



SURREY POLICE AND CRIME PANEL

Re-establishment of the Complaints Sub-Committee

13 July 2017

SUMMARY

This report sets out the terms of reference and membership for the Complaints Sub-Committee. The revised draft Police and Crime Panel Complaints Protocol and draft Complaints handling flowchart are also attached as annexes to this report.

The Panel is asked to reconstitute the Complaints Sub-Committee for 2017/18.

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 2017/18 Council year
 - Cllr Margaret Cooksey
 - Cllr David Reeve
 - Independent Member Bryan Cross
 - Independent Member David Fitzpatrick-Grimes
 - Chairman
 - Vice-Chairman
- (iii) Agree the adoption of the draft revised Police and Crime Panel Complaints Protocol, attached at Annex 2.

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 2017/18 municipal year.
- 1.4 At the PCP meeting of 6 February, the Panel agreed in principle the adoption of the draft revised Police and Crime Panel Complaints Protocol. Work had been undertaken to refresh the Complaints Protocol which had not been reviewed since 2013. It was agreed that formal adoption of the draft revised Complaints Protocol would be required at the Annual Panel meeting on 13 July 2017.

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 both Chairman and Vice-Chairman will be included in the membership of the group. All members would have voting rights.

4 CONCLUSION AND RECOMMENDATIONS

- 4.1 The Panel is asked to agree the recommendations set out in 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) and 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, including the Chairman and Vice-Chairman.

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.