

# HAMPSHIRE AND ISLE OF WIGHT POLICE AND CRIME PANEL

## Report

<b>Date:</b>	12 May 2023
<b>Title:</b>	Police and Crime Panel – Governance Update
<b>Report From:</b>	Democratic Services Officer to the Panel

**Tel:** 0370 779 6176

**Email:** [hampshire.iow.pcp@hants.gov.uk](mailto:hampshire.iow.pcp@hants.gov.uk)

### Purpose of this Report

1. The purpose of this report is to set out revised governance documents previously adopted by the Hampshire and Isle of Wight Police and Crime Panel (PCP).

### Recommendation(s)

2. That the PCP agrees the updated Protocol for the Informal Complaint Resolution Procedure and Guidance note on the management of unreasonable complainant behaviour.

### Contextual Information

3. The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 (the Regulations) mandate the statutory responsibility for PCP to handle non-criminal complaints about the conduct of the Police and Crime Commissioner (PCC) and Deputy Police and Crime Commissioner (DPCC), where appointed.
4. Following the revision to the name of the Panel in November 2022, the Democratic Services Officer undertook a review of the Panel's Informal Complaint Resolution Procedure and Guidance note on the management of unreasonable complainant behaviour.
5. This report recommends a number of revisions to the Informal Complaint Resolution Procedure and Guidance note on the management of unreasonable complainant behaviour, to reflect updates in practice, which include:
  - a. Removing the delegation of the initial recording of complaints to the Chief Executive of the Office of the Police and Crime Commissioner (OPCC), delegating this responsibility instead to the Democratic Services Officer, in consultation with the Chairman of the Complaints Sub-Committee. Any decision not to record a complaint

will continue to be delegated to the Monitoring Officer, in consultation with the Chairman of the Complaints Sub-Committee.

- b. That any decision taken under delegated authority to not record a complaint, to dissaply Regulations, or where a copy of a complaint is not provided or where anonymity is provided to the complainant or any other person, that this be reported to the next meeting of the Complaints Sub-Committee, after the decision is taken.
  - c. Clarity, regarding the process which will be followed should a complainant request that their complaint be handled anonymously.
  - d. Providing greater explanation around the process for addressing unreasonable complainant behaviour, including actions which may be taken should unreasonable behaviour persist.
6. The Flowchart for the Informal Complaint Resolution procedure has been updated to provider greater clarity and has been appended to the informal resolution procedure.
  7. A number of appropriate wording and grammatical amendments have also been proposed for clarity and consistency, including revision to pronoun use, as well as reflecting the updated titles of the PCC and PCP.
  8. The proposed updated Protocol for the Informal Complaint Resolution Procedure can be found at appendix one.
  9. The proposed updated Guidance note on the management of unreasonable complainant behaviour can be found at appendix two.

**REQUIRED LEGAL INFORMATION:**

**Significant Links**

<b>Links to previous Member decisions:</b>	
<u>Title</u>	<u>Date</u>
<b>Direct links to specific legislation or Government Directives</b>	
<a href="#">Police Reform and Social Responsibility Act 2011 (legislation.gov.uk)</a>	<u>Date</u>
<a href="#">The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 (legislation.gov.uk)</a>	

**Section 100 D - Local Government Act 1972 - background documents**

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
None	