

**LEICESTER, LEICESTERSHIRE AND RUTLAND POLICE AND
CRIME PANEL – 12 DECEMBER 2018**

**REPORT OF THE DIRECTOR OF LAW AND GOVERNANCE –
LEICESTERSHIRE COUNTY COUNCIL**

**ANNUAL REPORT ON COMPLAINTS AGAINST THE POLICE AND
CRIME COMMISSIONER**

Purpose of Report

1. The report is intended to provide the Police and Crime Panel with an update on complaints relating to the Police and Crime Commissioner over the last 12 months.

Policy Framework and Previous Decisions

2. At its meeting on 20th December 2012, the Panel delegated authority to the County Solicitor (now the Director of Law and Governance) to:-
 - (a) act as the first point of contact for complaints.
 - (b) make decisions in consultation with the Chairman of the Panel as to whether -
 - a complaint has been made which requires resolution under the complaints procedure;
 - that complaint should be referred to the Independent Police Complaints Commission;
 - the complaint should be subject to the informal resolution process.
 - (c) make arrangements for the process of informal resolution
 - (d) in consultation with the Chairman and Vice Chairman, to resolve complaints informally or to arrange for a meeting of the Sub-Committee of the Panel to resolve complaints informally.

Background

3. The Police Reform and Social Responsibility Act 2011 and the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 set out certain responsibilities on the Police and Crime Panel to deal with complaints against the PCC and conduct matters.

4. The Regulations require the Panel to make suitable arrangements for receiving and recording complaints, for the initial sorting of complaints to determine whether they appear to have criminal elements which would require referral to the Independent Office for Police Conduct (formerly the Independent Police Complaints Commission) and to informally resolve complaints that do not have a criminal element. Informal resolution is intended to represent a locally agreed process involving engagement with the complainant and the person complained against. It does not permit an investigation of the complaint and the Panel is prohibited from taking any action intended to gather further information other than inviting comments from the complainant and PCC.
5. The Panel's Monitoring Officer is reviewing the current complaints process and guidance documentation, and will be bringing a report regarding any proposed changes to a future Police and Crime Panel meeting.

Complaints against the PCC received in 2018

6. There have been no complaints about the PCC during this period. There has been correspondence from three separate complainants but on examination it has become clear the complaints relate to operational policing matters and accordingly the complainants have been directed to the police complaints procedure as the appropriate method to pursue the issues raised.

Recommendations

7. The Panel is asked to:-
 - a. Note the contents of this report.

Officer to Contact:

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