

Durham Police and Crime Panel

23 June 2023

Complaints Update

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 There may be instances where a complaint is not presented to the Panel where they fall outside the procedure or are withdrawn by the Complainant.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 6 April 2023.
11. Also on 6 April 2023, the Panel considered a complaint. The complaint was concluded. The Panel resolved not to publish the outcome.
12. No new complaints have been submitted since the last report to the Panel in April 2023. However, the last report referenced a complaint received on 6 March 2023 which appeared to be a complaint against the Constabulary rather than the PCC. The Complainant was invited to complete a complaint form setting out how their complaint related to the PCC. No complaint form was submitted but the Complainant did submit a number of follow up emails asking for the matters raised to be treated as a complaint. The underlying issues relate to a police operational matter about which the Complainant previously sought to complain to the Panel in June 2022 and was informed at that time that the Panel have no jurisdiction to consider complaints about police operational matters. The Complainant remains dissatisfied and sought to renew his complaint. The Clerk to the Panel, in consultation with the Chair and Vice Chair of the Panel, decided to take no action in respect of the complaint on the ground that it was vexatious. The Complainant was notified, and the complaint concluded accordingly.

Background papers

- None

Other useful documents

- None

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Appendix 1: Implications

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.