

## Police and Crime Panel for Lancashire - 19 October 2016

## Summary of Communications relating to potential Complaints against the Police and Crime Commissioner for Lancashire up to 30 September 2016

Ref	Complaint	Position	Report to Panel Meeting
COM1	Alleged irregularities concerning expenses that were claimed by Mr Grunshaw, the Police and Crime Commissioner (PCC) while he was a member of Lancashire County Council and the Lancashire Police Authority.	<p>The Independent Police Complaints Commission (IPCC) completed an investigation into the Police and Crime Commissioner (PCC) for Lancashire.</p> <p>The Panel was sent a copy of the report of the IPCC for consideration. There was also an Addendum report.</p> <p>The reports were considered by the Panel on 21<sup>st</sup> April 2015 and 6<sup>th</sup> July 2015</p> <p>Both reports were presented to the Complaints Sub Committee for their consideration.</p>	<p>15<sup>th</sup> October 13</p> <p>27<sup>th</sup> January 14</p> <p>21<sup>st</sup> April 15</p> <p>6<sup>th</sup> July 15</p>
COM2	Alleged involvement of the PCC in 'operational matters' regarding the investigation of a previous complaint in relation to the Chief Constable and the Chief Executive of the Office of the PCC.	The Secretary considered the complaint to be both vexatious and an abuse of process within the meaning of Regulation 15(e) of the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012.	15 <sup>th</sup> October 13
COM3	Complainant made two complaints about the conduct of the Chief constable.	The Secretary considered the complaint against the PCC is vexatious and an abuse of the procedures for dealing with complaints within the meaning of Regulation 15(e) of the 2012 Regulations.	15 <sup>th</sup> October 13
COM4	Complaint by an individual about failure to notify the Information Commissioner's Office and register as a data controller, processing personal data, as from the	The complainant had written to 30 of the 41 PCC's who it was alleged, had committed the same offence. Accordingly, the Secretary considered this a complaint against the OPCC and not the PCC in his personal capacity under Regulation 2	15 <sup>th</sup> October 13

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	<p>PCC taking up office on 22<sup>nd</sup> November 2012.</p> <p>[Registration took place 4<sup>th</sup> December 2013]</p>	<p>of The Elected Local Policing Bodies (Complaints and Misconduct) Regulation 2012.</p>	
COM5	<p>Comment by an individual that PCC is trying to recruit 'Police Volunteers' to replace police officers in Lancashire, whilst he has recruited a Deputy and Assistant Commissioner to support him. The complainant referred to and requested an update on the progress of the existing complaint (COM1) under investigation by the IPCC.</p>	<p>The Secretary considered the reference to 'Police Volunteers' a comment rather than complaint and did not consider it appropriate for the PCP to respond in respect of a matter already subject to a complaint process.</p>	15 <sup>th</sup> October 13
COM6	<p>Complaint PCC was continuing to act in overseeing Lancashire Constabulary. Alleged conflict of interest as PCC cannot have fair judgement of conduct of Lancashire Police [LC] as they are assisting the CPS in investigating the IPCC referral in relation to expenses. Suggested PCC should, in public interest, stand down, allowing election of replacement PCC. Alleged if proved innocent, would be suspicion that LC had exonerated PCC, in return for expected lenient treatment from him in future.</p>	<p>Complaint was forwarded to Secretary by OPCC. PCP has statutory duty to investigate complaints about non criminal behaviour of PCC. The Panel has no legal power to suspend the PCC in the present circumstances. Section 30 of the Police Reform and Social Responsibility Act 2011 provided that a panel may suspend a PCC if it appears he/she is charged with an offence that carries a maximum prison term of more than two years. PCC has not been charged with an offence. The Secretary responded to the complainant to set out the legal position.</p>	15 <sup>th</sup> October 13
COM7	<p>Explanation requested as to why PCC has not been suspended whilst CPS consider the allegations? Who makes that decision? Does the PCC consider that it would be acceptable if the Chief Constable</p>	<p>Section 30 of the Police Reform and Social Responsibility Act 2011 provides that a panel may suspend a PCC if it appears he/she is charged with an offence that carries a maximum prison term of more than two years. PCC had not been charged with an offence. Not within the Secretary's remit to</p>	15 <sup>th</sup> October 13

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	or his Deputy or Assistants were subject to similar allegations, if they carried on working?	comment upon latter part of the query and any rules/regulations that may apply.	
COM8	Complaint against PCC for failure to deal with complaints made to him by the complainant relating to alleged actions by officers employee by Lancashire constabulary and Blackburn with Darwen Council.	The Secretary wrote to the complainant to confirm the Chief Constable is responsible for dealing with operational issues and also for dealing with complaints and conduct matters in relation to personnel under his direction and control. This matter was not under the jurisdiction of the PCC to investigate or respond to. The Secretary also confirmed that PCC does not have any legal power to deal with complaints against a local authority.	27 <sup>th</sup> January 14
COM9	The Complaint in summary alleged negligence and lack of support from the police service in relation to an allegation of being a victim of two serious assaults. Complainant alleged PCC's lack of intervention to resolve concerns about investigations into allegations and case associated matters not being dealt with appropriately. The complainant also alleged harassment by one of the PCC's members of staff. Complainant in addition alleged harassment continues even though complainant now resides in another country.	In consultation with the chair of the Police and Crime Panel for Lancashire ('PCP'), the Secretary to the Panel concluded the complaints did not relate to the personal actions of the PCC and therefore the PCP could not register the complaint, investigate further or take any action. The Secretary wrote to the complainant to confirm the position.	7 <sup>th</sup> April 14 7 <sup>th</sup> July 14
COM10	Complaint about poor service from the police in relation to an un-provoked attack on the complainant in 2009 and that the Chief Constable is ultimately responsible for the actions of his officers and he failed to address the complainant's concerns.	Complainant's allegations are outside remit of the Panel and directly related to operational policing and allegations regarding conduct of OPCC officers.	7 <sup>th</sup> April 14

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	Complainant sought an apology from the Chief Constable. Complainant also dissatisfied with responses he had received from the Professional Standards Department.		
COM11	Allegation of unwarranted personal attacks on the complainant via the media and use of OPCC resources to issue at least one of the aforementioned attacks, including a statement which was allegedly untrue and harmful to the complainant's reputation and prospects.	This matter was referred to the IPCC. On 24 <sup>th</sup> July the IPCC returned the matter for consideration by the Lancashire Police and Crime Panel. The Complaint was subject to the Panel's Procedure for Dealing with Complaints and was considered on 21 <sup>st</sup> April 2015 by the Complaints Sub Committee.	7 <sup>th</sup> July 14 26 <sup>th</sup> January 15 21 <sup>st</sup> April 15
COM12	Complaint with regard to Expense made by PCC. Review of Conduct – Lancashire Telegraph Article. Press report relating to PCC expenses claims at OPCC.	This matter is not a complaint but is recorded here as it arises from discussions related to expressions of dissatisfaction reported in the press on 28th June 2014 as regards the PCC's travelling expenses. The Panel at their meeting on 7th July 2014 asked for a sub-committee meeting to be convened to scrutinise the PCC's expenses since appointment in November 2012. The Sub-Committee met and considered the matter on 25 Sept 2014.	7th July 14 25 <sup>th</sup> September 14
COM13	Allegations of conduct in conflict with role.	This matter was referred to the IPCC in accordance with Regulations. On 11 <sup>th</sup> March the CPS informed the IPCC that it had decided not to bring any criminal proceedings. A report was presented to the Complaints Sub Committee on 12 <sup>th</sup> October 2015.	26 <sup>th</sup> January 15 21 <sup>st</sup> April 15 12 <sup>th</sup> October 15
COM14	Allegations related to conduct of Police Commissioner not responding to a complaint.	Secretary confirmed from written factual records that PCC had responded and afforded Right of Appeal of his decision in respect of a complaint to IPCC under the relevant regulations. Therefore no role for Panel to investigate/consider.	26 <sup>th</sup> January 15

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COM15	Allegations of being unwilling to meeting with complainant or Complainant's MP	Complainant was advised of procedure for complaints and PCC provided opportunity to respond to the complaint. On 9 <sup>th</sup> April 2015 Complainant confirmed satisfied with reply.	21 <sup>st</sup> April 2015
COM16	Complaint Re: Employment matter in constabulary.	A response was made to the Complainant that the Panel had no jurisdiction in respect of the matters raised.	12 <sup>th</sup> October 15
COM17	Complaint: Re Response made to Public Question.	A response was made to the Complaint and was referenced separately on the Agenda of the 12 <sup>th</sup> October 2015.	12 <sup>th</sup> October 15
COM18	Complaint Re: Information on commissioner Website.	A response was made to the complaint and has not been pursued further.	12 <sup>th</sup> October 15
COM19	Complaint Re: Recruitment in OPCC	A response was made to the Complainant that the Panel had no jurisdiction in respect of the matters raised.	12 <sup>th</sup> October 15
COM20	Complaint of unreasonable behaviour by police officers	Not a PCC registerable complaint. A response was made related to the appropriate procedure for addressing the concerns and confirmation received from the OPCC of action being taken.	19 <sup>th</sup> October 16
COM21	Complaint Re: unreasonable behaviour by police officers and others	A response was made that the matter was not related to the conduct of the Lancashire PCC.	19 <sup>th</sup> October 16
COM22	Complaint Re: Chief Constable actions and PCC response.	Not a PCC registerable complaint - not currently a Panel consideration being managed by the OPCC.	19 <sup>th</sup> October 16
COM23	Complaint Re: Chief Constable actions and PCC response.	The matter was noted as already being considered by the IPCC so no further action for the Panel at this time.	19 <sup>th</sup> October 16
COM24	Complaint Re: Chief Constable actions and PCC response.	The matter was referred to another PCP area as not Lancashire Constabulary/Lancashire PCC related.	19 <sup>th</sup> October 16

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COM25	Complaint Re: Police officers response to concerns raised	Not a PCC registerable complaint at this time - being managed by the OPCC.	19 <sup>th</sup> October 16