

**STANDARD OPERATING PROCEDURES:
OFFICE OF THE BEDFORDSHIRE POLICE AND CRIME COMMISSIONER**

Title	Complaints Procedure
Area of Compliance	Compliance
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Version No.	3.0
Senior Lead	Chief Executive
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Revision History

Date	Revision	Change	Section	Review Date
01/01/2013	1.0			
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26/11/2015	3.0	No Change Noted		Nov 2016

1. Purpose

1.1 The purpose of this document is that The Police and Crime Commissioner has specific duties in relation to the handling of complaints and has established a range of avenues for handling these depending on the nature of the complaint and against whom the complaint is being made.

1.2 The Police and Crime Commissioner will manage complaints against the Chief Constable. All other serving officers below the rank of Chief Constable are directly managed by the Force and covered by a separately documented policy and procedure. The Police and Crime Commissioner has a duty to monitor all complaints. Set out below, are the processes for handling the various types of complaint with which the Commissioner's Office may itself be required to directly manage. These are:

- Complaints against Chief Constable (para 2.1)
- Complaints against the Police and Crime Commissioner or Deputy Police and Crime Commissioner (para 2.2)
- Complaints received by the Commissioner from Members of the Public (para 2.3)
- Complaints Against the Office of the Police and Crime Commissioner (para 2.4)
- Complaints against the Monitoring Officer/Chief Executive or other Officer of the staff/service contractor(para 2.5)

2. Policy/Procedure

2.1 **Complaints against the Chief Constable**

- 2.1.1 Complaints against the Chief Constable are the responsibility of the Police and Crime Commissioner, delegated to the Chief Executive in their role as Monitoring Officer. The Monitoring Officer will determine if a complaint should be recorded or not in accordance with statutory guidance.
- 2.1.2 If recording takes place the investigation process to be used will be decided by the Monitoring Officer after consultation with the Head of Professional Standards. Options are:
- In house investigation by the Professional Standards Department (PSD)
 - Investigation by another Force
 - Referral to the Independent Police Complaints Commission (IPCC) – this is a statutory duty in certain cases.
- 2.1.3 Complainants will be notified as soon as possible and within ten working days on whether or not their complaint has been recorded and informed of the process their complaint is likely to take. When a decision is taken not to record a complaint the reason and advice on the right to appeal, where applicable, will be provided to the complainant.
- 2.1.4. All criminal and serious complaints as determined in legislation against the Chief Constable will be recorded and referred to the IPCC.
- 2.1.5. Each case will be reviewed to ensure it is not sub-judice and if this is the case the complaint will be postponed until the court process is completed.
- 2.1.6. All complainants will be regularly updated on progress and notified of the results of the investigation into their complaint.

2.2 **Complaints against the Police and Crime Commissioner and Deputy Police and Crime Commissioner**

- 2.2.1 The Police and Crime Panel has a responsibility to informally resolve non-criminal complaints about the conduct of the Police and Crime Commissioner and Deputy Police and Crime Commissioner as well as criminal complaints or conduct matters that are referred back to it by the Independent Police Complaints Commission
- 2.2.2 All complaints about the conduct of the Police and Crime Commissioner or the Deputy Police and Crime Commissioner will initially be dealt with by Bedford Borough Council's Monitoring Officer (who is also the Panel's Monitoring Officer). Further information about how complaints will be dealt with is set out in the Panel's [Complaints Procedure](#)

2.2.3 Complaints about the conduct of the Commissioner or Deputy Commissioner should be submitted via Bedford Borough Council's website by completing the [online form](#). An acknowledgement with details of the complaint will be sent via e-mail.

Alternatively a copy of the [form](#) can be downloaded for manual completion. A hard copy of the form may also be obtained by telephoning (01234) 228256.

Completed forms should be should be submitted either by email to: Barbara.Morris@bedford.gov.uk or by post to: Barbara Morris, Monitoring Officer, Bedford Borough Council, Borough Hall, Cauldwell Street, Bedford, MK42 9AP.

2.3 Complaints from Members of the Public

2.3.1 Members of the public can access a universal complaint form from the Police and Crime Commissioner's website (www.bedspsc.org) which can also be used as an email attachment, returned by post or in person. Members of the public can also send in a complaint by letter or email.

2.3.2 The Office of the Police & Crime Commissioner (OPCC) operates a triage system for the initial handling of all complaints and dissatisfaction received within the OPCC office which will enable the Police and Crime Commissioner to ensure that the service to the public reflects priorities in his Police and Crime Plan.

2.3.3 The Office of the Police and Crime Commissioner will provide the joint Professional Standards Department (JPSD) and the Customer Services Department with a single point of contact (SPOC) and vice versa. All initial enquiries will be taken through each single point of contact.

2.3.4 Dealing with Complaints against Police Officers/Staff or direction and control as part of the triage process

- All complaints will be forwarded to JPSD within 2 working days. The OPCC will provide a *standard* response to the complainant with a commitment to 'monitor' the progress of the complaint.
- The OPCC will give a *bespoke* response to complainants in relation to direction and control complaints. PSD will return their response to the OPCC. The OPCC will provide a covering letter to accompany the PSD response.
- In cases of a more serious nature PSD will investigate the complaint and report to the OPCC so that the OPCC can respond to the complainant.

- The OPCC and JPSD will provide each other with timely information on emerging issues and matters of public concern.
- PSD will provide the SPOC within the OPCC access to their systems, namely, Centurion, so that cases of interest to the PCC can be monitored.
- With regards to the use of the Centurion system, it has been agreed that accessing complaints recorded against another Force without good reason may lead to disciplinary action.
- PSD will continue to provide the OPCC with a range of monthly monitoring and performance reports to allow the PCC to have proper oversight of complaints.

2.3.5 Dealing with low level complaints about dissatisfaction as part of the triage process

- The Customer Services Department of Bedfordshire Police deal with low level complaints about poor service which are categorised as dissatisfaction.
- The OPCC will record the complaint/dissatisfaction and forward to Customer Services within two working days.
- The OPCC will record the complaint onto the Document Management and Tracking System and notify Customer Services of the reference number.
- Customer Services will use the OPCC reference number for ease of tracking.
- The OPCC will write/email to the complainant acknowledging the complaint has been received.
- Customer Services will provide the OPCC with a draft response once the investigation is complete. The OPCC will provide a complete response to the complainant.
- Customer Services will establish a PCC folder on the Customer Services database which the OPCC SPOC will have access to.
- The Customer Services team aim to resolve the complaint within 28 days and will provide the OPCC will an update on progress on day 15.
- The OPCC SPOC will attend a monthly Customer Services meeting to discuss dissatisfaction and in particular any emerging trends/issues for concern.

2.4 Complaints Against the Office of the Police and Crime Commissioner

Office of the Police and Crime Commissioner for Bedfordshire

Bridgebury House | Woburn Road | Kempston | Bedfordshire | MK43 9AX

Tel: 01234 842 066 | Email: pcc@bedfordshire.pnn.police.uk

Web: bedfordshire.pcc.police.uk | Twitter: [@BedsPCC](https://twitter.com/BedsPCC)

- 2.4.1 Any complaint regarding activity of the Office of the Police and Crime Commissioner should initially be directed to the OPCC Chief Executive in their role as Monitoring Officer, who will register the complaint and give an initial response to the complainant within 10 days. At a minimum that response will be on whether the matter raised will or will not be investigated. The Monitoring Officer will also regularly report the issue and progress to the Police and Crime Commissioner.
- 2.4.2 Where a complaint is registered for investigation, the Monitoring Officer may undertake the investigation personally or where appropriate use internal or external assistance in order to bring a resolution. The Monitoring Officer will regularly inform the complainant of progress.
- 2.4.3 If agreement cannot be reached and the complainant continues to feel they have suffered an injustice as a result of maladministration by the OPCC they may complain to the Local Government Ombudsman.
- 2.4.4 Maladministration can include failing to receive a service to which a person is entitled or suffering financial loss or distress as a consequence of something the Office of the Police and Crime Commissioner has done or has failed to do. The Local Government Ombudsman cannot deal with complaints about the investigation or prevention of crime.
- 2.4.5 Details of the Local Government Ombudsman's complaints procedures can be found on their web site (www.lgo.org.uk).
- 2.5 Complaints against members of staff of the Office of the Police and Crime Commissioner (including service contractors)**
- 2.5.1 Complaints against members of staff of the Office of the Police and Crime Commissioner are not included in the Police (Complaints and Misconduct) Regulations 2012.
- 2.5.2 A complaint against a member of staff or service contractor will be registered and investigated by the Chief Executive as Investigating Officer.
- 2.5.3 A complaint against the Chief Executive will be handled in the first instance by the Police and Crime Commissioner who will ask a neighbouring Chief Executive or other suitably independent person to investigate to act as Investigating Officer.
- 2.6 Persistent Complaints**
- If a complainant, having exhausted all the avenues available and having been formally informed of the final results of adjudication of their case, continues to complain about the same issue action will be sought to protect the Police and Crime

Commissioner and their staff from continuing unwarranted and unnecessary communication.

2.7 Monitoring of Force Complaints and Conduct Matters

The Police and Crime Commissioner has a statutory duty to monitor all complaints made against officers and staff of the Force and will receive regular monitoring and performance reports to have proper oversight of complaints. The Commissioner will also be appraised of any emerging issues that arise through complaints about poor service. This monitoring process will be utilised to improve service delivery and to hold the Chief Constable to account for an efficient and effective police service.

3. Affected persons

- 3.1 This procedure will apply to all staff working in the Office Police & Crime Commissioner (OPCC) whether employed full-time or part-time, fixed term, permanent, seconded or on a temporary basis.

4. Strategic Risk Register

- 4.1 The Complaints Policy will be monitored within the Strategic Risk Register to ensure full adherence to the policy at all times.

5. Responsibilities

- 6.1 The Chief Executive will be responsible for ensuring that all complaints received into the Commissioner's Office are managed appropriately, are responded to within the appropriate time and are progressed to the appropriate department if required.