



Staff and Organisational Complaints Procedure

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Version Control

Version	Date	Amended By	Reason for Issue/Amendment
0.1	26/06/2020	Joanne Regan, Head of Assurance & Compliance	Creation of a procedure to deal with complaints against the organisation and OPCC staff.
1.0	10/09/2020	Joanne Regan, Head of Assurance & Compliance	Approval from Chief Executive.

OFFICE OF THE POLICE AND CRIME COMMISSIONER
STAFF AND ORGANISATIONAL COMPLAINTS PROCEDURE

1. Introduction

The Police (Complaints and Misconduct) Regulations 2020 make provisions for the handling, including the investigation and right for a review, of complaints about police officers and police staff and related matters concerning the organisation itself.

There is no legislative direction in relation to the handling of complaints against those who work for the Office of the Police and Crime Commissioner (OPCC) other than for the Police and Crime Commissioner (PCC) and Deputy Police and Crime Commissioner (DPCC). Therefore, the following procedure has been developed in order to provide clarity to all staff and to the complainant about the procedure that will be followed when dealing with any such complaints.

2. Aim

The aim of this procedure is to ensure that there is a set process in place to deal with any complaints received against the OPCC as an organisation eg against its policies and procedures or lack of them, and against any member of staff or volunteer.

This procedure does not cover complaints made against the PCC or DPCC.

3. Terms and Definitions

Term	Definition
Adversely affected	A person will be considered to have been adversely affected if they have suffered any form of loss, damage, distress or inconvenience as a result of the matter complained about, if they have been put in danger or otherwise unduly put at risk of being adversely affected.
Witness	A person can be said to be a witness to the conduct if, and only if: <ul style="list-style-type: none">➤ They have acquired their knowledge of the conduct in a manner which would make them a witness capable of giving evidence of the conduct in criminal proceedings,➤ They possess or have in their control anything that could be used as admissible evidence in such proceedings.

4. Complaints about the OPCC or against a member of OPCC staff

Procedure

4.1 Who/what can a complaint be made about?

A complaint can be made about any member of OPCC staff other than the PCC or DPCC. Complaints can also be made about the OPCC and the way it conducts its business.

Complaints against the PCC and DPCC are dealt with by the Police and Crime Panel (PCP). Any complaints received by the OPCC against the PCC and/or DPCC will be sent to the PCP to be progressed.

4.2 Who can make a complaint?

Complaints about policies, procedures and our service delivery

A member of the public who:

- Was adversely affected by the matter complained about; or
- Someone acting on behalf of someone who was adversely affected by the matter complained about. This can be a family member, friend, legal representative or any other person.

A young person under 16 years old should not normally need to provide written permission for a parent or guardian to act for them in this way.

Complaints about the conduct of members of staff within the OPCC

A member of the public who:

- Claims to be the person in relation to whom the conduct took place,
- Claims to have been adversely affected by the conduct,
- Claims to have witnessed the conduct,
- Is acting on behalf of someone who satisfies one of the above. This can be a family member, friend, legal representative or any other person.

A young person under 16 years old should not normally need to provide written permission for a parent or guardian to act for them in this way.

Please Note: We cannot deal with complaints from an anonymous source as we need to determine if the complainant falls into one of the above categories.

4.3 Who to send your complaint to

Complaints about OPCC staff (other than the Chief Executive or Chief Finance Officer) or about the organisation should be in writing and should be sent to the Chief Executive using the contact methods detailed below:

Email: Commissioner@gwent.pnn.police.uk

Post: Office of the Police and Crime Commissioner for Gwent Police, Police Headquarters, Turnpike Road, Croesyceiliog, Cwmbran, P44 2XJ

Complaints against the Chief Executive and Chief Finance Officer should also be sent using the contact details above, but highlighted for the attention of the PCC.

Complaints against the PCC/DPCC should be sent to the PCP using the contact details below:

Email: gwentpcp@caerphilly.gov.uk

Post: Gwent Police and Crime Panel, Ty Penallta, Tredomen Park, Ystrad Mynach, Hengoed, CF82 7PG

4.4 Dealing with your complaint

What to expect

The Chief Executive will review the complaint and will pass to the relevant line manager if appropriate. Complaints that are deemed to be serious/sensitive in nature (eg misconduct/gross misconduct) will be dealt with directly by the Chief Executive, who may be supported by the relevant line manager.

Possible outcomes to a complaint include, but are not restricted to:

- An apology and actions to prevent recurrence
- Organisational learning
- Referring the matter to be dealt with under criminal, disciplinary or performance proceedings
- Taking no further action

What we will do

We will log your complaint on our systems and provide you with an acknowledgement within 5 working days. We will also provide you with the contact details of the person nominated to keep you informed of progress. At the same time, we will seek clarification to ensure that we properly understand your complaint, the outcome you want and any adjustments that may be required to enable you to participate effectively in the process, as required.

Depending on the nature of your complaint, we may need to share information with other organisations such as Gwent Police in order to come to a resolution. Further information can be found in our privacy notice.

We will inform you in writing of the outcome to your complaint as soon as is reasonably practicable. You will be provided with an update on progress with your complaint at least every 28 days. This will be sent to you in the same format you used to contact us unless agreed otherwise.

Outcome of your complaint

You will receive a letter from the person investigating your complaint to inform you of the outcome. We will include an explanation of how the matter has been handled, the actions taken and the findings. If appropriate, it will also include a clear rationale for not taking certain actions.

The outcome of your complaint will be final, there is currently no right to request a review.

4.5 Legal Requirement

Although there is no legal requirement for specific processes to be followed for complaints against the OPCC or its staff as there are for complaints against police forces and their staff, we have aligned this procedure as closely as possible to the Police (Complaints and Misconduct) Regulations 2020.

4.6 Human Resources

The OPCC does not have its own human resources policies and procedures but utilises those of Gwent Police and will be supported by their People Services department if a complaint leads to disciplinary or performance proceedings.

5. Training

All line managers will be provided with training on how to deal with complaints.

6. Monitoring

Monitoring of this document will be undertaken by the Head of Assurance and Compliance who works regularly with police complaints and will keep up to date with any legislative requirements that may require changes to be made.

7. Consultation

The Chief Executive was consulted during the drafting of this procedure.

8. Associated Documentation

- Gwent Police Disciplinary Procedure for Police Staff
- The Police (Complaints and Misconduct) Regulations 2020

9. Dissemination

This document will be circulated to all line managers by the Head of Assurance and Compliance.

10. Review Period

This document will be reviewed every 4 years, when changes are identified or required by legislation. The next review date is September 2024.

11. Appendices

None.