

NORTHAMPTONSHIRE POLICE, FIRE AND CRIME PANEL

30 NOVEMBER 2023

Report Title	Complaints and Conduct Matters Update
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List of Appendices

Appendix A – Record of the outcomes of complaints considered during September – November 2023

1. Purpose of Report

- 1.1. The report is intended to provide the Northamptonshire Police, Fire and Crime Panel with an update on complaints and conduct matters relating to the Police, Fire and Crime Commissioner for Northamptonshire, in accordance with arrangements agreed by the Panel.

2. Executive Summary

- 2.1. The Panel is advised that during the period September – November 2023 two new non-criminal complaints relating to the Police, Fire and Crime Commissioner were recorded. These complaints were considered by the Panel's Complaints Sub Committee in accordance with the Panel's Informal Resolution Protocol. There are no other outstanding complaints or conduct matters at the time of writing this report.

3. Recommendations

- 3.1 It is recommended that the Northamptonshire Police, Fire and Crime Panel notes the update.

4. Reasons for Recommendations

- 4.1 The recommendation is intended to assist the Panel to oversee the operation of arrangements it has adopted to deliver its statutory responsibilities concerning complaints and conduct matters relating to the Police, Fire and Crime Commissioner for Northamptonshire.

5. Report Background

- 5.1 The Police Reform and Social Responsibility Act 2011 and the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 set out certain responsibilities on Police and Crime Panels for dealing with complaints against Police and Crime Commissioners (PCCs) and Deputy Police and Crime Commissioners (DPCCs) and conduct matters. The Regulations define these terms as follows:

- “Complaint”: means a complaint about the conduct of the PCC or DPCC.
- “Conduct”: includes acts, omissions, statements and decisions (whether actual, alleged or inferred).
- “Serious Complaint”: means a complaint made about conduct which constitutes or involves or appears to constitute or involve a criminal offence.
- “Conduct Matter”: means a case where there is an indication that the PCC or DPCC may have committed a criminal offence (for example, where an indication comes to light through media reporting).

- 5.2 In summary, the Regulations require the Panel to make suitable arrangements for:

- Receiving and recording complaints and conduct matters.
- Initial sorting of complaints and conduct matters to determine whether they appear to have a criminal element that requires referral to the Independent Office for Police Conduct (IOPC), which is the body responsible for their investigation.
- Informal Resolution of complaints that do not have a criminal element. Informal Resolution is intended to represent a locally-agreed process for resolving a complaint, involving engagement with the complainant and the person complained against. It is not an investigation of the complaint: the Panel is prohibited from taking any action intended to gather information about a complaint other than inviting the comments of the complainant and the person complained against.

- 5.3 The Northamptonshire Police, Fire and Crime Panel has previously agreed arrangements for delivering its statutory responsibilities relating to complaints and conduct matters. The main elements of these arrangements are:

- Delegation to the Monitoring Officer of the host authority of the Panel’s responsibilities for receiving, recording and referring complaints and conduct matters.
- Establishment of a Complaints Sub Committee with delegated responsibility for the Informal Resolution of non-criminal complaints, according to an agreed Informal Resolution Protocol.
- Provision by the Monitoring Officer of a half-yearly monitoring report to the Panel about all complaints and conduct matters dealt with in the preceding period, the actions taken (including any obligations to act, or refrain from acting, that have arisen under the Regulations

but have not yet been complied with or have been contravened) and the outcome of the process.

6. Issues and Choices

- 6.1 The last update report was presented to the Panel at its meeting on 20 April 2023, reporting the position for September 2022 – March 2023. The next was due to be presented to the Panel meeting on 7 September 2023 but was rescheduled due to that meeting being used to scrutinise decisions by the Police, Fire and Crime Commissioner connected with the appointment of an interim Chief Fire Officer. This update report therefore covers the period April – November 2023.
- 6.2 As noted in paragraph 2.1 above, two new non-criminal complaints relating to the Police, Fire and Crime Commissioner were recorded during the period covered by this update report. These complaints were considered by the Panel's Complaints Sub Committee in accordance with the Panel's Informal Resolution Protocol. The records of the outcomes are included with this report (at Appendix A). There are no other outstanding complaints or conduct matters at the time of writing this report.

7. Implications (including financial implications)

7.1 Resources and Financial

- 7.1.1 There are no resource or financial implications arising from the proposal.

7.2 Legal

- 7.2.1 There are no legal implications arising from the proposal.

7.3 Risk

- 7.3.1 It is important that the Panel deals with complaints and conduct matters in accordance with statutory requirements and the arrangements that that Panel has adopted to deliver its specific responsibilities. In this context it should be recognised that the complaints and conduct matters update is not presented to the Panel with a view to it discussing matters relating to individual complaints, which would be inappropriate. Rather, the update provides the Panel with an overview of complaints dealt with during the preceding period in order to support the Panel's role of monitoring the operation and effectiveness of the arrangements that it has adopted.

8. Background Papers

Police Reform and Social Responsibility Act 2011

The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012

Police and Crime Panel Regulations: Non-Criminal Complaints and Misconduct – Home Office Guidance

Northamptonshire Police, Fire and Crime Panel Rules of Procedure