

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

**27<sup>th</sup> June 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 no new complaints recorded against PCC Mark Shelford since the last meeting of the Police and Crime Panel.
5. Complaint number 88 was received on 15/05/2023 as a potential PCC complaint. The complainant however concluded that there was no dissatisfaction or concern in relation to the contact with the PCC through the complaint review but they remained dissatisfied with the actions of the police. An explanation was provided by the Panel on 31/05/2023 and a complaint has not been recorded but it is referenced here for transparency and completeness.
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 600 reviews up until the end of May 2023. 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**

9. The OPCC has received and logged four new complaints against the Chief Constable since the last meeting of the Police and Crime Panel. One of these complaints has not been recorded as the conduct subject of the complaint related to the actions of officers operating under delegated authority and not the conduct of the Chief Constable.
10. Three of these complaints require further information 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**

11. 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**

12. 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**