

Cambridgeshire Police and Crime Panel

PROCEDURE FOR DEALING WITH COMPLAINTS RELATING TO THE CAMBRIDGESHIRE POLICE AND CRIME COMMISSIONER AND DEPUTY POLICE AND CRIME COMMISSIONER



Cambridgeshire Police and Crime Panel Complaints Procedure:

Detailed Guidance for dealing with Complaints about the Conduct of the Police and Crime Commissioner for Cambridgeshire

1. Overview

- 1.1. This procedure deals with complaints about the conduct of the Cambridgeshire Police and Crime Commissioner (PCC) and/or the Deputy Police and Crime Commissioner (DPCC), in accordance with the requirements of the Police Reform and Social Responsibility Act 2011 (“the Act”) and the [Elected Local Policing Bodies \(Complaints and Misconduct\) Regulations 2012](#) (“the Regulations”).
- 1.2. Where this procedure is inconsistent with the Act or Regulations, the Act or Regulations will take precedence.
- 1.3. There are separate procedures for complaints against the PCC’s office and staff, complaints regarding operational policing, the Chief Constable, and other police officers.

2. Role of Police and Crime Panel in relation to Complaints

- 2.1. The Cambridgeshire Police and Crime Panel (“the Panel”) is responsible for overseeing the handling of complaints and Conduct Matters regarding non-criminal behaviour of the PCC, wherever that complaint arises from.
- 2.2. Allegations of criminal conduct about the PCC are dealt with by the Independent Office for Public Conduct (IOPC). (Regulation 7 of 2012 Regs) - For all complaints regarding criminal behaviour of the PCC, received directly by the Constabulary, the Panel delegates initial assessment of these complaints to the Chief Executive of the OPCC.
- 2.3. The Panel may seek to informally resolve the complaint by requiring the PCC to attend a hearing to answer questions, request information and documents from the PCC and publish a report or recommendation. The Panel cannot investigate or impose sanctions.

3. Initial Handling of Complaints

- 3.1. The Panel has delegated responsibility for the initial handling of complaints to the Senior Democratic Services Officer (Police and Crime) (DSO) and Monitoring Officer to the Panel (MO).
- 3.2. Where Complainants are asked to use the complaint form shown at Annex 1 and provide as much detail as possible. Complaints should be submitted to:

The Senior Democratic Services Officer (Police and Crime)
Peterborough City Council
Town Hall
Bridge Street
Peterborough
Cambs PE1 1HF

Or by email: democratic.services@peterborough.gov.uk

- 3.3. Where a complaint is submitted to an officer at the OPCC or a Member, they must refer it immediately to the DSO or MO.
- 3.4. Where a complaint is submitted directly to the IOPC, the IOPC will notify the DSO unless the IOPC considers that there are exceptional circumstances to justify the notification not being given.
- 3.5. Where any Member or officer with responsibility to support the Panel becomes aware of possible misconduct, that person has a duty to report the matter to the DSO or MO.

On Receipt of a Complaint

- 3.6. Any communication to the DSO that does not relate to Misconduct will be forwarded to the relevant authority, including but not limited to:
 - Information about a crime or possible criminal activity that does not involve the PCC or DPCC will be referred to Cambridgeshire Constabulary.
 - Information about potential misconduct by a Member will be referred to their accountable local authority (i.e., the authority from which they were appointed to the Panel). In the case of co-opted independent Members, it is the Panel's Accountable Authority.
 - Information about potential misconduct by an officer in the OPCC will be referred to the monitoring officer for the OPCC.
 - Information about potential misconduct by an officer supporting the Police and Crime Panel will be referred to the MO of the Panel's Accountable Authority or, if the information relates to the MO, to the Chief Executive of the Panel's Accountable Authority.
- 3.7. On receipt of an allegation, the DSO and MO will record and acknowledge receipt of the allegation within five working days; review it and take one of the following actions:
 - In the case of an allegation about Serious Misconduct, they will refer the matter directly to the IOPC as soon as is practicable and, in any event, not later than the end of the following working day when it becomes clear that that matter may amount to Serious Misconduct. They will provide a copy of the allegation to the Chief Executive of the OPCC at the same time as contacting the IOPC.
 - The MO and DSO can decide not to refer the complaint for resolution or take no action at all in the following circumstances:
 - A complaint by a member of the Commissioner's staff in connection with their work. Such complaints will be returned to the complainant with the advice to submit their complaint to the Chief Executive of the OPCC to be dealt with in accordance with the relevant employment procedures.
 - A complaint that relates to an incident that is more than 12 months old where there is no good reason for the delay, or the delay would be likely to cause injustice.
 - A complaint about conduct that is already the subject of another complaint or is not considered to be a Conduct Matter.
 - An anonymous complaint.

- A complaint which is vexatious, habitual, oppressive, trivial, or otherwise an abuse of process for dealing with complaints (detailed in Annex 2).
- In all other cases, the DSO and MO will refer the matter to the Panel for informal resolution in accordance with section 5.

Recording of Complaints

- 3.8. The DSO will record all complaints that are to be proceeded with on the Recorded Complaints and Conduct Matters Register (“the Register”) unless the complaint has already been recorded or is withdrawn by the complainant.
- 3.9. Any complaint or information that does not relate to misconduct will not be recorded in the Register.
- 3.10. The DSO will acknowledge receipt of the complaint, confirm that it has been recorded on the Register and whether the complaint has been referred to the IOPC or whether it will be referred to the Panel.
- 3.11. The MO/DSO will present a report to the Panel, on an annual basis, on the number of complaints which have been accepted, recorded and concluded.
- 3.12. The register and records relating to complaints against the PCC will be retained until 12 months after the PCC leaves the office.
- 3.13. On receipt of a request from the IOPC for documents, information or evidence from the Panel, the DSO shall provide these to the IOPC.

Duty to Obtain and Preserve Evidence

- 3.14. When a complaint comes to the attention of the Panel, it is under a duty to ensure that all appropriate steps are taken to obtain and preserve evidence in relation to the alleged misconduct, both initially and from time to time after that. Guidance issued by the IOPC should be followed: - [IOPC Guidance - Preservation of evidence](#)
- 3.15. The Panel may make formal requests or take such steps as considered expedient or necessary for obtaining and preserving evidence in relation to the alleged misconduct. This may include requests
 - To provide all information and documents specified or described in a notification given by the DSO/MO,
 - To the PCC, an employee of the PCC or any person or organisation having a current or past contractual relationship with the PCC’s Office, its predecessors or in receipt of grant from such bodies.
- 3.16. Any person given a direction by the Panel under this Procedure shall comply with it in full and co-operate with the Panel and its authorised Officers in the discharge of their statutory duties under the Regulations.

- 3.17. The Panel shall be informed of any instances where there has been complete or partial failure to comply with any request regarding evidence.

4. Complaints referred to the IOPC and referred back to the Panel for Informal Resolution

- 4.1. There are occasions when the IOPC decides that complaints that have been referred to them do not need to be processed by themselves and therefore these complaints are then passed back to the Panel to be dealt with via Informal Resolution, in accordance with section 5.

5. Complaints to be dealt with by the Panel – Procedure for Informal Resolution

- 5.1. The DSO will provide details of the complaint to the PCC and invite them to respond to the complaint. The PCC will usually be given ten working days in which to provide their response.
- 5.2. Procedures for informal resolution must not include investigation of the complaint. The panel's use of its powers to require the PCC to provide information and attend the panel to answer questions does not amount to investigation. However, any other step intended to gather information about the complaint, other than inviting the comments of the complainant and the PCC, will amount to investigation.
- 5.3. The Panel's duty is to endeavour to resolve a complaint to the satisfaction of the parties involved. For example, the PCC may agree to provide an apology and/or an explanation, or to take certain actions, or to participate in mediation to seek a resolution. (See 5.11 for further details.)
- 5.4. The MO/DSO will prepare a confidential report, setting out the pertinent details of the complaint and the PCC's response to the complaint. The report will also detail the relevant legislation, regulations, and guidance with recommendations on the next steps.
- 5.5. The MO/DSO will share a copy of the draft report with the Complainant and the PCC and offer the opportunity to comment on matters of fact within the draft report. They will also be asked to make representations as to whether the outcome of the complaint should be published. The Complainant and the PCC will usually be given at least ten working days to provide their comments/representations.
- 5.6. The MO/DSO will finalise the report, including any comments/representations received by the Complainant and/or PCC, to be presented at a meeting of the Panel.
- 5.7. The Panel will consider whether the allegation has been satisfactorily dealt with and, subject to any representations by the Complainant, may decide to treat the complaint as having been resolved. In such a case, the Panel's reasons will be recorded and notified to the parties.
- 5.8. If the Panel believes that the matter has not yet been satisfactorily dealt with, it will determine the most suitable course of action to assist informal resolution, considering any applicable guidance issued by the Home Office and the IOPC. Any such action plan will include an indicative timeframe.

- 5.9. In determining the most suitable course of action, the Panel may request that the PCC provides information or appears before the Panel to answer questions.
- 5.10. The Panel shall have regard to:
- The Oath of Acceptance of Office/Code of Ethics for Policing signed by the PCC
 - Whether the complaint discloses a specific conduct failure identifiable with the Code of Conduct of the PCC
 - Whether the complaint related to operational policing matters which the PCC has no authority over; and
 - The remedies available to it.
- 5.11. In considering an allegation, the Panel will meet in private. The Panel can take any steps that it considers appropriate to resolve the complaint provided that those steps do not amount to a sanction. Such steps may include (but are not limited to):
- Requesting the MO to write an explanatory letter to the complainant on behalf of the Panel.
 - Requesting that an officer of the OPCC write an explanatory letter to the complainant
 - Suggesting a change to an OPCC policy
 - Requesting that the PCC apologises in respect of the conduct complained of (no apology may be tendered on behalf of the PCC unless they have admitted the alleged conduct and agreed to make the apology).
- 5.12. The Panel will consider whether the outcome of the complaint should be published. The Panel shall not publish any part of any such record unless the Panel:
- Has given the complainant and PCC the opportunity to make representations in relation to the proposed publication; and
 - Having considered any such representations, is of the opinion that publication is in the public interest.
- 5.13. If, at any stage, the IOPC informs the Panel that it requires the complaint to be referred to it, or the MO determines it should be referred to the IOPC, the informal resolution process will be discontinued.

6. Communication about outcome of complaints

- 6.1. A record of the outcome (decision notice) must be made as soon as practicable after the process is completed. Copies must be provided to the complainant and the person complained against. The DSO will usually aim to do this within five working days of the Panel meeting.
- 6.2. If applicable, having regard to 5.10 above, the DSO will arrange for the outcome of the complaint to be published.

7. Withdrawn Complaints

- 7.1. A complainant can withdraw or discontinue their complaint at any time by notifying the Panel in writing/or by email (addressed to the DSO and signing the notification). The DSO will record in the Register that the complaint has been withdrawn or discontinued.

- 7.2. Where a complaint has been referred to the IOPC, the DSO will notify the IOPC of the complainant's notification of withdrawal/discontinuance.
- 7.3. If there was sufficient evidence to show that a criminal conduct had taken place, then the MO may decide not to treat the complaint as withdrawn, but to treat it as a Conduct Matter and refer it to the IOPC in accordance with the procedure referred to above. This decision will be made by the MO/ DSO in consultation with the Chair of the Panel.
- 7.4. The MO/DSO will notify the PCC that the complainant has withdrawn or discontinued their complaint and if it is a matter that the MO intends to refer to the IOPC as possible criminal activity.

8. Conduct Occurring outside England and Wales

- 8.1. The PCC has a duty to notify the Panel of any allegation, investigation, or proceedings in relation to their conduct which would otherwise be a Conduct Matter under the Regulations only by reason of the fact that the conduct in question did not occur in England or Wales.
- 8.2. Accordingly, by no later than the end of the working day following the day on which the investigation, allegation, or proceedings (as above) comes to their attention, the PCC shall notify the Panel via the DSO in writing of the matter.
- 8.3. If the Panel receives such a notification from the PCC, then they shall handle it in whatever manner (if any) that the Panel thinks fit.

9. Appeals

- 9.1. There is no right of appeal to informal resolution.
- 9.2. Where all other procedures have been exhausted and the complainant is still not happy about the way their complaint has been handled, they can refer the matter to The Local Government and Social Care Ombudsman. Contact details can be found at <https://www.lgo.org.uk/make-a-complaint> or by telephone contacting 0300 061 0614

10. Definition and Concepts

Accountable authority: the local authority that has legal responsibility for the Police and Crime Panel or its members. For the Panel, that is Peterborough City Council.

Allegation: a claim or assertion that someone has done something illegal or wrong

Cambridgeshire Police and Crime Panel ('the Panel'): the body constituted under the Police Reform and Social Responsibility Act 2011 to scrutinise and support the Cambridgeshire Police and Crime Commissioner and their deputy (if one is appointed).

Complaint: any expression of dissatisfaction about the Police and Crime Commissioner (PCC) or Deputy Police and Crime Commissioner (DPCC) that is expressed by or on behalf of a member of the public.

Serious misconduct– an allegation that the PCC or DPCC has conducted themselves in a way that, in the view of the IOPC, should be investigated as a criminal matter.

Complainant: the individual or group of individuals making a complaint, which may or may not amount to a Complaint.

Conduct Matter - where there is an *allegation* that the Commissioner may have done something wrong or committed a criminal offence which may come to light other than through a complaint (for example through legal proceedings or media reporting).

Democratic Services Officer (DSO): the officer at the accountable local authority for the Police and Crime Panel, appointed to provide democratic services to the Panel.

Independent Office for Public Conduct (IOPC): the body set up by government to investigate allegations of criminal activity by police officers and staff, Police and Crime Commissioners, Deputy Police and Crime Commissioners, and various other holders of public office.

Member: member appointed to the Cambridgeshire Police and Crime Panel.

Misconduct: conduct by the Commissioner or Deputy Commissioner that is incompatible with standards in public life, including all statutory requirements, the seven Nolan Principles and any other standards to which the Commissioner has voluntarily subscribed.

Monitoring Officer (MO): the legally qualified officer at the accountable local authority for the Police and Crime Panel, appointed to provide legal advice and direction to the Panel.

Office of the Police and Crime Commissioner (OPCC): the staff employed to support the Commissioner and delivery of the Police and Crime Plan.

Recorded Complaints and Conduct Matters Register – an electronic database which records all complaints against the Commissioner, including the date received, the complainant, a summary of the complaint, the type of complaint (e.g., conduct matter, serious complaint, and general complaint) and any intended action.



Cambridgeshire Police and Crime Panel

Guidance Note on the Management of Unreasonable Complainant Behaviour

1. Introduction

- 1.1. The Cambridgeshire Police and Crime Panel (hereafter referred to as “the Panel”) is committed to providing a high-quality service at all times to members of the public when dealing with complaints made against the Police and Crime Commissioner for Cambridgeshire (hereafter referred to as “the Commissioner”).
- 1.2. The Police Reform and Social Responsibility Act 2011 (and later regulations) set out the powers of the Panel in resolving or closing complaints made against the Commissioner. The legislation is clear that consideration of a complaint by the Panel should not amount to an investigation. As such, the Panel is limited in the steps it can take to review a complaint, and the recommendations it can make as a result.
- 1.3. It may be decided to dis-apply the informal resolution process agreed by the Panel, should the complaint fail to meet certain criteria.
- 1.4. There may be times when a member of the public may not be satisfied with the outcomes reached by the Panel. The Panel are committed to dealing with all complaints fully and in a timely manner but are mindful of the need to stay within legislation. Should any individual not be satisfied with the Panel’s conduct in relation to a complaint, an option open to them is to refer a case to the Local Government & Social Care Ombudsman.
- 1.5. Usually, complaints reviewed by the Panel are subject to a straightforward process, but in a small number of cases complainants may begin to pursue their cases in a way that can get in the way of reviewing the complaint or unfairly take officers supporting the Panel away from their other duties.
- 1.6. Similarly, complainants who have had their complaints resolved by the Panel may continue to pursue their complaint, or request outcomes to their case that the Panel is not capable of, or which would be inappropriate or inconsistent to grant.
- 1.7. The aim of this guidance is to let complainants know what the Panel considers to be unreasonable complainant behaviour, the options available to the Panel and the possible consequences to the individual.

- 1.8. This guidance will only be invoked after careful consideration, and in exceptional circumstances. Individuals may have justified complaints but may be pursuing them in an inappropriate way, or they may be intent on pursuing complaints which appear to have no substance, or which have already been investigated and determined.
- 1.9. Such complaints may rarely occur, but if a complainant's behaviour adversely affects our ability to do our work, or the work of any of our supporting officers, we may decide to restrict the contact that person has with the Panel.
- 1.10. If a decision is made to invoke this guidance, the individual concerned will be written to, to tell them why we believe his or her behaviour falls into that category, what action we are taking and the duration of that action.

2. What is meant by “unreasonable complainant behaviour”?

- 2.1. The definition used by the Local Government & Social Care Ombudsman has been adopted. Unreasonable complainant behaviour occurs where:
 - There is repeated pursuit of a complaint which appears to have no substance, or which has been investigated and determined.
 - The contact may be amicable but still place very heavy demands on officer or Member time or may be very emotionally charged and distressing for all involved.
 - There is an escalation of behaviour which is unacceptable, for example abusive, offensive, or threatening behaviour.

3. Considerations

- 3.1. The decision about whether to apply the Guidance Note on the Management of Unreasonable Complainant Behaviour is delegated to the Monitoring Officer to the Panel, in consultation with the Chair or, in their absence, the Vice Chair of the Panel. This will allow the guidance note to be applied and any restrictions put in place in a shorter timeframe, given the impact unreasonable behaviour may have on both Member and officer time.
- 3.2. Delegation of this power to the Monitoring Officer does not preclude a meeting of the Panel being called to determine a decision in respect of unreasonable complainant behaviour should it be deemed necessary by the Monitoring Officer.
- 3.3. All complainants have the right to have their complaint considered at an initial stage. The Chair of the Panel, Monitoring Officer (MO) and Democratic Services Officer (DSO) will ensure that the complaints procedure is exhausted – ended at a point that is appropriate to each case – and the complainant notified of the conclusion.

- 3.4. The Chair, MO and DSO will consider and ensure they understand a complainant's circumstances, how and why they feel as they do and what it is that would resolve the matter for them. The Chair, MO and DSO must be sure that the complainant has been given the appropriate opportunity to express their views and opinions, and that they have been listened to. The Chair, MO and DSO must also give appropriate thought and effort to resolving and explaining to the complainant their conclusion and actions (if any).
- 3.5. Before deciding whether the guidance should be applied, the Chair, with the MO and DSO, will consider and satisfy itself that:
- The complaint is being or has been reviewed properly, and any decision reached has been found to be appropriate based on the information presented to the Panel at the time.
 - Communications with the complainant have been adequate and within the Panel's policies.
 - Any decision reached has been reviewed and is found to be appropriate.
 - The complainant is not providing any significant additional information that might change the Panel's conclusion about the complaint.
 - There is not another, more specific path for the complainant to follow e.g., an appeal process to be followed, when they are complaining about a decision taken.
- 3.6. Some individuals that may be considered to be unreasonable complainants may be behaving this way because of a specific circumstance or difficulty. The DSO and MO will identify any mitigating circumstances and include this in the report. Where this is indicated, this will be taken into account in determining the reasonableness of the complaint made.
- 3.7. Any restrictive actions will be tailored to the circumstances and behaviour of the individual and their complaint.

4. Possible Actions

- 4.1. Actions that could be taken to restrict access and contact:
- Restricting telephone calls to specified days/times/duration (for example, one call on one specified morning/afternoon of any week);
 - Limiting the complainant to one medium of contact (telephone, letter, email etc.) and/or requiring the complainant to communicate only with one named member of staff. Any emails will be forwarded to that person to respond to;
 - Onsetting an upper limit on the total amount of time the Panel and their officers will spend reviewing their complaints;
 - Letting the complainant know that the Panel will not reply to or acknowledge any further contact from them on the specific topic of that complaint;
 - Refusing to register and process further complaints about the same matter.

5. Process for the application of the Guidance Note on the management of unreasonable complainant behaviour

First Stage – Notification/Warning

- 5.1. The Monitoring Officer and Democratic Services Officer will review, in consultation with the Chair or, in their absence, the Vice Chair of the Panel, why the complainant's behaviour is causing a concern. They will provide the Chair or Vice Chair documented evidence of the behaviour, and how it needs to change to no longer to be deemed unreasonable.
- 5.2. The Monitoring Officer will write to the complainant explaining to them the actions that may be taken if their behaviour does not change, along with a copy of this guidance.

Second Stage – Application

- 5.3. Should the complainant continue to demonstrate unreasonable behaviour, following receipt of the notification, the Monitoring Officer, in consultation with the Chair or Vice Chair, will determine what further actions will be taken.
- 5.4. If the Monitoring Officer determines to apply the Guidance Note on the management of unreasonable complainant behaviour, they will write to the complainant explaining to them the actions to be taken. All letters will include:
 - Why this decision has been reached;
 - What specific action is being taken;
 - The duration of that action;
 - The date the decision will be reviewed;
 - The circumstances that the decision could be reviewed in advance of that date (e.g., new relevant information);
 - The right of the complainant to contact the Local Government and Social Care Ombudsman (LGSCO) about the fact that they have been treated as unreasonable.
- 5.5. Any decision taken to apply this guidance note will be formally reported to the Panel at the next appropriate ordinary Panel Meeting following the date of the determination.
- 5.6. A log of the decision made and records of all contacts with the complainant will be kept. This information will be treated as confidential and only shared with those who may be affected by the decision in order them to carry out their role at work
- 5.7. Key information to be recorded includes:
 - When a decision is taken not to apply the guidance, or
 - When a decision is taken to make an exception to the guidance once it has been applied, or
 - When a decision is taken not to put a further complaint from the complainant through the complaints procedure for any reason, and

- When a decision is taken not to respond to further correspondence, unless and until they provide significant new information.

5.8. Any further contact from the complainant, for example on a new issue, will be treated on its merits.

6. Who will be informed about restrictions?

6.1. All officers and Members who have experienced unreasonable complainant behaviour relating to the specific complaint will be informed of the decision to impose contact restrictions.

7. Reviewing the decision to restrict access

7.1. When the review date is reached any restrictions will be lifted unless there are good grounds to extend the restriction and set a new review date.

7.2. The Panel's Monitoring Officer, in conjunction with the Chair and Vice-Chair, will review the restriction at the agreed time. If the decision is made to lift the restriction the complainant will be informed of that decision. If the restriction is to continue, the reasons for the continuation of the restriction will be given to the complainant along with the next review date.

8. Referring complainants to the Local Government and Social Care Ombudsmen (LGSCO)

8.1. A complainant who is not satisfied with the determinations of the Panel or its Monitoring Officer may make a complaint to the [LGSCO](#). Should they determine that the referral of a complaint warrants further consideration, they will review the process followed by the Panel or its Monitoring Officer in reaching any such conclusion.

9. Harassment and bullying

9.1. Unreasonable complainant behaviour may amount to bullying or harassment. All Panel members and officers have the right to be treated with respect and dignity in the workplace. Behaviour by third parties that bullies, harasses, or intimidates individuals is unacceptable and will not be tolerated. The Panel will take all reasonable steps to prevent such behaviour.

10. Contact information

10.1. For more help or information, please contact us via
democratic.services@peterborough.gov.uk

10.2. More information on complaints can be found at “insertion of link”

CAMBRIDGESHIRE POLICE & CRIME PANEL

QUICK GUIDE TO COMPLAINTS

Want to know about how to be able to submit a complaint about the Cambridgeshire Police and Crime Commissioner or the Deputy Police and Crime Commissioner?



This quick guide explains what the Police and Crime Panel does, how to complain and what you can expect if you do.

You have a right to complain if you're not happy with the conduct of the Police and Crime Commissioner.

If you have a problem or are unhappy about something that happened to you which involved the Commissioner/Deputy, it can usually be sorted out by

speaking to the Commissioner's Office. But if they cannot put things right for you, then you can make a complaint.

Download a copy of the [Panel's complaints policy](#) and flow chart [here](#) for further information.

What do I need to know about making a complaint

The Panel deals with complaints regarding non-criminal behaviour.

Criminal complaints about the Commissioner are dealt with by the [Independent Office for Public Conduct](#) (IOPC).



- The Panel can only resolve a complaint through mediating an informal resolution, this means resolving the complaint to the satisfaction of both parties involved via a letter of explanation, an apology or a change in policy.
- The Panel *cannot* investigate the complaint or take disciplinary action.

CAMBRIDGESHIRE POLICE & CRIME PANEL

QUICK GUIDE TO COMPLAINTS

How can I complain about the Police and Crime Commissioner?



You can fill in [our online form](#) and send it to democratic.services@peterborough.gov.uk.

You can contact the Senior Democratic Services Officer (Police and Crime) directly (go to the relevant website for more information).

What are the possible outcomes?



- The Panel may give you an explanation for what happened.
- The Commissioner/Deputy may give you an explanation.
- The Commissioner/Deputy may provide you with an apology.
- The Commissioner/Deputy could be given training and development.
- The Office of the Police and Crime Commissioner (OPCC) may change their policy (rules) or procedures (the way they do things).

What can I expect if I complain?



- The Senior Democratic Services Officer (Police and Crime) will contact you within five working days of receiving your complaint.
- You can expect to be listened to and treated fairly.
- You will be kept updated about the progress of your complaint.
- When your complaint is finalised, you will be contacted about the outcome and any action that will be taken as a result.

If you're unsure about anything, you can contact the Senior Democratic Services Officer (Police and Crime) by phone on 07983 322628 or email democratic.services@peterborough.gov.uk.

CAMBRIDGESHIRE POLICE & CRIME PANEL (CPCP) FLOWCHART OUTLINING THE COMPLAINTS PROCESS

WHERE TO SEND YOUR COMPLAINT

All complaints relating to the Cambridgeshire Police and Crime Commissioner and Deputy Police and Crime Commissioner should be sent to the Clerk/Monitoring Officer to the CPCP at Peterborough City Council.

(democratic.services@peterborough.gov.uk)

TYPES OF COMPLAINTS

General Complaint

A complaint, which relates to the Commissioner or Deputy that is not a conduct matter or serious complaint that has been referred by the IOPC.

Serious Complaint

A complaint which constitutes or involves (or appears to) the commission of a criminal offence by the Commissioner or Deputy has committed a criminal offence.

Conduct Matter

A complaint where there is an indication that the Commissioner or Deputy may have committed a criminal offence which has come to light other than through a complaint.

A general complaint will be referred to the Panel and entered in the Recorded Complaints and Conduct Matters Register. A Complaints Sub Committee will meet to follow the procedure for informal resolution.

A complaint considered to be a serious complaint will be referred to the Independent Office of Police Conduct (IOPC) for consideration (within set timescales) and entered in the Recorded Complaints and Conduct Matters Register. The complainant will be notified of this action.

A complaint considered to be a conduct matter will be referred to the Independent Office of Police Conduct (IOPC) for consideration (within set timescales) and entered in the Recorded Complaints and Conduct Matters Register. The complainant will be notified of this action.

CAMBRIDGESHIRE POLICE AND CRIME PANEL

COMPLAINT FORM

Complaint about Cambridgeshire Police and Crime Commissioner or Deputy Police and Crime Commissioner

Your Details

1. Please provide us with your name and contact details

Full Name (including title):

Address:

.....

Preferred contact number:

Alternative contact number:

Email address:

Data Protection – Personal Details

2. The Cambridgeshire Police and Crime Panel (“The Panel”) will ensure that any personal or sensitive information given to them will be treated in the strictest confidence. The Panel will always abide by the Data Protection Act 1998 and its eight principles and will not keep your information longer than necessary. Please read the following statement carefully as it tells you what we are going to do with your information: We will only share your personal information when we are permitted to or are required to by law, or we have your consent to do so as required by the Data Protection Act. Your address and contact details will not usually be released unless necessary to enable us to manage your complaint. However, we will tell the following people that you have made this complaint:

- The person you are complaining about, including any delegated officer acting on their behalf
- The delegated officer acting on behalf of the Police and Crime Panel
- The Democratic Services Officer to the Police and Crime Panel
- Members of the Cambridgeshire Police and Crime Panel, when needed

We will tell them your name and give them a copy of your complaint. If you have serious concerns about your name and or details of your complaint being released, you can request to have your identity kept confidential.

Please be aware that the Panel are required, under the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012, to refer your complaint to the Independent Police Complaints Commission (IOPC) if upon receipt of your complaint, or during the informal resolution, information is received which indicates the commission of a criminal offence, or if otherwise requested by the IOPC.

Making Your Complaint

3. Your complaint will initially be considered, usually within seven working days, by the Senior Democratic Services Officer (Police and Crime) and Monitoring Officer to the Police and Crime Panel.

Where your complaint alleges potential criminal conduct of the Commissioner/Deputy, your complaint will be referred to the IOPC.

Where your complaint relates to the general conduct of the Commissioner or Deputy, the Senior Democratic Services Officer (Police and Crime) will prepare a report for the Police and Crime Panel in accordance with the complaint procedure.

You will be kept informed as your complaint goes through each stage of the complaints procedure.

4. Please explain in this Section (or on separate sheets) whether the complaint relates to the Commissioner or the Deputy Commissioner and details of your complaint.

It is important that you provide all the information you wish to have considered so we can decide if any action can be taken.

- You should be specific, wherever possible, and include details about exactly what you are alleging the office holder said or did. For instance, instead of writing that you were insulted, you should state what it was they said.
- You should provide the dates of the alleged incidents wherever possible. If you cannot provide exact dates, it is important to give a general timeframe.
- You should explain whether there are any witnesses to the alleged conduct and provide their names and contact details if possible.
- You should provide any relevant background information

Please provide us with the details of your complaint – you can continue on a separate sheet if there is not enough space on this form.

Request to withhold Identity

5. In the interests of fairness and natural justice, office holders who are complained about are usually told who has made the complaint. They are also provided with a summary of the complaint and then further details of it, if there is a decision to investigate it or take other action on it. We do not usually withhold your identity, or a summary of the details of your complaint, unless you have requested this and have explained the reasons why we should do so.

If you think you have such reasons and want us to consider withholding your identity and/or any details of your complaint, either altogether or for some period of time, you must indicate this at the submission of your complaint (Section 7). You must also attach to this form a separate sheet which fully explains what information you want withheld and your reasons for your request.

If you do request confidentiality, we will usually allow you the option of withdrawing your complaint if we do not consider there are grounds for withholding your identity. It is important to understand that in certain exceptional circumstances, where the matter complained about is very serious, we may still proceed with an investigation or other action and this may necessitate disclosure of your name at some stage, but every effort will be made to avoid this.

Additional Help

6. Complaints must be submitted in writing which includes email submissions. Should you require assistance with accessing this form, we can make reasonable adjustments to assist you if you have a disability that prevents you from making your complaint in writing or provide the form in an alternative language if required.

If you need any support completing this form, please let us know as soon as possible. You should initially contact the Senior Democratic Services Officer (Police and Crime) and Monitoring Officer to the Panel (whose contact details are given below) who will try to arrange appropriate assistance for you.

Submission of Complaint

7. **(Delete as appropriate)**

By signing below, I consent to my complaint being considered and presented to those parties identified in paragraph 2 of this form.

OR

By signing below, I consent to my complaint being considered but I object to my details being provided to those listed in Section 2 of this form. I have provided full reasons to why I wish my identity to be withheld as required by Section 5 of this form. I understand that my identity will be kept confidential until such time my request has been considered by the Senior Democratic Services Officer (Police and Crime) and Monitoring Officer to the Panel. I understand that I will have the opportunity to withdraw my complaint if it is decided that my identity will be disclosed.

Signed

Dated.....

This form once completed should be sent, along with any supporting documents to:

The Senior Democratic Services Officer and Monitoring Officer to the Police and Crime Panel
Peterborough City Council
Town Hall
Bridge Street
Peterborough
Cambs PE1 1HF

Email democratic.services@peterbough.gov.uk