

Complaints Monitoring Report

Suggested approach from Jo Martin, Democratic Support and Scrutiny Team Manager

The Panel is recommended to consider the regular monitoring information from the PCC's Chief Executive and Norfolk County Council's Head of Democratic Services about complaints relating to the conduct of the Police and Crime Commissioner for Norfolk (PCC).

1. Background

- 1.1 The Panel has delegated the Initial Handling of Complaints and Conduct Matters (as set out in The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012, Part 2) to the PCC's Chief Executive, in consultation with a nominated member of the Panel.
- 1.2 The Panel has also delegated the resolution of other complaints (as set out in The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012, Part 4) to Norfolk County Council's Head of Democratic Services for informal resolution, in consultation with a nominated member of the Panel.

2. Purpose of today's meeting

- 2.1 The PCC's Chief Executive and the County Council's Head of Democratic Services agreed to provide the Panel with monitoring reports, at least annually, setting out the number and themes of complaints handled during the period.

3. Ongoing complaints relating to the PCC

- 3.1 The PCC's Chief Executive has confirmed the following update in relation to ongoing complaints to date (all other complaints have previously been reported to the Panel as being completed):

- **Complaint 3 – Dated: 7 August 2017**

The complainant had contacted the Office of the Police and Crime Commissioner for Norfolk (OPCCN) and asserted that misconduct had taken place, but would not clarify by whom or the reasons for their assertion.

The same individual had also submitted three appeals to the IPCC against OPCCN, in relation to decisions taken about the same matter (none of which had been upheld). They had also submitted applications for judicial review against both the Constabulary and OPCCN.

OPCCN sought advice to confirm whether a response in relation to this

latest complaint would impede or impact the judicial review process that was underway. Having received confirmation that it would not, the complainant was advised that their complaint would be recorded but no further action would be taken.

Completed.

- **Complaint 4 – Dated: 17 August 2017**

The complainant claimed misconduct by the PCC, alleging that he had refused to allow the Eastern Daily Press to publish photographs of wanted criminals for fear of violating their human rights.

It was determined that there was no conduct issue to address in relation to the PCC.

The complainant was advised that release of such information to the media was not a matter for the PCC, but for the Chief Constable. The PCC was satisfied that the force had followed the correct procedure by not identifying the suspects - it had been an appropriate exercise of the Chief Constable's operational discretion.

Completed.

- **Complaint 5 – Dated: 14 October 2017**

The complainant claimed misconduct by the PCC, because they believed their correspondence to him had been ignored.

The complainant had been advised in 2016 that the PCC could not assist him with the matter being referred to, and that no further response would be provided.

The complainant was reminded of this fact and advised that no further action would be taken in relation to his complaint.

Completed.

- **Complaint 6 – Dated: 15 November 2017**

The complainant claimed misconduct by the PCC, because in their view he had not abided by his code of conduct when making public comments about the proposed loss of the PCSO role in Norfolk.

The complaint was recorded, and referred to NCC's Head of Democratic Services in order to secure informal resolution. As a result of this process, the PCC wrote directly to the complainant and offered an apology.

Completed.

• **Complaint 7 – Dated: 22 November 2017**

The complainant claimed misconduct by the PCC, owing to his public comments about the proposed loss of the PCSO role in Norfolk.

The complaint was recorded, and referred to NCC’s Head of Democratic Services in order to secure informal resolution. As a result of this process, the PCC wrote directly to the complainant and offered an apology.

Completed.

4. OPCCN Freedom of Information Requests

4.1 As background information for the Panel, the PCC’s Chief Executive has also confirmed that since the Panel’s last monitoring report (February 2017), 15 FOI (Freedom of Information) requests have been received. The main themes of the FOI requests are:

- Departures
- Total cost of OPCCN – 2016/17
- Support for Victims of Rape and Sexual Assault
- Bullying
- Lantern Project
- Expenditure by Supplier – January 2017 to March 2017
- PCC Spend on Victims Services/Sexual Violence/Domestic Violence Services
- Dealings with the Lantern Project
- Delegation of PCC Duties/Published Reports and Recommendations
- Subject Access Requests
- Expenditure over £500 – April 2017 onwards
- Sexual Harassment
- Conservative Party Conference 2017
- Cost of OPCCN to Taxpayer
- Misconduct

4.2 One internal review was requested in relation to the ‘Delegation of PCC Duties/Published Reports and Recommendations’ FOI.

4.3 The PCC’s Chief Executive will attend the meeting to respond to any questions that the Panel may have.

5. Complaints and FOI requests relating to the Panel

5.1 Norfolk County Council’s Head of Democratic Services has confirmed the following update in relation to ongoing complaints to date:

• **Complaint 3 – Dated: 26 January 2017**

The individual wished to complain that their submission of a public question, for response at the 26 September 2017 Norfolk Police & Crime Panel meeting, had been ignored.

The complaint was referred to NCC's complaints team. The complainant was informed that, in accordance with advice they had previously received, their correspondence would be kept on file and no response would be given.

Completed.

5.2 As background information for the Panel, Norfolk County Council's Head of Democratic Services has also confirmed that since the Panel's last monitoring report (June 2017), one new FOI request has been received relating to PCC conduct complaints.

6. Action

6.1 The Panel is recommended to consider the regular monitoring information.



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