

## Annual Complaints Report 2021-22

Agenda Item 8

Reference number: EPFCP/06/23

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| <b>Report title:</b> Annual Complaints Report 2021-22   |                    |
| <b>Report to:</b> Essex Police, Fire and Crime Panel  |                    |
| <b>Report author:</b> Paul Turner, Director, Legal and Assurance, Essex CC  |                    |
| <b>Date:</b> 21 March 2023  | <b>For:</b> Noting |
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| <b>County Divisions affected:</b> All Essex   |                    |

### 1. Purpose of Report

- 1.1 The purpose of this report is to provide the Essex Police, Fire and Crime Panel (PFCP) with an update on the handling of complaints made against the Essex Police, Fire and Crime Commissioner (PFCC) since 1 October 2021.

### 2. Recommendations

That the information contained in the report be noted.

### 3. Context and Summary

- 3.1 The Panel has a statutory responsibility under the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 for handling complaints regarding the non-criminal behaviour of the PFCC and for resolving such complaints. The PFCP is also required to forward any 'serious' complaint it receives against the PFCC to the Independent Office for Police Conduct. The definition of a 'serious' complaint is 'a qualifying complaint about conduct which constitutes or involves, or appears to constitute or involved, the commission of a criminal offence'.<sup>1</sup>
- 3.2 It is important to note that complaints can only be considered if they relate to an act or omission of the Commissioner or Deputy personally. However, such acts or omissions can include acts or omissions relating to how the Commissioner or Deputy has (or has not) dealt with a complaint about the Chief Constable or about the fire service. They can also be about alleged criminal misconduct of the Commissioner or Deputy in their personal life.
- 3.3 The Panel's complaint procedure was adopted in October 2019 and updated in June 2022 and can be found attached as Appendix A.

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<sup>1</sup> Paragraph 2(6) of Schedule 7 of the Police Reform and Social Responsibility Act 2011

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### **4. Summary of Complaints Received during period 1 October 2021 – 30 September 2022**

- 4.1 Two potential new complaints were received against the PFCC during this period. One complaint was recorded and one complainant chose not to continue with the complaint but wished for the Panel to be made aware of the issues raised.
- 4.2 The one recorded complaint was dealt with by the Monitoring Officer under delegated authority and a response was provided to the complainant by the Monitoring Officer advising that there was not any evidence of misconduct by the Commissioner as he had reviewed and responded to the matters raised by the complainant in a reasonable way.
- 4.3 The second piece of correspondence, related to some perceived inadequacies with the Police complaints process and review process by the Commissioner, but we clarified with the author that it was not intended to be a complaint about the conduct of the Commissioner. The correspondence was brought to the attention of the Chairman of the Panel who responded to the author. The response referred to the previous work of the Panel in March 2022 when a report was brought on the Police Complaints Review process. The Chairman confirmed that the Panel would continue to monitor this.
- 4.4 In addition, there were two complaints received before 1 April 2021 which had not been resolved by that date. These were both from the same complainant and were considered at a meeting of the Sub-Committee in December 2021. These were considered by an independent reviewing officer and reported to the Sub-Committee which resolved to make no finding of misconduct against the Commissioner, but made some recommendations to the Commissioner for informal resolution, which he accepted.

### **5. Appendices**

Appendix A – Essex Police, Fire and Crime Panel Complaints Procedure