

Complaints about Police and Crime Commissioners: Public Consultation (9 Consultation questions)

Choice of answers are Strongly agree - Agree – Neither agree nor disagree – Disagree – Strongly disagree

Complaint definition and guidance

1. To what extent do you agree or disagree that the seven Nolan principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership should frame the concept of conduct of a PCC

Strongly agree

2. To what extent do you agree or disagree that the Government should extend measures being developed to make it easier for forces and PCCs to handle vexatious complaints to PCPs: –

Strongly agree

Complaint investigation

3. Question for PCPs only:

How many complaints about a PCC did you receive in the financial year 2014-15?

0 – 10

4. Question for PCPs only:

Of those complaints, how many have you considered where you would have benefited from the ability to investigate the complaint?

None

5. Question for PCPs and PCC Chief Executives only:

How much investigation, in terms of hours worked, would you expect it to take to investigate a complaint?

This is a difficult question to answer as each complaint will vary considerably. As an estimate approximately 20 hours.

6. To what extent do you agree or disagree that PCPs should be given greater investigatory powers to investigate a complaint (either directly or through the appointment of an independent investigator)?

Strongly disagree

- 7 To what extent do you agree or disagree that PCPs should be given the power to investigate complaints themselves, rather than appoint someone to do it:

Strongly disagree

8. Please explain your answer to question 7.

Police and Crime Panels are mainly comprised of local politicians and whilst they are in place to hold the Police and Crime Commissioner to account, the complainant may feel that they are not independent enough to carry out an individual investigation. There is also a concern

about the resources of the Panel to undertake this investigation, which could also result in further administration with complaints to the Local Government Ombudsman if the Panel decide not to investigate individual complaints.

9. What do you think the benefits are of PCPs investigating complaints themselves, rather than appointing someone else to do it?

The current legislation provides for scrutiny of the PCC in relation to complaints. However, any increase in the powers would result in an increase in the workload of the Panel and its officers for which we currently do not receive reimbursement.

10. What do you think the disadvantages are of PCPs investigating complaints themselves, rather than appointing someone to do it?

The disadvantages of the Panel investigating complaints as stated in question 7 is whether it is seen as independent, has sufficient resourcing particularly with a possible increase of complaints against the Panel.

11. To what extent do you agree or disagree that PCPs should be able to appoint an independent investigator?

Strongly agree (see question 6)

12. To what extent do you agree or disagree that the choice of monitoring officer (either from a local authority, or from the Office of the PCC) should fall to the Panel?

Neither agree nor disagree (see question 15)

13. To what extent do you agree or disagree that the monitoring officer for the investigation of a complaint should be appointed from the Local Authority?

Strongly disagree – if investigations were undertaken by a national body there would be a consistent approach to investigations for all Panels.

14. To what extent do you agree or disagree that the monitoring officer for the investigation of a complaint should be the chief executive of the PCCs office?

Strongly disagree

15. Do you feel that the role of independent investigator should be fulfilled by someone other than the PCC's monitoring officer, or a monitoring officer from a local authority within the police force area? If so please indicate who you think should perform this role:

The role of the independent investigator should be fulfilled by a national/regional body (see covering complaints report on consultation on IPCC) who applies a consistent approach to all complaints and this could be another arm of the Independent Police Complaints Commission looking at the conduct of PCCs. This would also be more cost effective.

This could be looked into as part of the current review of the Commission. The review is taking place as the IPCC is expanding, with a major change programme underway, to provide it with increased capacity to investigate all serious and sensitive matters involving the police. The proposed governance changes include replacing the existing commission model with a single head of the organisation, who would be a crown appointment, and establishing a unitary board, with a majority of non-executives to provide reliable external challenge.

Informal resolution guidance

16. To what extent do you agree or disagree that PCPs' existing powers to make recommendations on the expected level of behaviour of a PCC are sufficient?

Agree - current powers are adequate.

17. To what extent do you agree that, when making recommendations as part of the informal resolution of a complaint, PCPs should tie these recommendations to the expected level of conduct based on the seven Nolan Principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership?

Strongly agree