

## **Durham Police and Crime Panel**

**14 December 2023**

### **Complaints Update**

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#### **Report of Helen Bradley, 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 There may be instances where a complaint is not presented to the Panel where they fall outside the procedure or are withdrawn by the Complainant.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 21 September 2023. At that time, there was one complaint, which was being considered in accordance with the Complaints Procedure. That complaint will be considered by the Panel at its meeting on 14 December 2023.
11. One complaint was received in October 2023 from a member of the public seeking to escalate a complaint relating to operational policing matters. The complaint had been considered by the professional standards department and the office of the PCC in 2021. The complainant did not realise that she could also make a complaint to the Panel, which is why it took almost two years for the complaint to be made to the Panel. The issues that the complainant raised and the outcomes sought all relate to operational policing matters and as such fall outside of the remit of the Panel. In accordance with the Procedure, the Clerk consulted with the Chair and Vice-Chair before advising the complainant that no further action would be taken in relation to the complaint.

12. In November 2023, the Chair received an email from a member of the public requesting a meeting to discuss concerns he had relating to the handling of complaints by Durham Constabulary and the IOPC. The Clerk responded to him on behalf of the Chair explaining the remit of the Panel's role in relation to complaints and provided a copy of the Procedure.

### **Background papers**

- None

### **Other useful documents**

- None

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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.