

SURREY POLICE AND CRIME PANEL

Re-establishment of the Complaints Sub-Committee

28 June 2018

SUMMARY

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

The Panel is asked to reconstitute the Complaints Sub-Committee for 2018/19.

RECOMMENDATIONS

The Police and Crime Panel is asked to:

- (i) Agree the terms of reference for the Complaints Sub-Committee attached at Annex A,
- (ii) Appoint the following members to the Complaints Sub-Committee for the remainder of the 2018/19 Council year
 - Cllr Margaret Cooksey
 - Cllr Ken Harwood
 - Cllr Charlotte Morley
 - Cllr David Reeve
 - Independent Member David Fitzpatrick-Grimes
 - Independent Member Bryan Cross
- (iii) Agree the Police and Crime Panel Complaints Protocol, attached at Annex B.

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 Panel is requested to reconstitute the Sub-Committee for 2018/19 municipal year.
- 1.4 The Police and Crime Panel Complaints Protocol was last refreshed and adopted in 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 Office for Police Conduct (IOPC).
- 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 A.

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 Office for Police Conduct (IPCC). The recommendations contained in this report will help to ensure that this responsibility is fulfilled.

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