

## **Durham Police and Crime Panel**

**1 February 2023**

### **Complaints Update**

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#### **Report of Helen Lynch, Head of Legal and Democratic Services**

##### **Electoral division(s) affected:**

None

##### **Purpose of the Report**

1. To update members on the number of formal complaints received since the last meeting.

##### **Executive summary**

2. On 23 June 2022, the Police and Crime Panel approved an update to the procedure for handling complaints relating to the Police and Crime Commissioner (PCC) or the Deputy PCC.
3. In addition to this, the Police and Crime Panel agreed to receive at each regular meeting an update on the number of formal complaints received including those which may have been rejected without consideration by the Panel in accordance with the procedure.

##### **Recommendation**

4. The Police and Crime Panel is asked to note the report.

## **Background**

5. The Police Reform and Social Responsibility Act 2011 sets out the role and responsibility of Panels, which includes handling complaints relating to the Police and Crime Commissioner and their Deputy where appointed.
6. On 23 June 2022, the Panel approved an updated procedure for dealing with complaints and conduct matters about the PCC and their Deputy. The Procedure reflects the Local Government Association's best practice guidance for complaints handling.
7. All complaints received after 23 June 2022 are dealt with in accordance with the updated procedure.
8. Responsibility for the initial receipt of complaints and referral to the Panel is delegated to the Clerk to the Panel. There may be instances where a complaint is not presented to the Panel where they fall outside the procedure or are withdrawn by the Complainant.
9. In order to promote transparency and ensure effective scrutiny, the Panel receives a report at each regular meeting on the number of complaints received including those which have not been/will not be presented to the Panel.

## **Complaints Update**

10. The last report the Panel received in relation to complaints was at its meeting on 9 September 2022. Since then, two complaints have been received.
11. The first complaint was received on 22 October 2022. Initially it appeared that the complaint related to a member of staff within the Office of the PCC and therefore outside of the scope of the procedure. However, it has since been clarified that the complaint does relate to the PCC and it is being progressed in accordance with the Procedure. A report will be presented to the Panel in due course.
12. The second complaint was received on 15 November 2022. The complaint, which relates to operational policing matters has been submitted to the Independent Office of Police Complaints (IOPC). It was copied to the Clerk to the Panel for information. The Complainant has been advised that the complaint falls outside of the scope of the complaints procedure as it does not relate to the PCC. A copy has also been shared with the PCC's office for information.

## **Background papers**

- None

## Other useful documents

- None

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**Contact:** Helen Lynch

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## **Appendix 1: Implications**

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### **Legal Implications**

The Police and Crime Panel must have arrangements in place for dealing with complaints in accordance with the Police Reform and Social Responsibility Act 2011 and the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012.

It is good practice for Panels to maintain oversight of the number of complaints and how they are dealt with in accordance with the agreed arrangements.

### **Finance**

None.

### **Consultation**

None.

### **Equality and Diversity / Public Sector Equality Duty**

None.

### **Climate Change**

None.

### **Human Rights**

None.

### **Crime and Disorder**

This is a key focus of the role of the Police and Crime Commissioner and Police and Crime Panel.

### **Staffing**

None.

### **Accommodation**

None.

### **Risk**

None.

### **Procurement**

None.