



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

Title	Complaints
Area of Compliance	Compliance
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Senior Lead	Chief Executive
Author	Compliance Officer
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01 July 2017	V4			01 July 2018
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16 September 2019	V5	No Change		01 February 2020 (Due to Complaints Reform)

**Office of the Police and Crime Commissioner for Bedfordshire
Complaints Policy**

Introduction

We want people across Bedfordshire to be safe and feel safe and for the police to provide you with the best service possible. Everyone has a right to fair, honest and respectful treatment by the police.

Sometimes, something goes wrong in the force's day-to-day dealings with the public. When this happens, we want to ensure that the appropriate person or body responsible¹ for putting it right hears about it and takes appropriate action.

This policy document has been produced to make it easier for you to make a formal complaint. A summary of the policy is attached at Annex A.

This policy provides guidance in respect of making a complaint about:

- Bedfordshire Police
- Chief Constable of Bedfordshire Police
- Office of the Police and Crime Commissioner (OPCC) and its staff
- Police and Crime Commissioner (PCC)

¹ As set out in the Police Reform and Social Responsibility Act 2011 and the Elected Local Policing Bodies (Complaint and Misconduct) Regulations 2012

We'd also like to hear if you believe any of our staff or officers have exceeded your expectations and gone further to help resolve your query, question or crime.

Complaints against Bedfordshire Police Force, including its officers and staff

The Chief Constable is the disciplinary body (appropriate authority) for complaints, civil issues and other matters concerning operational policing, police officers and police staff of Bedfordshire Police Force.

The PCC is therefore not involved in investigations of such complaints. The Chief Constable is the correct authority to respond to all complaints concerning police officers and police staff.

The Chief Constable may delegate the complaints handling function to his officers or staff.

Complaints about any member of Bedfordshire Police Force (except the Chief Constable) can be sent directly via the force website at:

[Make A Complaint](#) and follow the process outlined for complaints.

Alternatively, you may wish to e-mail your complaint to:
customer.services@bedfordshire.pnn.police.uk.

If your complaint is of a serious nature in regards to the conduct of a police officer (with the exception of the Chief Constable) or member of police staff, please contact the Professional Standards Department at:

Professional Standards Department
Biggleswade Police Station
Station Road
Biggleswade
SG18 8AL
01234 842538
comp@bedfordshire.pnn.police.uk

Complaints about the force received by the OPCC will be acknowledged within 10 working days, permission will be requested to forward onto the Force, due to GDPR, once permission is given and then forwarded to the force to reply.

The PCC oversees how the force deals with all complaints.

Office of the Police and Crime Commissioner for Bedfordshire

Bedfordshire Police HQ | Woburn Road | Kempston | Bedfordshire | MK43 9AX

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

Web: bedfordshire.pcc.police.uk

Complaints against the Chief Constable

The PCC acts as the disciplinary body (appropriate authority) for the Chief Constable, and is responsible for complaints, conduct and death or serious injury matters concerning the Chief Constable of Bedfordshire Police Force. The PCC is also responsible for decisions regarding the recording of all complaint and conduct matters against the Chief Constable as set out within the Police Reform Act 2002². The Police and Crime Commissioner delegates responsibility to her Chief Executive.

A complaint is an expression of dissatisfaction about the conduct of the Chief Constable which has been made by or on behalf of a member of the public. The member of the public must claim to be the person in relation to whom the conduct took place, or to have been adversely affected by the conduct or to have witnessed the conduct. A complaint can also be about matters of 'Direction and Control'.

The PCC must identify whether the complaint is about the Chief Constable's conduct, or if it is about an issue of Direction and Control concerning the Chief Constable. This is because complaints about Direction and Control matters do not have the same rights of appeal for the complainant.

Direction and Control

A Direction and Control matter is one that relates to the direction and control of Bedfordshire Police Force by the Chief Constable, or a person for the time being carrying out the functions of the Chief Constable.

The IPCC considers this to mean general decisions about how the force is run, as opposed to day-to-day decisions or actions. For example, a complaint about an operational management decision directed to the force, such as a force-wide crime initiative, would be a complaint about a Direction and Control matter. Whereas a complaint about a specific decision by the Chief Constable on the deployment of officers for a particular operation, would be a complaint about the Chief Constable's conduct.

If the complaint is about the decision(s) of someone carrying out the Chief Constable's functions, then it will be passed to the police force to record and deal with.

Recording Complaints

Any complaint about the conduct of the Chief Constable will be recorded, unless it falls within the categories outlined below³. Reasons for a decision of non-recording of a complaint include:

² IPCC Statutory Guidance to the police service on the handling of complaints, 2013, Section 3.24

'Conduct' includes acts, omissions, statements and decisions / Section 29, Police Reform Act 2002

³ The Police Reform Act 2002 and The Police (Complaints and Misconduct) Regulations 2012 / IPCC Statutory Guidance to the police service on the handling of complaints, 2013, Section 3.19

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Web: bedfordshire.pcc.police.uk

- The PCC is satisfied that the subject matter of the complaint is already being dealt with;
- The complaint has been withdrawn;
- The complaint falls within a description of complaints specified by the Police (Complaints and Misconduct) Regulations 2012. These are special cases and apply if:
 - The matter is already the subject of a complaint made by or on behalf of the same complainant;
 - The complaint discloses neither the name and address of the complainant nor that of any other interested person and it is not reasonably practicable to ascertain such a name or address i.e. an anonymous complaint;
 - The complaint is vexatious, oppressive or otherwise an abuse of the procedures for dealing with complaints;
 - The complaint is repetitious or fanciful.

Making a Complaint

If you wish to make a complaint about the Chief Constable, then please set out clearly what the complaint is about in writing to the address below:

Office of the Police and Crime Commissioner
Bedfordshire Police Headquarters
Woburn Road
Kempston
Bedford
MK43 9AX
pcc@bedfordshire.pnn.police.uk

Dealing with a Complaint

We will acknowledge receipt of your complaint within five working days and the PCC will decide whether to record the complaint within 10 working days and notify you accordingly in accordance with the Statutory Guidance produced by the IOPC.

In cases where a complaint is recorded, the PCC will decide whether the complaint can be resolved locally or if there could be potential grounds for criminal or misconduct proceedings, which will require formal investigation and involvement of the IOPC.

The PCC will also determine whether any disciplinary proceedings should be brought against the Chief Constable. If such action is taken, you will be notified of the outcome.

Right of Appeal

You have the right to appeal the decision of the PCC, in writing to the IOPC, who can be contacted at:

Independent Office of Police Conduct
PO Box 473
Sale
M33 0BW
oversight@policeconduct.gov.uk

Bedfordshire OPCC will manage the handling of vexatious complaints and persistent complainants in line with the 2017 IPCC/IOPC Best Practice Guidance, a copy of this document is available on request from the OPCC.

Complaints against a member of staff of the OPCC

The staff of the OPCC strives to uphold the highest standards in their dealings with the public. However, should you have a complaint against any member of the PCC's staff, then please write to us at the address below.

If the complaint refers to the Commissioner's statutory officers, the Chief Executive or Chief Finance Officer, the complaint should be addressed to:

The Police and Crime Commissioner for Bedfordshire
Office of the Police and Crime Commissioner
Bedfordshire Police Headquarters
Woburn Road
Kempston
Bedford
MK43 9AX
pcc@bedfordshire.pnn.police.uk

For all other staff, the complaint should be addressed to:

The Chief Executive
Office of the Police and Crime Commissioner
Bedfordshire Police Headquarters
Woburn Road
Kempston
Bedford
MK43 9AX
pcc@bedfordshire.pnn.police.uk

When making your complaint, please try to be specific about what went wrong and what you would like the OPCC to do to put things right. The OPCC will acknowledge receipt of your complaint within 10 working days, providing the name and telephone number of the person investigating it and indicating the date by which you should receive a reply. This will not normally exceed 28 working days and if it is a relatively

straight forward matter you should receive a reply more quickly. If we cannot meet this target, we will write explaining the reasons and keep you informed of progress.

Right of Appeal

We would expect all complaints to be satisfactorily resolved through our complaints procedure, but if having exhausted this process you are still not satisfied that the OPCC has dealt with your complaint appropriately, you have the right to make a complaint to the Local Government Ombudsman at the following address:

Local Government Ombudsman
PO Box 4771
Coventry
CV4 0EH

Tel: 0300 061 0614 or 0845 602 1983

<http://www.lgo.org.uk/make-a-complaint/how-to-complain>

Complaints against the PCC

The Police and Crime Panel (PCP) for Bedfordshire is responsible for handling complaints against the PCC.

A complaint form is available on the PCP's webpages. This may be submitted electronically, or alternatively downloaded for completion. A hard copy of the form may be obtained by telephoning (01234) 228256. Forms submitted through the PCP's webpages will automatically be forwarded to the Council's Monitoring Officer. Hard copies of the complaint form should be sent to:

Monitoring Officer
Bedford Borough Council
Borough Hall
Cauldwell Street
Bedford
MK42 9AP

The PCP complaints policy is available at the following link:

http://www.bedford.gov.uk/council_and_democracy/beds_police_crime_panel.aspx

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Annex A - Summary of Bedfordshire OPCC Complaints Policy

Complaint received by Bedfordshire OPCC			
Complaint is against Bedfordshire Police Force, or any of its officers and staff	Complaint is against the Chief Constable of Bedfordshire Police Force	Complaint is against a member of staff of the OPCC	Complaint is against the PCC
Complaint acknowledged by OPCC within 10 working days	Complaint acknowledged by OPCC within five working days	Complaint acknowledged by OPCC within 10 working days	Complaint forwarded to the Police and Crime Panel for consideration
Complaint sent to force (Customer Services Dept or the Professional Standards Department as appropriate) for recording and responding	Decision made on whether to record the complaint within 10 working days, and complainant notified	If complaint is against the Chief Executive or Chief Finance Officer, the PCC will investigate and reply to complainant within 28 working days	
	If decision is to <u>not record</u> , no further action is taken	If complaint is against any other member of staff, the Chief Executive will investigate and reply to complainant within 28 working days	
	If decision is taken <u>to record</u> , action considered in accordance with IPCC guidelines		
PCC oversight of all complaints through regular meetings with OPCC and Bedfordshire Police Force			

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