

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

**1<sup>st</sup> February 2023**

### **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.

Complaint number 83 was received on 03/01/2022. The complaint relates to a historic conviction that has previously been the subject of several PSD complaints, PCC reviews and previous complaints against the PCC.

Complaint allegations raise dissatisfaction with how the PCC has handled the matter, alleging that the PCC has not handled the case seriously.

At present further information is being requested from the complainant to ensure that allegations are recorded appropriately and agreed.

5. 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**

6. 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.
7. The complaint review manager has handled 550 reviews to date. In total 20% of reviews have been upheld, 68% have not been upheld and 12% have been recorded as void.

#### **RECORDED COMPLAINTS AGAINST THE CHIEF CONSTABLE**

8. The OPCC have not recorded any new complaints against the Chief Constable since the last meeting of the Police and Crime Panel.

#### **EQUALITY IMPLICATIONS**

9. 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**

10. 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**