

POLICE AND CRIME PANEL	AGENDA ITEM No. 8
13 MARCH 2024	PUBLIC REPORT

Report of the Chair of the Cambridgeshire and Peterborough Police and Crime Panel	Claire George Clairegeorge2019@gmail.com
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COMPLAINTS POLICY

RECOMMENDATIONS
<p>It is recommended that the Panel:</p> <p>(a) Comment on the revised draft Procedure, making any further amendments it considers necessary;</p> <p>(b) Approve the draft Procedure for implementation and application to any complaint received going forward.</p> <p>(c) Delegate authority to the Democratic Services Officer of the Panel, in consultation with the Monitoring Officer and Chair of the Panel, to make any further amendments to the Procedure, ensuring it is in an accessible format.</p>

1.	PURPOSE AND REASON FOR REPORT
1.1	The purpose of this report is to present to the Panel a revised and updated procedure for dealing with complaints and conduct matters against the Police and Crime Commissioner (“the Commissioner”). The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 set out the functions of the Police and Crime Panel in relation to the handling of complaints concerning the conduct of Police and Crime Commissioner and Deputy Police Commissioner.
1.2	<p>The Panel is required to adopt a procedure which is consistent with the Regulations for dealing with complaints against the Commissioner. The Panel last reviewed and made changes to the “Procedure for dealing with complaints and conduct matters about the Cambridgeshire Police Crime and Commissioner and/or Deputy Police and Crime Commissioner at its meeting in November 2022.</p> <p>The further changes contained in the attached policy have been made and provisionally agreed by the Chair, Monitoring Officer, and Democratic Services Officer. The changes have been made in order for a more accessible policy that is better understood, that is simplified, by not trying to replicate the entirety of the legislation and guidance.</p> <p>A key change in the draft policy is the suggestion to revert back to the former position where the Chief Executive (and Monitoring Officer) for the Police and Crime Commissioner undertakes the initial triage of complaints against the Commissioner. This is specifically allowed for in the Regulations. It is recommended to the Panel that the Chief Executive for the PCC brings a level of expertise in police complaint handling processes and will enable timely decisions on</p>

	<p>complaint recording and timely referral to the Independent Office for Police Conduct where necessary.</p> <p>To allay any concern regarding the independence of the Chief Executive to undertake that function, it is worth reiterating that:</p> <p>the legislation and guidance specifically allows for this delegation by the Panel;</p> <p>the Chief Executive is also the Monitoring Officer for the Commissioner and as such the post-holder carries those statutory responsibilities for which they are legally accountable;</p> <p>the IOPC retains oversight of the entirety of the complaints processes;</p> <p>the amended policy includes a provision where prior to each Panel meeting, and at any time when the Chair or the Chief Executive think it necessary, the Chief Executive will meet with the Chair and Panel monitoring Officer to discuss any decisions made regarding allegations against the Commissioner.</p>
3.	<p>NEXT STEPS</p> <p>If the Panel consider any further amendments are necessary, to delegate authority to make further changes to the Democratic Services Officer/Monitoring Officer in conjunction with the Chair/Vice Chair following the adoption of the new procedures at the meeting.</p>
4.	<p>IMPLICATIONS</p>
	<p>Legal Implications</p>
4.1	<p>The Interim Director of Legal and Governance (Monitoring Officer) wishes it to be recorded that she disagrees with the need for change but not the actual changes proposed.</p>
5.	<p>BACKGROUND DOCUMENTS</p> <p>Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985</p> <p>Police, fire and crime panels guidance - GOV.UK (www.gov.uk)</p> <p>PCP complaints guidance for police and crime panels Nov22.pdf(policeconduct.gov.uk)</p> <p>Existing Cambridgeshire Police and Crime Panel Complaints Procedure</p>
6.	<p>APPENDICES</p>
6.1	<p>Draft New Complaints Guidance</p> <p>Rules of Procedure</p>