



OFFICE OF THE POLICE & CRIME COMMISSIONER FOR NORFOLK

Reply to: Claire Buckley

Tel No: 01953 424455

8th September 2016

Dear Member of Public

Freedom of Information Request FOI/OPCCN/105

I am writing in connection with your email dated 10th August 2016 in which you requested the following information:

“Please copy to me and, or indicate on your website the original facts submitted re of the five complaints noted here as attached as being against the chief constable in the last year. These can be redacted as there's no interest by way of FOI as to who made the complaints.

ADD to your reply, the number of complaints year by year the OPCCN has recorded since it was formed say four years ago.

ADD the copy of each of those complaints , redacted as to personal detail if necessary by which each original complaint is of course thus clear .

[http://archive2016.norfolk-pcc.gov.uk/documents/transparency/freedom-of-information\(2\)/foi-disclosures/FOI-OPCCN-89ComplaintsAgainstChiefConstable.pdf](http://archive2016.norfolk-pcc.gov.uk/documents/transparency/freedom-of-information(2)/foi-disclosures/FOI-OPCCN-89ComplaintsAgainstChiefConstable.pdf)
”

I have reviewed our records and please find at Appendix 1, details of OPCCN recorded complaints from 2015 to 2016 and an extract of each of the individual complaints.

Yours sincerely

CBuckley

Claire Buckley
Freedom of Information Officer
Office of the Police and Crime Commissioner
For Norfolk.

Internal Review

If you think we have not supplied information in accordance with Section 1 (the General Right of Access) of the Freedom of Information Act 2000, or you are dissatisfied with the way in which your request has been handled, then you should write, in the first instance, to:

Mark Stokes
Chief Executive
Office of the Police and Crime Commissioner for Norfolk
Building 8
Jubilee House
Falconers Chase
Wymondham
Norfolk
NR18 0WW

Telephone: 01953 424455
Fax: 01953 424462
Email: opccn@norfolk.pnn.police.uk

If you are dissatisfied in any way with our response or the way we have handled your request, you can contact us by phone, email or in writing. We may, in the first instance, try and resolve your complaint informally. However, at any stage you can request or we may decide to treat your complaint formally under our internal review process.

An internal review is conducted by the Chief Executive who will review the request and response, taking account of your complaint(s), and will respond in writing as soon as possible. The Information Commissioner's Officer recommends that a response should be made in 20 working days. If we are unable to respond in this timeframe we will inform you and provide a date by which you should expect to receive our response.

If, after the internal review, you remain dissatisfied then you can complain to the Information Commissioner's Office, the government regulator for the Freedom of Information Act. Details of how to contact the Information Commissioner's Office can be found at www.ico.gov.uk

OPCCN - RECORDED COMPLAINTS FROM 2015 TO 2016

Type of Complaint	No. Recorded in 2015	No. Recorded in 2016	Totals
PCC Complaint	6	3	9
CC Complaint	5	3	8
OPCCN Staff Complaint	3	1	4

1. Extracted below are PCC complaints from 2015 and 2016:

Ref: 01/PCC-C/2015/SL

Dear XXXX

Subject: Complaint relating to the Norfolk Police and Crime Commissioner

I am in receipt of your letter dated 12 January 2015 which was sent to the Independent Police Complaints Commission (IPCC).

The IPCC have forwarded your letter to us as the responsible recording authority for recording any complaints relating to the Norfolk Police and Crime Commissioner on behalf of the Norfolk Police and Crime Panel.

I am now writing to you, as it is my role in the Police and Crime Commissioner's office to assist in the review of complaints received regarding the Police and Crime Commissioner.

Your complaint has been reviewed in consultation with a nominated independent member of the Norfolk Police and Crime Panel. I can confirm the following assessment has been made:

Report 3 outlined on Page 46 of your letter to the IPCC dated 12 January 2015 which states you are reporting police employees for Conspiring with Others to Pervert the Course of Justice:

This relates to operational matters that Norfolk Constabulary has addressed with you separately and we will not be recording this as a complaint relating to the Police and Crime Commissioner.

Report 4 outlined on Page 46 of your letter to the IPCC dated 12 January 2015 which states you wish to record Misfeasance, Malfeasance & Misconduct in Public Office:

The matters that you have highlighted are the same as those subject to an ongoing complaint that has been referred to the IPCC by the Police and Crime Panel.

The Police and Crime Panel have received another complaint regarding these matters which is currently being held in abeyance pending the outcome of the IPCC managed investigation.

Our intention is to therefore hold your complaint in abeyance pending the outcome of the IPCC managed investigation and that we will send you a copy of the IPCC report once it has been released into the public domain. We expect the report to be released next month.

I have also attached a copy of the IPCC press release dated 23 December 2014 outlining the determination made by the IPCC Commissioner.

Should you wish to appeal against the decision to not record **Report 3** then you have a right of appeal to the IPCC, and 28 days from the date of this letter in which to do so. Information regarding the IPCC

and other documentation is available from their website www.ipcc.gov.uk. If you do not have access to the internet you can order a hard copy of any documentation by contacting their switchboard on 0300 020 0096.

Yours sincerely

XXXX

Ref: 02/PCC-C/2015/SL

Dear XXXX

I am writing to update you on the outcome of your email sent to Councillor XXXX on 13 May 2015, which was forwarded to an independent member of the Norfolk Police and Crime Panel for them to make an assessment as to whether there was a recordable complaint concerning the Norfolk Police and Crime Commissioner.

The independent member has reviewed the information and has made the following determination:

The issue you raised in your email correspondence is not one for the Police and Crime Commissioner (PCC), whose role is to monitor overall trends in police complaints data.

As your complaint does not address this matter but rather deals with a specific complaint previously dealt with by the Norfolk Constabulary, no complaint will be recorded by the Police and Crime Panel.

If however you are dissatisfied with the way your complaint has been handled by Norfolk Constabulary then you may have a right of appeal to the Independent Police Complaints Commission (IPCC). Information regarding the IPCC and other documentation is available from their website www.ipcc.gov.uk. If you do not have access to the internet you can order a hard copy of any documentation by contacting their switchboard on 0300 020 0096.

Yours sincerely

XXXX

Ref: 03/PCC-C/2015/SL

Dear XXXX

I refer to your letter of 30 May 2015 regarding the complaint made about the Norfolk Police and Crime Commissioner. Your complaint was forwarded by the Independent Police Complaints Commission (IPCC) to the Norfolk Police and Crime Panel. This matter has been referred to an Independent Member of the Police and Crime Panel for consideration.

The Independent Member of the Police and Crime Panel has noted that the basis for your complaint is identical to that of the complaints submitted by you in respect of the Norfolk Constabulary and the Chief Constable on numerous diverse dates. These complaints were dealt with both by way of current operational procedures and having been referred to the IPCC. You were formally notified of the outcome of these investigations once they were completed.

The Norfolk Police and Crime Commissioner does not have any legal authority to interfere with, direct or otherwise give instructions to the Chief Constable of Norfolk Constabulary in respect of police operational matters, within which internal investigations of police complaints fall. However; the Commissioner does have a responsibility to monitor the trends and nature of complaints that are made to the Constabulary, for example if there are numerous individual complaints which have a similarity in nature and/or tenet. The Commissioner also has a responsibility to look into any complaint made against the Chief Constable and this responsibility was duly carried out and you were formally notified of the determination made by the Police and Crime Commissioner in relation to this. This result, with

which you appeared to have disagreed, seems to have prompted your complaint against the Commissioner and, as stated above you have utilised the same grounds from your previous complaints to mount this most recent complaint.

The Independent Member of the Police and Crime Panel has examined the available paperwork surrounding this matter. This examination not only took into account the grounds of your current allegations against the Commissioner but also the previous correspondence and complaints made by you which stem from the initial incident which occurred in 2009.

It is the view of the Independent Member of the Police and Crime Panel that the Commissioner has carried out his legal responsibility in respect of the complaint you made against the Chief Constable but as you appear to be dissatisfied with the outcome of that examination you have now used the same grounds of your previous complaints to mount allegations against the Commissioner.

The Independent Member of the Police and Crime Panel is of the opinion that, based on the available evidence; outcome of the previous investigations and the overall complaints' history regarding this matter, your current complaint against the Police and Crime Commissioner is not substantiated and will be recorded as such.

The Independent Member of the Police and Crime Panel considers that this complaint is an abuse of the complaints procedure by continuing to make complaints about the same issues to try and overturn a crime recording decision by Norfolk Constabulary and obtain a crime reference number for insurance purposes.

Yours sincerely

XXXX

Ref: 04/PCC-C/2015/SL

Dear XXXX

I am writing to update you on the outcome of your complaint sent to the Independent Police Complaints Commission (IPCC) on 6 August 2015. As your complaint related to the Norfolk Police and Crime Commissioner, Mr. Stephen Bett, the complaint was forwarded to this office.

Your complaint was then forwarded to an Independent Member of the Norfolk Police and Crime Panel for them to make an assessment as to whether there was a recordable complaint concerning the Norfolk Police and Crime Commissioner.

You outlined your complaint as below:

- Was Mr. Bett aware of his son's cocaine addiction? If so did he act upon this? How? Did he immediately disclose this?
- Was he aware of this addiction at time of appointment and if so did he disclose this to Home Office vetting?
- Now his son will be convicted for the manslaughter of an innocent mother, how does this affect Mr. Bett's vetting status?
- The allegation is that Mr. Bett may have failed to disclose any knowledge of his son's cocaine addiction and of his son's affiliation to the criminal controlled drugs suppliers to his employer, and thus fails to meet HO vetting guidelines.

The Independent Member has reviewed the information and has made the following determination:

The Norfolk Police and Crime Commissioner, Mr. Stephen Bett is an elected official.

Parliament has agreed that Police and Crime Commissioners (PCCs) and their deputies will not be subject to police vetting processes. As Crown Servants, they will be bound by the provisions of the Official Secrets Act 1984. The National Vetting Working Group issued the following statement on 21 November 2012:

“PCCs do not need to be vetted. The Prime Minister and Home Secretary have not been subject to either national or local police vetting processes: therefore Parliament has agreed that neither should PCCs and their statutory deputies. However, to ensure that Chief Officers may have confidence on the disclosure of sensitive material to PCCs to enable PCCs to carry out their statutory functions, Parliament has determined that each PCC and their Deputy will be designated by the Home Secretary as Crown Servants for the purposes of the Official Secrets Act 1984. This means that the PCC and Deputy will be required to sign a document that makes them aware of their obligations under the Act.”

The investigation into the matter of Harry Bett, Mr. Bett's son, has been completed and dealt with by a Court of Law. Mr. Bett Jnr. has been convicted and sentenced to three and half years' imprisonment for Causing Death by Dangerous Driving and NOT manslaughter as suggested. The investigation into the matter was carried out by Essex Police at the formal request of Norfolk Constabulary.

Interest disclosures by Mr. Bett Snr., the Norfolk PCC were given as required by law when he took up office in November 2012 and his personal circumstances were not subject to disclosure.

Mr. Bett Snr., the Norfolk PCC has not in any way compromised his position as the PCC through any of his personal actions as a result of this situation.

You have not provided any evidence to substantiate the specific elements of your complaint, but if this does change then please make further contact with the requisite evidence and the Independent Member will revisit your complaint.

Your complaint has been recorded under the reference number 04/PCC-C/2015/SL and you should quote this reference number in any future correspondence concerning this complaint.

Yours sincerely

XXXX

Ref: 05/PCC-C/2015/SL

Dear XXXX

I am writing in relation to your correspondence with the Norfolk Police and Crime Panel regarding your allegations against the conduct of the Police and Crime Commissioner for Norfolk.

Your correspondence has now been assessed by an Independent Member of the Norfolk Police and Crime Panel in line with their current policy.

There are three strands to your correspondence which have been assessed and the findings listed as below:

- 1) Your complaint about your treatment by members of staff in the OPCCN on 27 August 2015. This has been dealt with separately under the OPCCN complaints policy and you were sent a letter on 6 November 2015 informing you of the result.
- 2) Your allegation about staff within the Joint Professional Standards Department of Norfolk and Suffolk Constabulary cannot be dealt with by the Norfolk Police and Crime Panel. All allegations of this nature should be forwarded to the Chief Constable of Norfolk Constabulary who is the appropriate authority on this specific matter as it is classified as being operational.
- 3) Your allegation against the Norfolk PCC is not substantiated because all of your correspondence relates to a multi-faceted complaint about Suffolk Constabulary and other Suffolk based, outside agencies. You have been advised that the Norfolk PCC is not the

appropriate authority to deal with Suffolk Constabulary issues as the Norfolk PCC has no legal authority to do so. Norfolk Police and Crime Panel is not therefore the appropriate authority to address this matter.

Yours sincerely

XXXX

Ref: 06/PCC-C/2015/SL

Dear XXXX

I am writing in relation to your correspondence submitted to the Independent Police Complaints Commission (IPCC) regarding your allegation against the conduct of the Police and Crime Commissioner (PCC) for Norfolk. Your correspondence was forwarded by the IPCC to the Norfolk Police and Crime Panel as they are the appropriate authority to assess any complaint about the PCC.

Your correspondence has now been assessed by an Independent Member of the Norfolk Police and Crime Panel in line with their current policy.

In your correspondence you have not stated any detailed grounds for alleging that the Norfolk PCC has offended against the Code of Conduct. The Independent Member has determined that there are no grounds to support a specific complaint and that the matter cannot be taken any further.

You have made references to a request for a police investigation being mounted into the possibility of electoral malpractice at Kings Lynn and West Norfolk Borough Council by the Norfolk PCC via Norfolk Constabulary. Such a request is categorised as an operational matter and is outside of the legal authority of both the PCC and the Norfolk Police and Crime Panel.

Your correspondence will be recorded by the Norfolk Police and Crime Panel but no further action will be taken at this time.

Yours sincerely

XXXX

Ref: 01/PCC-C/2016/SL

Dear XXXX

I refer to your previous correspondence and the outcome of the assessment relating to your complaint against Police and Crime Commissioner, Mr. Stephen Bett.

As confirmed to you, the details were forwarded to the Norfolk Police and Crime Panel and assessed by myself in consultation with a nominated Panel Member in line with the Panel's current policy.

You have stated that the PCC is refusing to honour his commitments made to the voters of Norfolk, in respect of his (in your view) failure to hold the police to account on behalf of the electorate. The PCC regularly reviews the performance of the Professional Standards Department on public police complaints but the PCC cannot intervene on operational matters such as individual cases of alleged police professional misconduct. This is classified as an operational matter and the PCC has no authority to intervene in operational matters which lie entirely within the responsibility of the Chief Constable of Norfolk Constabulary.

You have also stated that in your view the PCC is not helping victims of crime. The PCC is responsible for commissioning emotional and practical support for victims of crime in Norfolk. He has

commissioned Victim Support to provide this service, as well as other local specialist support services, and contact information is readily available via the OPCCN website. Information is also available through the national victim's information service, which is also referenced on the OPCCN website and can be found at <https://www.victimsinformationservice.org.uk>.

Your complaint has therefore been assessed as being unsubstantiated and your correspondence will be recorded by the Norfolk Police and Crime Panel but no further action will be taken.

The Independent Panel Member is of the opinion that should you still be dissatisfied with any decision by Norfolk Constabulary in relation to how your police complaint has been handled, then you should contact the Independent Police Complaints Commission (IPCC) which they appreciate is a route you have previously taken. However this is the only way forward for such matters under this current situation. Alternatively may wish to consider seeking a judicial review on the matter of the police actions in relations to this situation.

Information regarding the IPCC and other documentation is available from their website www.ipcc.gov.uk. If you do not have access to the internet you can order a hard copy of any documentation by contacting their switchboard on 0300 020 0096.

Yours sincerely

XXXX

Ref: 02/PCC-C/2016/SL

Dear XXXX

I refer to your complaint submitted to the Independent Police Complaints Commission (IPCC) dated 18 March 2016 regarding the Norfolk Police and Crime Commissioner (PCC).

Your correspondence was forwarded to the Norfolk Police and Crime Panel by the IPCC and an assessment has been made of your complaint by an Independent Member of the panel in line with their current policy.

You have stated that you are complaining about the Police and Crime Commissioner in relation to two Norfolk police officers and that you have new evidence regarding your complaint.

The nominated Independent Panel Member considers that the complaint against the Police and Crime Commissioner is unsubstantiated as your complaint relates to an ongoing complaint with Norfolk Constabulary and should be directed to their Professional Standards Department.

Your correspondence will be recorded by the Norfolk Police and Crime Panel but no further action will be taken.

The Independent Panel Member is of the opinion that should you still be dissatisfied with any decision by Norfolk Constabulary in relation to how your police complaint has been handled, then you should contact the Independent Police Complaints Commission (IPCC).

Information regarding the IPCC and other documentation is available from their website www.ipcc.gov.uk. If you do not have access to the internet you can order a hard copy of any documentation by contacting their switchboard on 0300 020 0096.

Yours sincerely

XXXX

Ref: 03/PCC-C/2016/SL

Unable to supply a copy of the redacted complaint as it is currently a live complaint.

2. Extracted below are CC complaints from 2015 and 2016:

Ref: 01/CC-C/2015/SL

Dear XXXX

I am in receipt of your letter dated 12 January 2015 which was sent to the Independent Police Complaints Commission (IPCC).

The IPCC have forwarded your letter to us as the responsible recording authority for recording any complaints relating to the Chief Constable of Norfolk Constabulary.

I am now writing to you, as it is my role in the Police and Crime Commissioner's office to review complaints received regarding the Chief Constable.

I have reviewed your complaint and I can advise that your concerns will not be recorded as a complaint and no further action will be taken, as your complaint relates to an incident that occurred on 11 August 2013 which has been addressed by the Norfolk Constabulary Professional Standards Department. I can find no evidence within the documentation that you have provided that supports your complaint regarding Chief Constable Simon Bailey.

I have liaised with Norfolk Constabulary's Professional Standards Department and I am advised that they have looked into issues that you have raised and that they have been in contact with you separately with regards to these matters.

Should you wish to appeal against this decision you have a right of appeal to the IPCC, and 28 days from the date of this letter in which to do so. Information regarding the IPCC and other documentation is available from their website www.ipcc.gov.uk. If you do not have access to the internet you can order a hard copy of any documentation by contacting their switchboard on 0300 020 0096.

Yours sincerely

XXXX

Ref: 02/CC-C/2015/SL

Dear XXXX

Following my letter to you dated 22 April 2015, the Police and Crime Commissioner (PCC) has now considered the details of your complaint relating to the conduct of the Chief Constable.

The PCC received your written representations on 5 May 2015 and these were also included in his considerations.

I am now writing to you to provide you with the PCC's determination.

Firstly, I would like to clarify that in your written representations to the PCC, you stated 'the IPCC had recently upheld your complaint and allowed 28 days for the matter to be resolved'. This is factually incorrect. The IPCC wrote to advise you that they had upheld your appeal in relation to the PCC not recording your complaint.

The IPCC did not uphold your complaint and they made no decision as to whether the complaint required investigation. The IPCC's role at this stage is to assess your appeal and make a decision on whether the complaint should be recorded by the Office of the Police and Crime Commissioner for Norfolk (OPCCN).

The PCC has considered each of the issues you have raised regarding the conduct of the Chief Constable and these are addressed below:

- i. In your complaint, you have stated that the Chief Constable was provided with evidence of an incorrect decision being made by XXXX XXXX from Professional Standards Department (PSD). The staff in the Chief Constable's office assessed and processed correspondence received regarding this matter and in accordance with their policies, forwarded this to PSD to deal with as they have delegated functions for responding to complaints. **There is no evidence to support that this information was passed directly to the Chief Constable and that the Chief Constable was involved in this decision making process.**
- ii. In your complaint you have stated that the Chief Constable was fully aware of the situation and refused to take any action. **As outlined above all correspondence addressed to the Chief Constable has been assessed in line with the Chief Constable's office policies and forwarded to PSD for them to review and provide a response.**
- iii. In your complaint you have stated that the Chief Constable falsely claims that two offences are not criminal but civil. **The correspondence that has been sent to you which outlines these matters as being civil and not criminal, was not sent to you directly by the Chief Constable but by officers within the Constabulary who have delegated authority for dealing with complaints.**
- iv. In your complaint you have stated that the Chief Constable has failed to refer the case to the Crown Prosecution Service (CPS). **There is no crime recorded by the Constabulary and as such there is no case to be assessed for referral to the CPS.**
- v. In your complaint you have stated that the Chief Constable has technically breached the Accessories and Abettors Act by collaborating with offenders and refusing to take action to uphold the law. **There is no crime to be recorded and no action to be taken to uphold the law.**

The PCC has been presented with evidence that you have exhausted the complaints process with Norfolk Constabulary, and that your intention is to continue to raise complaints until such time as a crime is recorded.

The PCC is satisfied that all of the required policies have been followed by the Constabulary and you have been advised of the outcomes at each stage, and that the matters you raise relate to a civil matter, not a criminal one.

The PCC has considered the options available for dealing with your complaint. The PCC's view is that informal resolution will not be a satisfactory option for either party as you have been very clear that your aim is to have the matter recorded as a crime and have a crime reference number for insurance purposes. That you will continue to make complaints until your desired outcome is achieved. There is no crime to be recorded thereby local resolution would not be suitable for this complaint.

The PCC makes the following determinations:

1. The PCC will not be taking any action in relation to the matters that you raise as he is satisfied that there are no conduct issues relating to the Chief Constable.
2. The PCC considers that this complaint is an abuse of the complaints procedure by making complaints about the Chief Constable to try and overturn a crime recording decision and obtain a crime reference number for insurance purposes.

Should you wish to appeal against this decision you have a right of appeal to the Independent Police Complaints Commission (IPCC), and 28 days from the date of this letter to do so. Information regarding the IPCC and other documentation is available from their website www.ipcc.gov.uk. If you do not have access to the internet you can order a hard copy of any documentation by contacting their switchboard on 0300 020 0096.

Yours sincerely

XXXX

Ref: 03/CC-C/2015/SL

Dear XXXX

I firstly apologise for the delay in making contact with you but I have been absent due to a period of sickness which was unforeseen.

My role within the Police and Crime Commissioner's Office is to assess complaints on behalf of the PCC that relate to the Chief Constable and therefore your complaint was sent to me for assessment.

In line with our policy on complaints handling (I have attached a copy for information) the matters that you raise below would fall into the category of direction and control. I am therefore going to ask that my colleagues forward the information below on to the Professional Standards Department for them to record and deal with.

Yours sincerely

XXXX

Ref: 04/CC-C/2015/SL

Dear XXXX

Following my letter to you dated 4 June 2015 and our subsequent telephone conversation on 8 June 2015, the Police and Crime Commissioner (PCC) has now considered the details of your complaint relating to the conduct of the Chief Constable.

As I discussed with you during our telephone call on the 8 June 2015, the PCC can only deal with the issue you raised about the Chief Constable and not the other areas you raised relating to your treatment in custody. These matters are part of ongoing correspondence between yourself and the Professional Standards Department and the PCC's office is not the responsible authority for dealing with these complaints. If you are dissatisfied with how the Professional Standards Department have dealt with these issues then your right of appeal is to the Independent Police Complaints Commission (IPCC) and not the Police and Crime Commissioner.

The PCC has received correspondence from your MP, XXXX XXXX dated 23 June 2015. In this letter your MP refers to the fact that you were contacted by the OPCCN office on 15 June and instructed that the complaint had been upheld.

This is not factually correct as there has been no contact from this office on that date nor had your complaint at that time been considered by the PCC.

When I spoke with you on the 8 June 2015 it was conveyed to you that your complaint had duly been recorded in line with the OPCCN complaints handling policy and that the matter was due to be considered by the PCC on 15 June 2015 but this was extended at your request to allow you sufficient time to meet with your MP, XXXX XXXX.

The PCC will respond to your MP in writing to clarify the matters he has raised and a copy of this correspondence will also be sent to you.

I will now provide you with the PCC's determination regarding your complaint against the Chief Constable.

The PCC has considered the issue you have raised in that the Chief Constable has failed in his duties by not responding to questions raised by your MP on your behalf and as such is not accountable.

The staff in the Chief Constable's office assess and process correspondence and any matters that relate to complaints are assessed in accordance with their policies and forwarded to the Professional Standards Department to deal with. They have the delegated responsibility for responding to complaints.

The letter sent from the office of XXXX XXXX, MP dated 20 November 2014 was received in the Chief Constable's office and processed in accordance with these policies and duly forwarded to the Professional Standards Department. Upon receipt they provided a written response on 27 November 2014. This response provided an update as requested on the two complaints made to the Constabulary and the opportunity for XXXX XXXX to follow up with them if he had any further queries.

Having reviewed all of the above information the PCC has determined that there is no conduct issue pertaining to the Chief Constable as the letter was processed and responded to in line with office policy and the PCC will not be taking any action regarding this matter.

Should you wish to appeal against this decision you have a right of appeal to the Independent Police Complaints Commission (IPCC), and 28 days from the date of this letter to do so. Information regarding the IPCC and other documentation is available from their website www.ipcc.gov.uk. If you do have access to the internet you can order a hard copy of any documentation by contacting their switchboard on 0300 020 0096.

Yours sincerely

XXXX

Ref: 05/CC-C/2015/SL

Dear XXXX

I am writing to you to advise that your complaint in relation to Chief Constable Bailey has now been considered by the Police and Crime Commissioner, Mr Bett.

In your complaint you have stated that you believe the Chief Constable is vicariously liable for the actions of PCSO XXXX and PC XXXX because the Chief Constable has failed to ensure that these officers are sufficiently trained to carry out their duties. You also go on to state that you are making an official complaint of misconduct and expect the Chief Constable to be disciplined in relation to his misconduct.

Having assessed your complaint the Police and Crime Commissioner has determined that this is not a misconduct complaint. The details of your complaint relate to policing standards within the Norfolk Constabulary as you state that the officers were not sufficiently trained to carry out their duties. This

type of complaint is categorised within the Independent Police Complaints Commission (IPCC) statutory guidance as a 'Direction and Control Complaint' and this complaint relates to general policing standards in the force.

I have attached our OPCCN complaints policy and page 4, section 6.3 outlines how Direction and Control Complaints are managed. Your complaint will now be passed to the Professional Standards Department of Norfolk Constabulary.

Yours sincerely

XXXX

Ref: 01/CC-C/2016/SL

Dear XXXX

I am writing to you in relation to the email you submitted to the Office of the Police and Crime Commissioner on 11 February 2016 concerning the Chief Constable.

I have recorded your complaint under the following reference number: 01/CC-C/2016/SL.

The actions I have taken are:

- Made an initial assessment of your complaint
- Conduct enquiries in relation to the 'notice of lawful' objection'
- Located copies of paperwork from PSD in relation to the 'notice of lawful objective'

All correspondence received by the Chief Constable's office that pertains to complaints and/or dissatisfaction are automatically forward to the Professional Standards Department (PSD) to deal with and this is a force policy.

My assessment is that this process has been followed and I can find no evidence to substantiate your complaint against the Chief Constable.

Yours sincerely

XXXX

Ref: 02/CC-C/2016/SL

Dear XXXX

Following on from our last email exchange I have now had the opportunity to review the information in relation to XX and XXX XXXX complaint regarding their son XXXX.

When we met on 18th January you made me aware that you wished to complain about the Chief Constable and that he had failed in his duties. I agreed I would review the information in relation to XX and XXX XXXX complaint.

I note that the concerns raised by XX and XXX XXXX regarding their son's case has been through the complaints process previously with the Professional Standards Department (PSD) of Norfolk Constabulary and that their MP, XXXX XXXX has also written to the Chief Constable expressing their dissatisfaction. I also note that XX and XXX XXXX have had a meeting with the previous Chief Constable to discuss their concerns.

For clarification, my role within the Office of the Police and Crime Commissioner for Norfolk (OPCCN) is to review and assess all complaints pertaining to the Chief Constable on behalf of the OPCCN Chief Executive.

My role within the OPCCN does not give me the authority to review the outcome of their complaint with the PSD as the appropriate route for this is the Independent Police Complaints Commission (IPCC). Therefore, my approach has been to review any actions in relation to the Chief Constable to ascertain if there are grounds to substantiate a complaint in relation to his conduct.

I have liaised with PSD to obtain copies of the paperwork they hold in relation to XX and XXX XXXX complaint and have reviewed the contents of their communications with the Chief Constable. The Chief Constable employs staff within the PSD to deal with all matters pertaining to public dissatisfaction with regards to the policing service received within Norfolk. As such it is the Chief Constable's office policy that all communications addressed to the Chief Constable will be acknowledged and forwarded to PSD to respond. Having reviewed the letters sent to the Chief Constable in relation to this case they have all been acknowledged by the Chief Constable's office and forwarded to PSD for a response and, a response has been provided to each correspondence.

I cannot find any evidence to support a conduct complaint in relation to Chief Constable Bailey and therefore will not be taking any further action in relation to your complaint.

If you are still dissatisfied with the actions of Norfolk Constabulary then the route for appeal is the IPCC and beyond that it would be for XX and XXX XXXX to progress a Judicial Review.

If you have any other information in relation to the Chief Constable and XX and XXX XXXX case that you feel would substantiate your complaint in terms of the Chief Constable's conduct then please could you forward it to me within the next 28 days so that I can conduct a review.

If I do not hear anything from you after that time I will close the correspondence file in relation to this matter.

Yours sincerely

XXXX

Ref: 03/CC-C/2016/SL

Dear XXXX

I have reviewed your correspondence to the Police and Crime Commissioner (PCC), Stephen Bett, dated 22nd April 2016.

My role within the Office of the Police and Crime Commissioner for Norfolk is to assess complaints concerning the Chief Constable.

I have recorded your correspondence under the following reference number: 03/CC-C/2016/SL.

The actions I have taken are as follows:

- I have made an initial assessment of your complaint
- Conducted enquiries with Norfolk Constabulary regarding your complaint and previous correspondence
- Reviewed the correspondence sent to you from the Professional Standards Department dated 1 February 2016

Professional Standards Department have written to you outlining their decision not to record your complaint as it was an abuse of the complaints process and you were given the right of appeal to the Independent Police Complaints Commission (IPCC) which expired on 1 March 2016.

If you are dissatisfied with how your complaint was handled then the appropriate authority to address this is the IPCC and not the PCC. The PCC has no statutory powers to intervene on operational policing matters such as the recording of a crime or the outcome of a public complaint.

The Chief Constable has a dedicated unit for handling all public complaints which is the Professional Standards Department and as such all correspondence is handled by this unit in line with force policy and procedures.

The Constabulary has followed the appropriate procedures in handling your complaint and there are no conduct issues in relation to the Chief Constable, I will therefore not be recording your complaint.

If you wish to contact the IPCC about your complaint you can do so via their website www.ipcc.gov.uk or through their switchboard telephone: 0300 020 0096.

Yours sincerely

XXXX

3. Extracted below are OPCCN complaints from 2015 and 2016:

Ref: 01/OPCCN-C/2015/SL

Dear XXXX

Following on from your meeting with XXXX, Performance and Compliance Officer for the OPCCN, I am now writing to provide you with a determination on the complaint you have made to the OPCCN with regards to XXXX XXXX, XXXX XXXX and XXXX XXXX.

I have made an assessment of this complaint in line with the OPCCN Complaints Policy.

All relevant enquiries have now been conducted and I am satisfied that there is no conduct issue to address with regards to XXXX XXXX and XXXX XXXX and the complaint is unsubstantiated.

XXXX XXXX is no longer an employee of the OPCCN and as such does not come under the remit of the OPCCN Complaints Policy however there is no evidence to support any wrongdoing on the part of XXXX XXXX whilst in the employ of the OPCCN.

There are no appeal rights for this complaint determination and I now consider the matter to be closed.

Yours sincerely

XXXX

Ref: 02/OPCCN-C/2015/SL

Dear XXXX

I have made an assessment of your complaint of your treatment by OPCCN staff on 27 August 2015 and I am now writing to you with my determination in line with the OPCCN complaints policy.

All relevant enquiries have now been conducted and I can advise you of the following:

When you telephoned the OPCCN your first contact was with XXXX XXXX who provided you with all the necessary advice in relation to your enquiry. The advice provided was that the Norfolk Police and Crime Commissioners Office were not the appropriate authority to deal with your complaint as it relates to a Suffolk Constabulary issue. I understand that during the course of this conversation XXXX XXXX reiterated this advice to you however you continue to challenge this with her. As a consequence XXXX XXXX, her line manager then intervened and advised you that you had been provided with the appropriate advice and that there were no other matters outstanding resulting in the termination of the call.

You telephoned the office again a short time later and were provided with the same advice by XXXX XXXX.

Having investigated the matter with staff members involved I am satisfied that they have acted in accordance with OPCCN policies and that the service you have received from the OPCCN on 27 August 2015, was appropriate and to the required standard.

I would however wish to state that during my enquiries I have established that the emails you have carbon copied to the OPCCN historically have not been acknowledged which is not acceptable practice and therefore please accept my apologies for this oversight.

As a consequence, I have reviewed the administrative processes and the appropriate steps have been put in place to ensure this process is followed in the future to ensure that this does not happen again.

There are no appeal rights for this complaint determination and I now consider the matter to be closed.

Yours sincerely

XXXX

Ref: 03/OPCCN-C/2015/SL

Dear XXXX

I am writing to provide you with my determination on the complaint that you have made to the OPCCN with regards to XXXX XXXX.

I have made an assessment of this complaint in line with the OPCCN Complaints Policy.

All relevant enquiries have now been conducted and I am satisfied that there is no conduct issue to address with regard to XXXX XXXX and the complaint is unsubstantiated.

There are no appeal rights for this complaint determination and I now consider the matter to be closed.

Yours sincerely

XXXX

Ref: 01/OPCCN-C/2016/SL

Dear XXXX

I am writing to you with my determination on the complaint that you have made to the OPCCN with regards to XXXX XXXX.

I have made an assessment of this complaint in line with the OPCCN complaints policy.

All relevant enquiries have now been concluded and I am satisfied that there is no conduct issue to address with regards to XXXX XXXX and that your complaint is unsubstantiated.

There are no appeal rights for this complaint determination. You have exhausted the complaints process with the OPCCN and I now consider the matter to be closed.

All future correspondence from you will not be acknowledged if it pertains to the same issues previously raised and will be regarded as unreasonably persistent.

Yours sincerely

XXXX