

APPENDIX A

COMPLAINTS RECEIVED SINCE 10 JUNE 2013

Date received	Nature of complaint	Does the complaint, or an element of the complaint, relate to conduct of a relevant office holder?	Does the complaint, or an element of the complaint, relate to an alleged criminal offence?	Details / Action taken
18 July 2013	A complaint was received stating that the PCC had contravened section 17(1) of the Data Protection Act, in that his office had failed to notify the ICO that it was an organisation that processed personal information. The complainant stated that the Office of the PCC Office was required to notify the ICO from the date the PCC had taken office but had in fact not registered as a data controller until 22 March 2013.	Yes	Yes	<p>According to section 21 of the Data Protection Act, failing to notify the ICO that an organisation processes personal data is an "offence". The Guide to Data Protection produced by the ICO states that:</p> <p>"If you are processing personal data you usually have to notify the Information Commissioner about this. Failure to notify is a criminal offence."</p> <p>In accordance with the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012, the PCP is not able to consider complaints where there is any suggestion of criminality and therefore the Office of the PCC referred the matter to the IPCC.</p>
28 June 2013	<p>A complaint was submitted concerning a Local Policing Board meeting held in the Borough of Spelthorne on 27 June 2013.</p> <p>The complainant was of the view that the meeting was not formal enough and did not allow residents the opportunity to properly question the</p>	Yes	No	<p>Having considered the matter, the Sub-Committee did not feel that the Commissioner had acted inappropriately or deceived residents by inviting them to attend a Spelthorne Local Policing Board on 27 June 2013.</p> <p>It was clear to the Sub-Committee that the style and format of Local Policing Boards were determined locally by local Chief Inspectors and the respective</p>

	<p>Police representatives in attendance. It was also stated that the Local Police Inspector did not refer to the meeting as a Local Policing Board.</p> <p>The complainant stated that the Commissioner had deceived residents about the nature of Police and Crime Boards.</p>			<p>Borough / District Councils, and that the Commissioner had intentionally not been overly prescriptive as to how individual Boards should be run.</p> <p>Whilst the Sub-Committee regretted that the complainant had not liked the format of the meeting, it did not feel that there was any need to take further action and concluded that the Commissioner's conduct had been appropriate.</p> <p>The complainant was reminded that the Commissioner was holding a Local Crime Summit in Spelthorne on 11 September, and suggested that they may wish to attend to discuss any concerns directly with the Commissioner.</p>
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