

## **SOUTH YORKSHIRE POLICE AND CRIME PANEL – REPORT TO MEMBERS**

<b>1.</b>	<b>Meeting:</b>	<b>South Yorkshire Police and Crime Panel</b>
<b>2.</b>	<b>Date:</b>	<b>2<sup>nd</sup> December 2013</b>
<b>3.</b>	<b>Title:</b>	<b>Update on the operation of the Complaints Procedure</b>
<b>4.</b>	<b>Organisation:</b>	<b>Report of the Monitoring Officer, RMBC – Host Authority</b>

### **5. Summary**

To update the Panel with regard to the nature and level of complaints received by the Panel and to consider the operation of the complaints procedure.

### **6. Recommendations**

**That the Panel considers the update regarding the operation of the Complaints Procedure and, if appropriate, approves the amendments to the procedure.**

## 7. Analysis

The Police and Crime Panel approved its Complaints Procedure on 28<sup>th</sup> January 2013. The Panel wished the procedure to be reviewed after its initial period of operation.

There have been a total of ten complaints received. Those complaints have been processed in the following ways:-

<b>Procedure Followed</b>	<b>Nature of Complaint</b>	<b>Total</b>
Considered by Panel	Political Support for parliamentary candidate	1
Not proceeded with (a decision of the Monitoring Officer of the Host Authority following consultation with the Chair and Vice Chair)	Lack of response	4
	Political support for mayoral candidate	
	Failure to declare honorary membership of a club	
	Poor service from Police	
Not accepted as falling within the Complaints Procedure (a decision of the Monitoring Officer of the Host Authority following consultation with the Chair and Vice Chair)	Unhappy with support for Chief Constable	2
	Failure to respond	
Considered by a sub-committee of the Panel	Failure to discipline Chief Constable regarding comments	1
Referred to the Independent Police Complaints Commission	Failure to register as a data controller	1
Under consideration	Failure to act	1

The details of all of the complaints, other than the one currently being considered, have been reported to the Panel.

The Complaints Procedure has been drafted in accordance with the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012. To ensure the appropriate balance of the proper overview of the Police and Crime Commissioner and the consideration of only those matters which are of sufficient significance to be resolved by the Panel, the following minor amendments (in bold) are suggested to the Complaints Procedure.

“Circumstances when the Panel does not need to deal with a complaint

22. The Monitoring Officer can decide, having consulted the Chair and Vice Chair, not to refer the complaint for resolution, or to take no action at all, in the following circumstances:-

- A complaint by a member of the Commissioner's staff, arising from their work
- A complaint that is more than 12 months old where there is no good reason for the delay or the delay would be likely to cause injustice
- A complaint about conduct that is already the subject of another complaint
- An anonymous complaint
- A complaint which is vexatious, oppressive, *trivial* or otherwise an abuse of process for dealing with complaints
- A repetitious complaint
- ***A premature complaint***

23. The complainant will be notified if the decision is taken not to deal with a complaint."

The panel is asked to consider whether the proposed amendments will assist the proper administration of the Complaints Procedure.

## **8. Finance**

There are no financial implications arising from the report.

## **9. Risks and Uncertainties**

None

## **Background Papers and Consultation**

None

## **10. Contact**

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