

Complaints Policy

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1 Introduction

- 1.1 The OPCC takes the matter of complaints very seriously and wants to make sure that the service provided to communities is professional, effective and efficient. Hampshire's Police & Crime Commissioner works with the Chief Constable and the police to make sure that the service provided to our communities is of the highest standard.
- 1.2 We recognise that there will be times when people feel dissatisfied with the service they have received. This may come about as a result of a particular incident in which they are involved, a policy decision about the policing of their neighbourhood or the conduct of a particular person employed by the police or the Police & Crime Commissioner (PCC).
- 1.3 There are four main bodies involved in complaints about policing and the Police; the Police & Crime Commissioner (PCC), the Police & Crime Panel (PCP) which holds the PCC to account; the Chief Constable who has direction and control of the Constabulary; and the Independent Office for Police Conduct (IOPC) that deal with serious complaints. Each one takes matters of complaints seriously and each has separate responsibilities under the legislation governing policing to make sure that the right people address the right things in the right way. Which of these bodies is the appropriate one to deal with a complaint about policing or the Police will generally depend on the matter being complained about, its nature and severity.

2 Handling complaints

- 2.1 The OPCC takes all complaints seriously. If members of the public take the time and trouble to make a complaint, the appropriate organisation will listen, find out the facts and take appropriate action.
- 2.2 The focus is to resolve the complaint and get a proper outcome. The initial complaint and views of the complainant will be taken into account, the outcome will be based on the facts established, and the result will be appropriate to the seriousness of the circumstances.
- 2.3 The handling of complaints provides one of the most valuable feedback mechanisms for our organisation. We have a commitment to learn, whether from individual complaints or from broader analysis of the type of complaints received by the police and the Commissioner's office and we will share that learning both internally and externally in order to keep improving your police service.
- 2.4 Our priorities are getting it right and if we fail, putting things right; being person-focused; open and accountable; acting fairly and proportionately; and seeking continuous improvement.



3 Complaints against the PCC

- 3.1 The Police & Crime Commissioner is directly elected by the public and therefore will be held to account, not only on election day, but every day by local people, groups and communities.
- 3.2 The Police and Crime Panel (PCP) ensure that the Panel members – both independent and from Local Authorities - support the Police & Crime Commissioner, but as a ‘critical friend’ the PCP also scrutinise the Police & Crime Commissioner’s conduct and work on behalf of the public.
- 3.3 The Police & Crime Commissioner (PCC) is a representative of the community and must conduct themselves in a way that does not discredit their office.
- 3.4 If you have a complaint that the PCC’s conduct has discredited their office then the appropriate authority is the Police and Crime Panel to handle it. This has been delegated initially to the Chief Executive in the Office of the PCC to categorise. The aim is for the Office of the Police & Crime Commissioner to initially respond to you with a recording decision within 10 working days.
- 3.5 If your complaint alleges a **criminal offence**, it may be referred to the Independent Office for Police Complaints (IOPC) for it to review how it should be handled.
- 3.6 All other complaints will be considered by the Police and Crime Panel. More information about this procedure can be found on their website at:
<https://www.hants.gov.uk/aboutthecouncil/governmentinhampshire/police-crime-panel/complaints/complain-police-crime-commissioner>

4 Complaints against the Chief Constable

- 4.1 The Police, under the direction of the Chief Constable, have operational independence and the Police are accountable to the law for the exercise of police powers. However, the Chief Constable is also accountable to the Police and Crime Commissioner for the delivery of efficient and effective policing, management of resources and expenditure, and ultimately the delivery of policing in our area.
- 4.2 The Police and Crime Commissioner is responsible for holding to account the Chief Constable for how policing services are delivered in the local policing area. The PCC is also responsible (as the ‘appropriate authority’) for any complaints, conduct matters, or Death or Serious Injury matters involving the Chief Constable (or any acting Chief Constable). This includes acts, omissions, statements and decisions by the Chief Constable.
- 4.3 Expectations about the behaviour of the Chief Constable are set out in the Standards of Professional Behaviour. These expectations include requirements to:

- Act with Honesty and Integrity;
 - Treat members of the public and their colleagues with Respect and Courtesy;
 - Not abuse powers and authority
 - Act with fairness and impartiality;
 - Act in a manner that does not discredit or undermine public confidence in the police service.
- 4.4 If you wish to make a complaint against the personal conduct of a police officer **below** the rank of Chief Constable or a member of Police staff, then there is a specific section on the Hampshire Constabulary website at <https://www.hampshire.police.uk/advice/advice-and-information/c/complaints/> Alternatively you can telephone the Police non-emergency number: 101 or visit your local Police Station.
- 4.5 The PCC acts as the disciplinary body (appropriate authority) for the Chief Constable and the arrangements for dealing with complaints against the personal conduct of a Chief Constable are statutory, as set out within the Police Reform Act 2002.
- 4.6 If you wish to make a complaint about the personal conduct of the Chief Constable, in not meeting the Standards of Professional Behaviour, then please state what the complaint is about, provide any evidence to support your complaint, and state what you would regard as a satisfactory outcome.
- Either email: opcc.complaints@hampshire.pnn.police.uk
- Or write to: Office of the Police and Crime Commissioner, St George's Chambers, St George's Street, Winchester, Hampshire, SO23 8AJ.
- 4.7 The PCC only deals with purely conduct-related complaints and not complaints about operational decisions or policing policies. Therefore, any other type of complaint needs to be directed to Hampshire Constabulary using the above link.
- 4.8 We aim to make a recording decision and reply to you within 10 working days. You have the right to appeal to the IOPC if you disagree with our decision not to officially record your complaint. We will decide whether the complaint can be locally resolved with you or if it requires formal investigation. We will also determine whether any action should be taken and whether disciplinary proceedings should be brought.



5 Complaint against a member of the PCC's staff or volunteer

- 5.1 The PCC's staff members agree to follow the policies and procedures of the PCC's office, including data protection.
- 5.2 If you wish to complain about the service you have received from a member of staff at the Office of the PCC or the way in which that member of staff has conducted themselves then you can contact the Chief Executive Officer in writing.
- 5.3 Please state full details of what the complaint is about and we will try to resolve it for you.

Either email: opcc@hampshire.pnn.police.uk

Or write to: The Chief Executive Officer, Office of the Police and Crime Commissioner, St George's Chambers, St George's Street, Winchester, Hampshire, SO23 8AJ.

- 5.4 The Chief Executive Officer (CEO) will consider your complaint and a response will be provided to you by an appropriate senior staff member. We will try to resolve the complaint within 20 working days of the complaint being received. If we can't do that we will contact you to keep you updated on progress and to advise you when we expect to conclude the complaint.
- 5.5 If you wish to complain about the Chief Executive Officer, please contact the Police and Crime Commissioner on the same address as above. The PCC will ask another senior staff member to deal with the complaint.