

# Agenda item

## Police and Crime Panel

Meeting to be held on 12 October 2015

### **COMPLAINTS SUB COMMITTEE & MONITORING OF COMPLAINTS**

(Appendix 'A' refers)

Contact for further information:

David Fairclough (01254) 585642 HR, Legal & Corporate Services,  
[david.fairclough@blackburn.gov.uk](mailto:david.fairclough@blackburn.gov.uk)

### **Executive Summary**

This report re-constitutes the Complaints Sub Committee to reflect the revised political balance of the Panel as agreed at the July 2015 meeting. The report also sets out the current position with regard to complaints received to date in relation to the Police and Crime Commissioner and Deputy Police and Crime Commissioner.

### **Recommendation**

That the Panel:

1. agree the composition of the Complaints Sub Committee as 5 members of the Panel (3 from Labour, 1 from Conservative and 1 other member with names to be agreed at the meeting, to act as set out in the report.
- 2 note the update in relation to Complaints received.

### **Background and Advice**

#### Complaints Sub Committee

At their meeting on 26<sup>th</sup> November 2012 the Panel agreed that in order to facilitate the timely consideration of any matters referred to the Panel a Sub Committee should be established with delegated powers to undertake the resolution of complaints.

Reflecting the political balance at the time the Panel resolved that a Complaints Sub Committee, on the basis of 5 members of the Panel (2 from the labour group, 2 from the conservative group and 1 other member, with names to be nominated to and agreed by the Secretary of the Panel) be established with the following delegated powers and duties to act on the Panel's behalf when considering the informal resolution of complaints:

- a) *To consider any complaint referred to the Panel by the Secretary to the Panel in accordance with Part 4 of the Complaints Regulations relating to informal resolution.*
- b) *To consider complaints which appear to relate to the conduct of the Police and Crime Commissioner (PCC) or Deputy Police and Crime Commissioner (DPCC) where the Secretary of the Panel considers that either there is an actual or perceived, conflict of interest or possible negative public perception in respect of him taking the decision whether to record a Complaint or Conduct Matter, or in respect of him, identifying a Serious Complaint for subsequent referral to the Independent Police Complaints Commission (IPCC).*
- c) *To consider any matters referred back to the Panel by the IPCC (including a Serious Complaint that has been referred to the IPCC and then referred back to the Panel);*
- d) *That meetings of the Sub Committee be convened by the Secretary to the Panel, in consultation with the Chair of the Panel as and when required.*

At their meeting on 5<sup>th</sup> July 2015 the Panel considered a report on the membership for 2015/16 following the local elections in May 2015 and resolved that the full panel would be constituted as 10 Labour, 6 Conservative 1 Lib/Dem, 1 Independent elected member and 2 Co—opted independent members.

Given the changes to full Panel membership in July 2015 the political balance of the Complaints Sub Committee should be reviewed and it is suggested that this be 3 Labour, 1 Conservative and 1 other member with nominations considered and agreed at this meeting.

### Complaints Update

At the meeting on the 7<sup>th</sup> July 2014 the Police and Crime Panel [PCP] reviewed and agreed the procedure for dealing with complaints in relation to the Police and Crime Commissioner (PCC) and Deputy Police and Crime Commissioner (DPCC).

The Panel resolved that the monitoring of complaints be reported at each Panel meeting.

A report setting out the position with regard to outstanding complaints received in relation to the PCC/DPCC up to 30 September 2015 is set out in Appendix A.

The Panel are asked to note the current position regarding complaints.

### **Consultations**

N/A

## **Implications:**

This item has the following implications, as indicated:

### **Legal Implications**

The Police Reform and Social Responsibility Act 2011 include provision for the handling of complaints and matters concerning the conduct of the holders of the office of Police and Crime Commissioner and Deputy Police and Crime Commissioner.

### **Financial Implications**

There are no direct financial implications arising from this report. It is proposed the handling of such complaints will be contained within existing resources.

### **Risk management**

The requirement to monitor and record complaints against the PCC and DPCC is in accordance with the provisions of The Elected Policing Bodies (Complaints and Misconduct) Regulations 2012.

## **Local Government (Access to Information) Act 1985**

### **List of Background Papers**

<u>Paper</u>	<u>Date</u>	<u>Contact/Directorate/Tel</u>
Agenda and Minutes from	November 2012	David Fairclough HR, Legal & Corporate Services 01254 585642
Agenda and Minutes from	July 2014	David Fairclough HR, Legal & Corporate Services 01254 585642