

SURREY POLICE AND CRIME PANEL

Re-establishment of the Complaints Sub-Committee

12 June 2013

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 2013/14.

RECOMMENDATIONS

The Police and Crime Panel is asked to:

- (i) Agree the terms of reference for the Complaints Sub-Committee attached at appendix 1,
- (ii) Appoint the following members to the Complaints Sub-Committee for the remainder of the 2012/13 Council year:
 - Cllr Victor Broad
 - Cllr Margaret Cooksey
 - Cllr John O'Reilly
 - Cllr George Crawford
 - Independent Member Anne Hoblyn
 - Independent Member Maria Gray

 - Chairman (*ex-officio*)
 - Vice-Chairman (*ex-officio*)

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 a Complaints Sub-Committee, set up in line with the agreed complaints protocol.
- 1.3 The Complaints Sub-Committee operated during 2012/13 and the Panel is therefore requested to reconstitute the Sub-Committee for the 2013/14 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 appendix 1. No changes have been made to this document since it was originally agreed.

3 MEMBERSHIP

- 3.1 To deal with any complaint effectively, it was felt that at least 3 members must be available and that where possible, this should include at least one of the two independent members of the Panel.
- 3.2 To ensure that at least 3 members would be available at relatively short notice, it is proposed that the Complaints Sub-committee includes 6 members of the panel, of which 2 should be independent members.

4 CONCLUSION AND RECOMMENDATIONS

- 4.1 The Panel is asked to agree the terms of reference (attached at appendix 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.

LEAD OFFICER: Damian Markland, Scrutiny Officer, Surrey County Council

TELEPHONE NUMBER: 020 8541 9122

E-MAIL: damian.markland@surreycc.gov.uk

**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

4 Appointed members of the Surrey Police and Crime Panel

2 Independent members of the Surrey Police and Crime Panel

The Chairman and Vice-Chairman of the Panel will be ex-officio members of the sub-committee.

3 members of the Sub-Committee (including 1 independent member) 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.