

AVON AND SOMERSET POLICE AND CRIME PANEL

14th March 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 have been three new complaints recorded against PCC Mark Shelford since the last meeting of the Police and Crime Panel.
5. Complaint number 85 was received on 06/03/2023. The complaint relates to a historic complaint that has previously been the subject of several PSD complaints, PCC reviews and previous complaints against the incumbent PCC.

Complaint allegations raise dissatisfaction with how the PCC has handled the matter, alleging that the PCC has not handled the case seriously and was complicit in the activity of the incumbent PCC.

The complaint has not been upheld and some allegations have been subject to disapplication as repetitious. This has now been escalated to the Panel by the complainant.

6. Complaint 86 was received on the 27/02/2023 and further clarification of the allegations are being sought. This is in relation to the PCC's views on classification on drugs at the recent Conservative Party Conference.
7. Complaint 87 has been recorded but is a follow up to a previous complaint and has been resolved by means of explanation as no further evidence to support the allegation has been provided that would change the original outcome.
8. 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

9. 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.
10. The complaint review manager has handled 571 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

11. The OPCC has received one new complaint against the Chief Constable since the last meeting of the Police and Crime Panel. Further information is being sought as well as clarification on the allegations to enable a recording decision to be made under Schedule 3 of the Police Reform Act 2002.

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