations to the Independent Office for Police Conduct (IOPC), disapplication decision-making, and responding to the complainant in the first instance, has been delegated by the Panel to the Chief of Staff in the Office of Avon and Somerset Police and Crime Commissioner, with scrutiny and oversight of all complaints and any escalation for informal resolution, remaining with the Panel.

#### **SUMMARY OF COMPLAINTS RECEIVED**

4. There has been one new complaint recorded against PCC Mark Shelford since the last meeting of the Police and Crime Panel.
5. Complaint number 96 was sent directly to the PCP. The complainant alleged misconduct but did not put forward any specific allegations. A request was made for allegations to be sent but was not forthcoming. The complaint was handled by the PCP. Allegations relate to the PCC's handling of a complaint against police which was referred to the police Professional Standards Department. The complainant was provided with an explanation around the outcome by the panel.
6. All complaints to date have had Panel oversight, including those solely handled by the PCC's Chief of Staff. All electronic complaint files are available at the PCC's office for viewing by the Panel, if requested. The document retention period is in accordance with the published Record Retention Policy, and this is currently six years.

## COMPLAINT REVIEW UPDATE

7. The complaint review process allows the PCC to independently scrutinise the outcome of complaints (upon application by an involved party). The process determines whether the complaint was handled lawfully and correctly.
8. The complaint review manager has handled 732 reviews up to the beginning of March 2024. 20% were upheld, 69% not upheld and 11% were void.

## RECORDED COMPLAINTS AGAINST THE CHIEF CONSTABLE

9. The OPCC has received and logged 6 new complaints against the Chief Constable since the last meeting of the Police and Crime Panel which are still live. All complaints relate to the recent Channel 4 documentary.
10. All complaints have been assessed and none of the complaints received have been recorded under Schedule 3 of the Police Reform Act 2002 at this time.
11. Whilst the complaints have not been recorded as the complainant is not eligible to make a complaint under the regulations (*to be eligible the complainant must meet the criteria of [‘Adversely Effected’](#) as defined in the legislation*), all the points raised will be addressed with a response to try and provide customer service approach.

## EQUALITY IMPLICATIONS

12. There are no equality implications arising from the handling of complaints against Avon and Somerset PCC. The protected characteristics of complainants are not necessarily known, and all complaints are logged and published in an open and transparent manner.

## RECOMMENDATIONS

13. Members are asked to review and comment on this complaints report and to advise of any recommendations or requests for informal resolution through the statutory process of escalating complaints against the PCC to the Panel.

**Alice Ripley – Chief of Staff**