

NORTHAMPTONSHIRE POLICE, FIRE & CRIME PANEL

3RD FEBRUARY 2021

**REPORT BY THE MONITORING OFFICER
NORTHAMPTONSHIRE COUNTY COUNCIL
Edwina Adefehinti**

Subject:	Complaints and Conduct Matters Update
Recommendations:	That the Northamptonshire Police, Fire & Crime Panel notes the update.

1. Purpose of Report

- 1.1 The report is intended to provide the Northamptonshire Police, Fire & Crime Panel with a half-yearly update on complaints and conduct matters relating to the Police, Fire & Crime Commissioner for Northamptonshire, in accordance with arrangements agreed by the Panel.

2. Background

- 2.1 The Police Reform & Social Responsibility Act 2011 and the Elected Local Policing Bodies (Complaints & Misconduct) Regulations 2012 set out certain responsibilities on Police & Crime Panels for dealing with complaints against Police & Crime Commissioners (PCCs) and Deputy Police & Crime Commissioners (DPCCs) and conduct matters. The Regulations define these terms as follows:

- “Complaint”: means a complaint about the conduct of the PCC or DPCC.
- “Conduct”: includes acts, omissions, statements and decisions (whether actual, alleged or inferred).
- “Serious Complaint”: means a complaint made about conduct which constitutes or involves or appears to constitute or involve a criminal offence.
- “Conduct Matter”: means a case where there is an indication that the PCC or DPCC may have committed a criminal offence (for example, where an indication comes to light through media reporting).

- 2.2 In summary, the Regulations require the Panel to make suitable arrangements for:

- Receiving and recording complaints and conduct matters.
- Initial sorting of complaints and conduct matters to determine whether they appear to have a criminal element that requires referral to the Independent Office for Police Conduct (IOPC), which is the body responsible for their investigation.
- Informal Resolution of complaints that do not have a criminal element. Informal Resolution is intended to represent a locally-agreed process for resolving a complaint, involving engagement with the complainant and the person complained against. It is not an investigation of the complaint: the Panel is prohibited from taking any action intended to gather information about a complaint other than inviting the comments of the complainant and the person complained against.

- 2.3 The Northamptonshire Police, Fire & Crime Panel has agreed arrangements for delivering its statutory responsibilities relating to complaints and conduct. The main elements of these arrangements are:
- Delegation to Northamptonshire County Council’s Monitoring Officer of the Panel’s responsibilities for receiving, recording and referring complaints and conduct matters.
 - Establishment of a Complaints Sub Committee with delegated responsibility for the Informal Resolution of non-criminal complaints, according to an agreed Informal Resolution Protocol.
 - Provision by the Monitoring Officer of a half-yearly monitoring report to the Panel about all complaints and conduct matters dealt with in the preceding period, the actions taken (including any obligations to act, or refrain from acting, that have arisen under the Regulations but have not yet been complied with or have been contravened) and the outcome of the process.
- 2.4 The last update report was presented to the Panel at its meeting on 16th July 2020, reporting the position to the end of June 2020. This report therefore covers the period July – December 2020. No new complaints or conduct matters relating to the Police, Fire & Crime Commissioner for Northamptonshire were recorded during this period and there were no existing complaints or conduct matters outstanding.
- 2.5 As per standard arrangements this update is not presented to the Panel with a view to discussing matters relating to individual cases in detail. Rather, it is intended to provide the Panel with an overview of cases dealt with during the preceding period, in order to support the Panel’s role of monitoring the operation of the arrangements that it has adopted to deliver its statutory responsibilities relating to complaints and conduct matters concerning the Police, Fire & Crime Commissioner.

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Background Papers:	Police Reform & Social Responsibility Act 2011 The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 Police & Crime Panel Regulations: Non-Criminal Complaints and Misconduct - Home Office Guidance Police & Crime Panels: Handling Complaints about the Police & Crime Commissioner and their Deputy - Local Government Association Guidance Northamptonshire Police, Fire & Crime Panel Rules of Procedure