

# HAMPSHIRE POLICE AND CRIME PANEL

## Report

<b>Date considered:</b>	5 July 2019
<b>Title:</b>	Annual Complaints Report
<b>Contact:</b>	Democratic Services Officer to the Panel
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### 1. Executive Summary

- 1.1 This purpose of this report is to provide the Hampshire Police and Crime Panel (PCP) with an overview of the work undertaken by the PCP's Complaints Sub-Committee over the previous 12 calendar months.

### 2. Contextual Information

- 2.1 The PCP is responsible for handling complaints made against the Police and Crime Commissioner for Hampshire (PCC), and for informally resolving non-criminal complaints, as well as complaints or conduct matters that are referred back to the Panel by the IOPC.
- 2.2 The PCP is also required to forward any 'serious' complaint it receives against the PCC to the IOPC. The definition of a 'serious' complaint is 'a qualifying complaint made about conduct which constitutes or involves, or appears to constitute or involve, the commission of a criminal offence'<sup>1</sup>.
- 2.3 At its meeting on 19 October 2012, the PCP agreed protocols for how it would handle such complaints. This included the delegation of the initial stages of the complaints handling system to the Chief Executive of the Office of the Police and Crime Commissioner for Hampshire. Should the delegated officer determine that a complaint received should be considered by the PCP's Complaints Sub-Committee, it will be recorded as such and referred to the Panel scrutiny officer.

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<sup>1</sup> As per paragraph 2(6) of Schedule 7 to the Police Reform and Social Responsibility Act 2011

- 2.4 The complaints protocol is normally reviewed annually to determine if any amendments need to be made. The current version was revised and agreed at the 5 October 2019 meeting.
- 2.5 The complaints procedure is displayed on the PCP's web pages, and can be found below:  
<http://www3.hants.gov.uk/hampshire-pcp/pcc-complaints.htm>
- 2.6 Each complaint recorded will be subject to an 'informal resolution' process, described in the complaints procedure. Prior to undertaking this, the Complaints Sub-Committee has the opportunity to 'dis-apply' the informal resolution process, should the complaint fall into a number of categories outlined in legislation.

### 3. Complaints Sub-Committee

3.1 The Membership of the Complaints Sub-Committee is as follows:

- Councillor Lisa Griffiths
- Councillor Ken Muschamp
- Bob Purkiss MBE (Chair)
- Councillor Frank Rust
- Councillor Jan Warwick

3.2 The Sub-Committee receives legal advice from Portsmouth City Council.

### 4. Complaints Activity – June 2018 to June 2019

#### *Potential Complaints against the PCC*

- 4.1 Six potential complaints were received by the delegated officer between 23 June 2018 and 22 June 2019 (see *Table 1*).
- 4.2 This was broadly in line with the previous 12 months (June 2017 - June 2018), when six potential complaints were received.

<b>Complaints Received – Delegated Officer</b>	<b>No. of Complaints</b>
Potential complaints received	6
- Not recorded as a complaint against the PCC	3
- Recorded as a complaint against the PCC	2
- Recorded as a potential 'serious' complaint against the PCC	1

*Table 1*

### *Meetings of the Complaints Sub-Committee*

4.3 The Complaints Sub-Committee met on two occasions, during the last 12 months. During one of those meetings two separate complaints were determined under the informal resolution procedure and a third previously reviewed complaint was reconsidered, at the request of the complainant. The other meeting was held to review the Sub-Committee's governance documents. Further details of the dates and papers for these meetings can be viewed online

<http://democracy.hants.gov.uk/ieListMeetings.aspx?Committeeld=671>

### *Outcomes of the Complaints Sub-Committee meetings*

4.3 At the time of writing:

- One complaint was on-going.
- One complaint had been referred to the IOPC.
- Two complaints had been informally resolved without action. For one of these complaints, however, the Sub-Committee made recommendations to the Commissioner (which did not require an action plan).
- The unreasonable complaint policy had not been applied once during the period June 2017 - June 2018 (see Table 2)

<b>Complaints Conclusions</b>	<b>Number of Complaints</b>
Informal resolution process dis-applied	0
Referred to the IOPC	1
Resolved prior to consideration	0
Informally resolved without action	2
Informally resolved with action plan	0
Unreasonable complainant policy applied	1
Complaint still ongoing	1
Complaint withdrawn by complainant	0

*Table 2*

## **5 Recommendations**

5.1 That the annual complaints report is noted.

## Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

### Document

Procedure for dealing with complaints against the Police and Crime Commissioner (Last updated October 2018)

### Location

<http://documents.hants.gov.uk/partnerships/hampshire-pcp/PCP-ProtocolfortheInformalComplaintsProcedure.pdf>