



COMPLAINTS AGAINST THE POLICE & CRIME COMMISSIONER OR DEPUTY POLICE & CRIME COMMISSIONER

1. PURPOSE OF THE PROCEDURE

1.1 The Police and Crime Commissioner for Northamptonshire (the Commissioner) seeks to provide a high standard of service to the public for all matters which are within the roles, functions and responsibilities of the Commissioner. This Complaints Procedure has the following purposes:

- (a) to reassure the public that any reasonable complaint made about the performance or conduct of the Commissioner, or their Deputy, will be impartially and thoroughly investigated within an appropriate timescale;
- (b) to ensure that Police and Crime Commissioner, or their Deputy, who are subject to a complaint have adequate rights and safeguards during the course of investigation of the complaint; and
- (c) to ensure that any investigation and conclusions comply with the requirements of natural justice, rules of evidence, human rights and equal opportunities.

1.2 The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 (Statutory Instrument 2012 No.62) set out how complaints against the Commissioner, or their Deputy, are to be dealt with and by whom. This document gives an overview of how complaints will be dealt with and by whom.

2. COMPLAINTS TO WHICH THIS PROCEDURE RELATES

2.1 The local Police & Crime Panel will deal with a complaint in accordance with this procedure if it concerns one of the following:

- (i) if you are not satisfied about the level of service provided by the Commissioner or their Deputy.
- (ii) if you believe there has been a breach of the Commissioner's staff Code of Conduct by the Commissioner or their Deputy.

2.2 If your complaint relates to a response you have received to a request you have made for access to information, the Commissioner will consider your complaint in accordance with the provisions of the Freedom of Information Act 2000.

2.3 If your complaint deals with a matter relating to alleged criminal activity the Independent Police Complaints Commission, the IPCC, will be informed and will make an assessment of how the matter will be handled.

2.3 The following types of complaint are excluded from the procedure:

- (i) Complaints from members of the Commissioner's staff;
- (ii) Complaints that relate to matters that occurred over 12 months ago, except in exceptional circumstances;
- (iii) Complaints that are already subject to another investigation;

- (iv) Anonymous complaints;
- (v) Repetitive or vexatious complaints;
- (vi) Complaints relating to conduct outside of England and Wales.

3. MAKING A COMPLAINT

3.1 Complaints must be addressed to:

The Chief Executive

Northamptonshire Office of the Police & Crime Commissioner

Wootton Hall

NORTHAMPTON

NN4 0JQ

3.2 Complaints should be made in writing, if at all possible, in order to aid clarity and avoid misunderstanding. However, if this causes you difficulty (due for example to a disability, difficulty reading and writing or due to a language barrier) then the complaint may be accepted in another format – each case will be considered individually.

3.3 Regardless of how the complaint is made you will be provided with written acknowledgment of the complaint within 5 working days of receipt by the Commissioner's office.

4. HOW THE COMPLAINT WILL BE DEALT WITH

Depending on the nature of the complaint the way in which it is handled will be different. Upon receipt of a complaint the Chief Executive of the Office of the Police & Crime Commissioner will assess the complaint and will refer the complaint to the relevant party as outlined below. They will also write to you to tell you how your complaint has been assessed and who is dealing with it.

Complaints relating to local crime or neighbourhood matters

4.1 Complaints relating to local crime or neighbourhood matters will be referred to the Police to investigate. You will be informed that this has happened and who your point of contact within the Force will be.

'Serious' Complaints

4.2 The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 defines 'Serious Complaints' as:

'constitutes or involves, or appears to constitute or involve, the commission of a criminal act'

4.3 Complaints that fall within this category will be referred to the Independent Police Complaints Commission (IPCC). This should happen by the end of the day following receipt of the complaint i.e. normally within 24 hours. The IPCC will then assess the complaint and may investigate themselves or pass it back to the local PCP to investigate.

'Non-serious' Complaints

4.4 In terms of this policy and The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012, these are complaints that do not fall within the category defined in 4.2 of this policy. The term 'non-serious' complaint does not imply that the complaint is not being taken seriously, or will not be dealt with in an appropriate manner.

4.5 Complaints falling within this category will be passed to the local Police and Crime Panel to deal with.

Communication and Information Sharing

4.6 During the process you can expect to be kept updated of the progress of the handling of your complaint.

4.7 A copy of your complaint may be shared with the Commissioner, though your details may be removed from the copy of the complaint they receive.

5. WITHDRAWAL OF COMPLAINTS

5.1 If you wish to withdraw your complaint for any reason, you are asked to do so in writing.

5.2 If written confirmation of your decision to withdraw is not received you will be written to by the Police and Crime Panel asking for you to confirm your wish to withdraw the complaint, if there is no reply to this letter after 21 days it will be taken as an indication that you do not wish to pursue the matter.

5.3 The Police and Crime Panel will consider if the withdrawn complaint is one made about conduct which constitutes or involves, or appears to constitute or involve, the commission of a criminal offence which would then be dealt with as a conduct matter.

6. OUTCOMES

6.1 In cases where the Police and Crime Panel deal with the complaint they will seek to informally resolve the matter with the complainant.

6.2 Informal Resolution is a way of dealing with a complaint by solving, explaining, clearing up or settling the matter directly with the complainant, without an investigation or formal proceedings. It is not a disciplinary process, and does not involve the imposition of any sanction. It is a flexible process that may be adapted to the needs of the complainant and the individual complaint. It may involve the person complained against explaining their conduct and, if appropriate, apologising for it. This could be done by correspondence or in a face to face meeting. The method of informal resolution is left up to the Police and Crime Panel, providing it is in accordance with the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012.