

## SURREY POLICE AND CRIME PANEL

### Re-establishment of the Complaints Sub-Committee

5 July 2016

#### SUMMARY

This report sets out the terms of reference and membership for the Complaints Sub-Committee.

The Panel is asked to reconstitute the Complaints Sub-Committee for 2016/17.

#### RECOMMENDATIONS

The Police and Crime Panel is asked to:

- (i) Agree the terms of reference for the Complaints Sub-Committee attached at Annex 1,
- (ii) Appoint the following members to the Complaints Sub-Committee for the remainder of the 2016/17 Council year
  - Cllr Margaret Cooksey
  - Cllr Dorothy Ross-Tomlin
  - Cllr Ken Harwood
  - Independent Member Bryan Cross
  - Cllr David Reeve
  - *Vacancy*
- (iii) Agree a Member of the Panel to fill the vacant position on the Complaints Sub-Committee.

## **1 INTRODUCTION**

- 1.1 The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 make Surrey's Police and Crime Panel (hereby referred to as "PCP") responsible for overseeing complaints made about the conduct of the Police and Crime Commissioner (PCC) and the Deputy Police and Crime Commissioner (DPCC).
- 1.2 This report sets out the proposed terms of reference and membership for the Complaints Sub-Committee, set up in line with the agreed complaints protocol.
- 1.3 The Complaints Sub-Committee operated during the Commissioners first term in office. The Panel is therefore requested to reconstitute the Sub-Committee for 2016/17 municipal year.

## **2 CONTEXT**

- 2.1 One of the functions of the Surrey Police and Crime Panel is to oversee complaints made about the conduct of the PCC and the DPCC. As part of this, the Panel also has a responsibility to informally resolve noncriminal complaints about the conduct of the PCC and DPCC, as well as criminal complaints or conduct matters that are referred back to it by the Independent Police Complaints Commission (IPCC).
- 2.2 Under the regulations, the Panel can delegate the initial receipt of complaints to the Chief Executive of the PCC's Office. The Surrey Police and Crime Panel has agreed to do this (as covered under the agreed Complaints Protocol)
- 2.3 Similarly, the Panel can delegate the informal resolution of complaints falling within its remit to:
  - A sub-committee of the Panel
  - A single member of the Panel
  - Another person appointed by the Panel (e.g. A Monitoring Officer or PCC Chief Exec)
- 2.4 Following informal consultation with the Panel, it was agreed that to ensure flexibility to respond to complaints quickly and avoid unnecessary delay, whilst still ensuring accountability is retained by the Panel, this role would be delegated to a sub-committee of the panel. Terms of reference for the sub-group are included at Annex 1.

## **3 MEMBERSHIP**

- 3.1 To deal with any complaint effectively, it was felt that at least three members must be available and that, where possible, the pool of

members drawn from for the meeting should include one of the independent members of the Panel.

- 3.2 To ensure that at least three members would be available at relatively short notice, it is proposed that the Complaints Sub-Committee includes six members of the panel, all of whom will have voting rights.

#### **4 CONCLUSION AND RECOMMENDATIONS**

- 4.1 The Panel is asked to agree the terms of reference (attached at Annex 1) and membership as at set out on the first page of this report.

#### **5 REASONS FOR RECOMMENDATIONS**

- 5.1 The Surrey Police and Crime Panel has a duty to informally resolve noncriminal complaints about the conduct of the PCC and DPCC, as well as criminal complaints or conduct matters that are referred back to it by the Independent Police Complaints Commission (IPCC). The recommendations contained in this report will help to ensure that this responsibility is fulfilled.

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**SURREY POLICE AND CRIME PANEL  
COMPLAINTS SUB-COMMITTEE****TERMS OF REFERENCE****Purpose**

To informally resolve non-criminal complaints about the Surrey Police and Crime Commissioner (PCC) or Deputy PCC, as well as criminal complaints or conduct matters that are referred back to it by the Independent Police Complaints Commission (IPCC) on behalf of the Surrey Police and Crime Panel.

**Membership of the Group**

Six appointed members of the Surrey Police and Crime Panel.

At least one independent member of the Surrey Police and Crime Panel.

**Quorum**

Three members of the Sub-Committee to meet to consider any complaint referred.

**Roles/Functions**

- To consider non-criminal complaints relating to the PCC or Deputy PCC referred to the Panel by the Chief Executive of the PCC's Office as well as criminal complaints or conduct matters that are referred back to the Panel by the IPCC.
- To handle any complaints referred to the sub-committee in line with the agreed complaints protocol and agree the most suitable course of action to assist with the informal resolution of the complaint.
- To provide a quarterly update to the full Panel on all complaints dealt with by the Complaints Sub-committee.