

AVON AND SOMERSET POLICE AND CRIME PANEL

27 JUNE 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 have been 8 new complaints recorded against former PCC Mark Shelford since the last meeting of the Police and Crime Panel. No complaints have been recorded against PCC Clare Moody since starting post. The impact of the PCC election can be seen in the themes and increased volumes of complaints against the former PCC. Of the eight complaints made in the period surrounding the PCC election, 2 were general complaints with no grounds for a personal conduct complaint, 2 related to communications - content of an online survey and a media interview given in the capacity of an election candidate, and the remaining 4 expressed dissatisfaction with decision making of the previous PCC including requests for the newly elected PCC to reconsider outcomes of Complaints Reviews. This reflects previous trends in complaint activity around a PCC election period.
5. Complaint number 96 was sent directly to the PCP and was handled by the PCP with support from the OPCC. Allegations related to general concerns around the conduct of the PCC but despite a request for clarification, no direct allegations about Mark

Shelford were received. The complainant was provided with an explanation via letter dated 16th February 2024 by the Panel to confirm no grounds for a conduct complaint.

6. Complaint number 97 was sent directly to the PCP and was handled by the Panel with support from the OPCC. A PCP Summary report was prepared by the OPCC. The complainant was provided with an explanation of Panel remit via letter dated 3rd April 2024 by the Panel to confirm no grounds to uphold a conduct complaint.
7. Complaint number 98 was received by the OPCC on 13/03/24 and handled by the OPCC. Allegations related to dissatisfaction around the format of an online survey communicated via OPCC leaflets. The complainant was provided with an explanation and apology via letter on 2nd May 2024 to confirm that no breach of code of conduct was identified.
8. Complaint number 99 was received by the OPCC on 16/04/24 and handled by the OPCC. Allegations related to dissatisfaction with a Complaint Review and OPCC activity in signposting wider dissatisfaction against police to PSD. The complainant was provided with an explanation and apology via letter on 9th May 2024 to confirm that no breach of code of conduct was identified. The complainant escalated the complaint to the PCP and has continued to make ongoing contact with the PCP and OPCC around this matter.
9. Complaint number 100 was received by the OPCC on 18/03/24 and handled by the OPCC. Following OPCC handling the complainant escalated the complaint to the PCP. Allegations related to the outcome of a Complaint Review carried out by the former PCC. The complainant was provided with an explanation and apology via letter on 30th April 2024 to confirm that no breach of code of conduct was identified, and that challenges to the review process and complaints about the PCC are separate matters. Following escalation, the PCP wrote to the complainant on 21st May 2024 to provide an explanation around Panel remit.
10. Complaint number 101 was received by the OPCC on 02/05/24 and was handled by the OPCC. Allegations related to a campaign media interview by the former PCC whilst acting in the capacity of Conservative PCC Candidate during an election period. The complainant was provided with an explanation via letter on 8th May 2024.
11. Complaint number 102 was received by the OPCC on 03/05/24 and was handled by the OPCC. Allegations related to the outcome of a Complaint Review carried out by the former PCC. The complainant was provided with an explanation and apology via letter on 16th May 2024 to confirm that no breach of code of conduct was identified, and that challenges to the review process and complaints about the PCC are separate matters.
12. Complaint number 103 was received by the OPCC on 16/05/24 and is being handled by the OPCC. Allegations relate to the PCC's handling of correspondence relating to an ongoing matter which includes dissatisfaction against ASP including the current and former Chief Constable, former PCC and an MP.

13. 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

14. 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.
15. The complaint review manager has handled 775 reviews up to the beginning of January 2024. 19% were upheld, 69% not upheld and 12% were void.

RECORDED COMPLAINTS AGAINST THE CHIEF CONSTABLE

16. No complaints received by the OPCC against the Chief Constable since the last panel meeting have been assessed as eligible or recorded under Schedule 3 of the Police Reform Act 2002.

EQUALITY IMPLICATIONS

17. 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

18. 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