

NORTHAMPTONSHIRE POLICE, FIRE & CRIME PANEL

9 SEPTEMBER 2021

Report Title	Complaints and Conduct Matters Update
Report Author	James Edmunds, Democratic Services Assistant Manager, West Northamptonshire Council James.edmunds@westnorthants.gov.uk

Contributors/Checkers/Approvers		
West MO (for West and joint papers)	Catherine Whitehead	01/09/2021
West S151 (for West and joint papers)	Martin Henry	24/08/2021

List of Appendices

Appendix A – Record of the outcome of Informal Resolution

1. Purpose of Report

- 1.1. The report is intended to provide the Northamptonshire Police, Fire & Crime Panel with an update on complaints and conduct matters relating to the Police, Fire & 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 January – August 2021 one new complaint about the Police, Fire & Crime Commissioner was recorded and was subject to Informal Resolution by the Panel's Complaints Sub Committee. 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 & Crime Panel notes the update.

- 3.2 Reasons for Recommendation(s) – 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 & Crime Commissioner for Northamptonshire.

4. Report Background

- 4.1 The Police Reform & Social Responsibility Act 2011 and the Elected Local Policing Bodies (Complaints & Misconduct) Regulations 2012 set out certain responsibilities on Police & Crime Panels for dealing with complaints against Police & Crime Commissioners (PCCs) and Deputy Police & 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).
- 4.2 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.
- 4.3 The Northamptonshire Police, Fire & 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.

5. Issues and Choices

- 5.1 The outline work programme for 2021/22 presented to the Panel at its meeting on 17th June 2021 listed the complaints and conduct matters update as an item of business for the Panel meetings on 9th September 2021 and 14th April 2022. This schedule has been used in the past and has worked well in terms of scheduling the update relative to other business in the Panel's overall work programme. It does mean that the current update covers a slightly longer period than should normally be the case, as the preceding update was presented to the Panel meeting on 3rd February 2021 and covered the period July – December 2020.
- 5.2 The current update therefore deals with the period January – August 2021. As noted in paragraph 2.1 above, one new complaint was recorded during this period and was subject to Informal Resolution by the Panel's Complaints Sub Committee. The record of the outcome of the Informal Resolution that was published on the then-host authority website is included with this report (at Appendix A). There are no other outstanding complaints or conduct matters at the time of writing this report.

6. Implications (including financial implications)

6.1 Resources and Financial

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

6.2 Legal

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

6.3 Risk

- 6.3.1 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.

7. Background Papers

Police Reform & Social Responsibility Act 2011

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

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

Police & Crime Panels: Handling Complaints about the Police & Crime Commissioner and their Deputy -
Local Government Association Guidance

Northamptonshire Police, Fire & Crime Panel Rules of Procedure