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CAMBRIDGESHIRE POLICE AUTHORITY

COMPLAINTS POLICY

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CAMBRIDGESHIRE POLICE AUTHORITY

COMPLAINTS POLICY

SECTION 1 - OVERVIEW

1. Introduction

- 1.1 Cambridgeshire Police Authority has a number of specific duties in relation to the handling of complaints. There are a number of avenues established for handling complaints, depending on the nature of the complaint and against whom the complaint is being made. This Section sets out the roles and responsibilities of those agencies and individuals that could be involved in the management of complaints.

2. Human Rights and Equality

- 2.1 In implementing this policy the Police Authority will ensure that its actions are in accordance with the requirements of the Human Rights Act 1998 and the Convention Rights embodied within it in order to protect the human rights of complainants, other users of police services and Police Authority Members and Officers. This policy has been screened and its potential impacts assessed in order to ensure that its provisions comply with the Race Relations Amendment Act 2000, the Disability Discrimination (Amendment) Act 2005 and in addition considered the potential for differential impact on people in the following groups; Faith, Gender, Age, Sexual orientation. (See Appendix 4).

3. The Police Authority and the Monitoring Officer

- 3.1 The Police Authority is responsible for handling complaints against police officers of the rank of Assistant Chief Constable¹ and above, and for the general oversight of the conduct of complaints and professional standards through its Professional Standards Committee.
- 3.2 The Authority also has a responsibility for ensuring that its business is conducted effectively and efficiently and with due probity. With regard to the maintenance of standards, the Authority is required to appoint a Monitoring Officer². For Cambridgeshire Police Authority, the Monitoring Officer is the officer holding the appointment of Chief Executive.

¹ Police Act 1996 s. 68

² Local Government Act 1989 s.5

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4. Chief Constable

- 4.1 The Chief Constable is responsible for disciplinary matters and the handling of complaints against police officers.³ The Chief Constable will report on this area to meetings of the Police Authority's Professional Standards Committee.

5. The Independent Police Complaints Commission

- 5.1 The Independent Police Complaints Commission (IPCC) was established by an Act of Parliament.⁴ The purpose of the IPCC is "to ensure suitable arrangements are in place for dealing with complaints or allegations of misconduct against any person serving with the Police in England and Wales." The IPCC may choose to independently investigate the most serious incidents, manage an investigation by the police or supervise such an investigation.
- 5.2 The majority of complaint cases will be dealt with by the Constabulary's Professional Standards Department, which maintains a close link with the IPCC. However, the Police Authority, through its Professional Standards Committee, has certain statutory duties in relation to complaints. These are:
- To keep itself informed about complaint and discipline matters within the force.
 - To ensure the IPCC is furnished with the information and documentation to carry its functions.
 - Refer a complaint or misconduct matter to the IPCC where the Chief Police Officer does not, if the Authority deems it appropriate to do so.
- 5.3 The Police Authority is the "Appropriate Authority" in the recording and investigation of complaints and conduct matters against senior police officers; that is officers of Assistant Chief Constable rank and above.

³ Police Act 1996 s. 69

⁴ Police Reform Act 2002, Part 2

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6. The Standards Board for England (SBE)

6.1 The Standards Board for England was established by an Act of Parliament⁵ to oversee the Code of Conduct for Local Government. The Standards Board's role was changed wef 8 May 2008 to give it a more strategic regulatory role than previously. Whilst in certain circumstances the SBE will investigate complaints against Members, it is expected that most complaints in future will be handled by Authorities' Standards Committees. A list of issues within the remit of Authorities' Standards Committees and/or the SBE is at Appendix 1.

6.2 The Board can be contacted at:

The Standards Board for England
Fourth Floor
Griffin House
40 Lever Street
Manchester
M1 1BB
Email: Enquiries@standardsboard.co.uk

7. The Ethical Standards Committee

7.1 The Local Government Act 2000 requires all Authorities to establish their own Standards Committees. In Cambridgeshire Police Authority this is the Ethical Standards Committee. This Committee, which meets annually or when required, will deal with any complaint made about the conduct of a Member or any matter referred to the Authority by the SBE.

8. The Local Government Ombudsman

8.1 The Commission for Local Administration in England (CLA) or Local Government Ombudsman service was established under an Act of Parliament⁶ as an independent body responsible for investigating cases of alleged injustice arising from maladministration on the part of local authorities, including Police Authorities, and of certain other bodies. The Local Government Ombudsman cannot investigate certain matters. These include:

- Matters that have already been, or could be appealed to a tribunal or government minister.
- Matters concerning the community in general.

⁵ Local Government Act 2000 s.57

⁶ Local Government Act 1974 Part III

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- Court proceedings.
- Personnel matters and the internal management of schools and colleges.

There are three Local Government Ombudsmen in England. Cambridgeshire and Peterborough is covered by the ombudsman based at:

The Oaks No.2
Westwood Way
Westwood Business Park
Coventry CV4 8JB
Tel: 024 7682 0000
Email: enquiries@lgo.org.uk

9. Persistent Complainants

- 9.1 There are a number of avenues available for the handling of complaints depending on the nature of the complaint. If a complainant, having exhausted these approaches and having been formally informed of the final results of adjudication on their case, continues to complain about the same issue, the Authority's Persistent Complainant policy will be initiated. This policy is set out in Appendix 2

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SECTION 2 – HANDLING OF COMPLAINTS

10. Introduction

10.1 This section describes in outline the processes for handling the various types of complaint with which the Authority may be involved. These are:

- Complaints against senior police officers.
- Complaints against Police Authority Members.
- Complaints against the Police Authority.
- Complaints against the Monitoring Officer.

10.2 The effective and efficient handling of complaints is an extremely important part of the Authority's functions.

11. Complaints Against Senior Police Officers

11.1 A complaint against a senior police officer (ACC rank or above) must be managed, and investigated if appropriate, by the Police Authority. A complaint against a senior officer could be categorised as either:

- A complaint about the conduct of that officer.
- A complaint about "direction and control".

11.2 It is important to note that the Police Reform Act 2002 broadened the definition of a complainant. A complaint can be made by:

- Any member of the public who alleges that police misconduct was directed at them.
- Any member of the public who alleges that they have been adversely affected by police misconduct, even if not directed at them.
- Any member of the public who claims to have witnessed police misconduct.
- A person or member of an organisation acting, with written permission on behalf of someone in the first three categories.

11.3 Complaints About the Conduct of a Senior Officer.

11.3.1 If a complaint is received about the conduct of a senior officer the Authority will undertake an initial investigation of the allegation(s). A complaint could be about any aspect of a senior officer's conduct including:

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- Behaviour/attitude.
- Inappropriate language.
- Actions or omissions.
- Criminal behaviour.

It should be noted that there is a statutory requirement for the Authority to obtain and provide evidence in such cases.

11.3.2 The Authority will be required to decide whether to "record" a complaint about a senior officer. IPCC guidance is that the Authority should start with the presumption that where a member of the public expresses dissatisfaction which, prima facie, is a complaint about conduct, it is valid under the Police Reform Act 2002 and should be recorded. Where a decision is taken by the Authority not to record a complaint, the reason for this should be explained to the complainant. The complainant must be advised of the right of appeal to the IPCC. The IPCC leaflet "Appealing against the non-recording of a complaint" must be given to the complainant.

11.3.3 Detailed guidelines for the handling of complaints about the conduct of senior officers are given in statutory guidance issued by the IPCC.⁷

11.4 Complaints about direction and control exercised by a senior officer.

11.4.1 Direction and control of the force is defined as the independent operational responsibility and discretion held by a chief officer. Direction and control of the force by the chief officers is taken to include the direction and control by any person serving under the chief officer e.g., DCC, ACC, BCU commanders. A complaint relating to direction and control is one that concerns:

- Operational policing policies (where there is no issue of conduct).
- Organisational decisions.
- General policing standards in the force.
- Operational management decisions (where there is no issue of conduct).

11.4.2 Complaints regarding support functions; e.g. Finance, Procurement, Human Resources, Estates, etc. are not considered as direction and control complaints and should be dealt with by the appropriate departmental head.

11.4.3 Complaints about direction and control may be received by:

⁷ IPCC Statutory Guidance, "Making the new police complaints system work better", Reference POL/06, August 2005.

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- The Police Authority.
- The ACPO office.
- The BCU in question.
- The Force's Professional Standards Department.

11.4.4 If the Police Authority, on receipt of a complaint can deal with it without further reference to the Constabulary, then a copy of the original complaint together with the Authority's response should be provided to the Professional Standards Department. If the Authority is unable to resolve the complaint, then it will be passed to the Professional Standards Department to be registered and dealt with accordingly. An update will be provided to the Authority within 28 days of recording.

11.4.5 The Authority, as with complaints about police conduct, has a duty to monitor and scrutinise complaints about direction and control. Reports containing details of the number, type and outcome of such complaints will be presented to the Professional Standards Committee and files will be made available to Members for scrutiny.

12. Complaints Against Police Authority Members.

12.1 Appendix 1 lists the types of complaint that could be made against a Member.

12.2 Complaints about a Member's conduct can be made by anyone to the Standards Board for England or direct to the Police Authority. In all but the most serious cases, the SBE will refer the case to the Authority. If a complaint is about a Member's conduct it must be initially assessed by a sub-committee of the Ethical Standards Committee comprising three members, at least one of who must be an independent member. This assessment sub-committee must be chaired by an independent member. The assessment sub-committee will determine either:

- There is no evidence that the Member has failed to follow any part of the Authority's Code of Conduct.
- No action needs to be taken in relation to the matters investigated.
- The matter should be referred to the Monitoring Officer of the Authority for investigation.
- In certain circumstances refer the complaint to the SBE.

In the event that the assessment committee agrees to take no further action on a complaint a separate sub-committee (the review sub-committee) will be required to be convened. This sub-committee will also need to comprise three members, one of who will be an

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independent and with an independent chair. The members of the assessment sub-committee cannot be members of the review sub-committee. An agreement has been reached whereby the six Police Authorities in the Eastern Region will cooperate in providing independent members to other Authorities when required.

- 12.3 On receipt of a report on an investigation⁸ by the Monitoring Officer the Ethical Standards Committee will convene to conduct a hearing in relation to the allegation that the Member failed to comply with the Authority's Code of Conduct. Detailed guidance on the conduct of hearings has been provided by SBE.⁹ These guidance documents and other useful information can be found on the SBE website.

13. Complaints Against the Police Authority

- 13.1 If a person feels they have suffered an injustice as a result of maladministration by a local authority, they can complain to the Local Government Ombudsman. 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 Police Authority has done or has failed to do. It is important to note that the Local Government Ombudsman cannot deal with complaints about the investigation or prevention of crime
- 13.2 Complaints can be made directly to the Local Government Ombudsman's office about maladministration, but complainants should first address their complaint to the Police Authority. Only if after investigation by the Authority the complaint cannot be resolved will the Local Government Ombudsman agree to becoming involved.
- 13.3 Complaints to the Local Government Ombudsman against Police Authorities are rare with only 21 cases out of 13,768 (0.15%) total complaints in 2004/05. The overwhelming majority of cases concern maladministration by Local Councils in the areas of housing, planning, education and social services.
- 13.4 Details of the Local Government Ombudsman's complaints procedures can be found on their web site - www.lgo.org.uk.

⁸ SBE Publication - Local Investigations and Other Action – Published June 2008.

⁹ Standards Committee Determinations - Guidance for Monitoring Officers and Standards Committees June 2008

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14. Complaints against the Monitoring Officer

- 14.1 The Ethical Standards Committee instructed that a protocol be adopted for dealing with cases of complaints involving both a Member and the Monitoring Officer. Accordingly, the Authority has agreed a protocol to be followed in such circumstances and this is contained in Appendix 3.

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Appendix 1

Complaints Dealt with by the Standards Board for England

1. The following list covers the areas where a complaint against a Member could be considered by the Standards Board.
 - Unlawfully discriminating against someone.
 - Failing to treat people with respect.
 - Doing something to prevent those working for the Authority from being unbiased.
 - Revealing information given to them in confidence, or preventing someone obtaining information they are entitled to by law.
 - Damaging the reputation of their office or Authority.
 - Using their position improperly, to their own or someone else's advantage or disadvantage.
 - Misusing the Authority's resources.
 - Allowing the Authority's resources to be misused for the activities of a registered political party.
 - Failing to report another Member's misconduct to the Standards Board.
 - Failing to register financial or other interests.
 - Failing to reveal a personal interest at a meeting.
 - Taking part in a meeting or making a decision where the Member has an interest that is so significant that it is likely to affect his or her judgement.
 - Failing to register any gifts or hospitality they have received in their role as a Member, worth over £25.
2. The Standards Board for England does not investigate the following types of complaints:
 - Complaints where a Member is not named.
 - Complaints that are not in writing.
 - Incidents or actions that are not covered by the Code of Conduct.
 - Incidents that are about a fault in the way the Authority has done or not done something. Complaints about maladministration are a matter for the Local Government Ombudsman.
 - Complaints about people employed by the Authority.
 - Incidents that happened before a Member was appointed.
 - Incidents either before the Authority adopted its Code of Conduct or before 5 May 2002, whichever is the earlier.
 - Complaints about the way the Authority conducts and records its meeting.

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Appendix 2

POLICY FOR THE MANAGEMENT OF PERSISTENT COMPLAINANTS

1. POLICY AIM

- 1.1 To deal fairly, honestly and properly with persistent complainants whilst ensuring that other service users, officers and the Authority as a whole suffer no detriment.
- 1.2 This policy for the Management of Persistent Complainants is additional to, and an extension of, the Authority's Complaints Policy.

2. HUMAN RIGHTS

- 2.1 In implementing this Policy the Authority will seek to ensure that its actions are in accordance with its obligations under the Human Rights Act 1998 and the Convention Rights embodied within it, in order to protect the Human Rights of both Persistent Complainants, other service users, Members and officers.

3. PERSISTENT COMPLAINANT - DEFINITION

- 3.1 For the purpose of this policy, a persistent complainant is a member of the public who complains about issues that the complainant considers to be within the remit of the Authority and whose behaviour is characterised by:
 - a) actions which are obsessive, persistent, harassing, prolific, repetitious and/or
 - b) an insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason
 - c) an insistence upon pursuing meritorious complaints in an unreasonable manner.

4. MANAGING A PERSISTENT COMPLAINANT

4.1 Decision Making, Application, Reporting and Monitoring

- 4.1.1 This section applies equally to an ongoing complaint or a complaint which is concluded. In the latter case the additional procedures at paragraph 4.2 apply.
- 4.1.2 Where officers or Members form the view that they are dealing with a persistent complainant, the matter should be referred as soon as possible to the Chief Executive. The Chief Executive, in consultation with the Authority Chairman and the Chair of the Professional

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Standards Committee will assess the justification for applying this policy to a complainant.

- 4.1.3 If it is agreed that the application of the policy is justified, for expedient reasons it will be agreed between the Chief Executive, the Authority Chair and the Chair of the Professional Standards Committee and implemented forthwith by the Chief Executive.
- 4.1.4 The Chief Executive will report the application of this policy on a case by case basis to the next meeting of the Professional Standards Committee for noting, in the form set out at Attachment 1.
- 4.1.5 If a complainant is being dealt with under this policy, then before its application, (See 4.1.2 and 4.1.3 above) this information should be shared in confidence with the Head of Professional Standards to ensure that, where necessary, the Authority's and Constabulary's approaches are co-ordinated.
- 4.1.6 In any event, any strategies adopted under this policy should be formally reviewed at 6 monthly intervals.

4.2 Subsequent to a complaint dealt with formally

- 4.2.1 This section – in dealing with a concluded complaint but where the complainant persists – is in addition to the procedure described in 4.1 (excepting 4.1.4) above and which should also be applied.
- 4.2.2 If a complainant continues to express dissatisfaction with the Authority's final response to a complaint, then
 - a) If further clarification of the outcome is ineffective, the complainant should be reminded of their right to refer the complaint, dependant on its nature, to the Independent Police Complaints Commission, the Standards Board for England or the Local Government Ombudsman. In addition, the complainant should be reminded of their right to take independent legal advice.
 - b) If the complainant continues to complain, the Authority should repeat the advice in (a) above and add that the matter is now at an end and that the Authority will not enter into any further communication unless it relates to a fresh complaint unrelated to the current complaint. (See Attachment 2).
 - c) If the complaints continue then the Authority should send a response couched in the following terms:
"I acknowledge your (letter/e-mail/telephone call) dated ... the contents of which are noted. Unfortunately, there is nothing I can

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add to my letter of A further copy of which is enclosed for your convenience.” (See Attachment 3).

- d) If contact continues, subject to being authorised in line with the procedure set out above, (i.e. formally approved for inclusion under the Persistent Complainants Policy) the Authority should make no further response.
- e) The relevant Member, for example Lead Members of the business area addressed by the complainant or Members with previous contact with the complainant(s) will be informed of the application of the persistent complainants policy.

NB Ongoing correspondence or contact on a concluded complaint must be monitored to ensure that it does not contain a new complaint or fresh, relevant information about a previous complaint that the complainant neither knew nor ought to have known about at the time of making that previous complaint. If a fresh issue is raised that needs to be addressed it should first be referred to the Chief Executive.

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Attachment 1 to Appendix 2

PERSISTENT COMPLAINANTS POLICY

CASE FOR CONSIDERATION BY PROFESSIONAL STANDARDS COMMITTEE

Name of Complainant:

.....

Name of Officer dealing:

Date of Submission to Committee:

.....

Background leading to referral:

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- The following documents are attached:
eg correspondence, emails, notes of telephone calls, reports

Has the complaint been dealt with by way of local resolution?
If so, how was the complaint concluded? **Y/N**

Has the complaint been investigated by the Professional Standards
Department? **Y/N**
If so was the complaint upheld or dismissed?

Has the complaint investigated by the IPCC?
If so was the complaint upheld or dismissed? **Y/N**

Is a Police Authority Member involved as the subject of the
complaint? **Y/N**
Details:

Has an independent arbitrator/investigator been involved? **Y/N**
Details:

Has there been any other meetings with the complainant to discuss
the particular concerns? **Y/N**

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Signed: Date:

DETERMINATION OF THE PROFESSIONAL STANDARDS COMMITTEE

We agree/do not agree that should be dealt with under the PC Policy for the reasons set out below:

Agreed actions are:
(tick relevant boxes)

Convene a strategy meeting to co-ordinate the Authority's approach.
Person identified to do this:
By (date):

Contact from the persistent complainant should be directed to and only accepted by

The following additional support to be given to officer/Member concerned

Means and manner of contact should be restricted in the following way:

- Press Office should be contacted for strategy
- Legal advice be sought on possible legal action
- The following external Agencies to be contacted for assistance

The Policy to be disapplied in the following way for the following reasons:

Other (Specify)

Information to be provided to Constabulary Service Centre.

Inform relevant Member(s)

Review Date (ie. 6 months from determination and at 6 monthly intervals thereafter).

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Signed:

Date:

Chair Professional Standards Committee

Attachment 2 to Appendix 2

Dear

Heading

I acknowledge receipt of your letter / e-mail / fax / telephone call dated [insert date]. I note that this communication did not raise any new issues with regard to your complaint.

The Authority wrote to you on [insert date] to inform you that it had completed its complaint investigation and that there were no more internal stages through which you could pursue your complaint. The letter also informed you that if you wished to take your complaint further, you had the right to refer the matter to the Independent Police Complaints Commission /the Police Authority Ethical Standards Committee/the Standards Board for England / the Local Government Ombudsman (delete as applicable).

OR

Your complaint, having been dealt with by the Independent Police Complaints Commission/the Police Authority Ethical Standards Committee,the Standards Board for England/the Local Government Ombudsman (delete as applicable) means that there are no more external avenues through which you could pursue your complaint.

The Authority is therefore unable to enter into any further direct communication with you about the issues that have already been investigated. However, if there is a fresh issue which has not been looked into by the Authority, you have the right to raise this under the Complaints Procedure in the normal way. Nothing in this letter should be interpreted as preventing you from doing this.

You are reminded of your right to seek independent legal advice about the matters discussed in this letter.

Yours sincerely,

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Attachment 3 to Appendix 2

Dear

Heading

I acknowledge receipt of your letter / e-mail / fax / telephone call dated [insert date]. I note that this communication did not raise any new issues and therefore there is nothing I can add to my letter dated [insert date]. I enclose a further copy of that letter for ease of reference.

This response is being sent in accordance with the section of the Authority's Complaints Policy which deals with persistent complaints. A copy of that policy is enclosed / was sent to you in the letter dated [insert date] / can be viewed on the internet at [insert web link].

You are reminded of your right to seek independent legal advice.

Yours sincerely,

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Appendix 3

PROTOCOL FOR DEALING WITH COMPLAINTS AGAINST MEMBERS AND THE MONITORING OFFICER

1. Background

- 1.1 In reviewing past cases of complaint against both a member and against the Monitoring Officer, the Ethical Standards Committee noted in December 2005 that no formal protocol existed from the Standards Board for England (SBE) of how to proceed.

2. Purpose

- 2.1 The purpose of this protocol is to set out the procedure for dealing with complaints about:
 - a. Members of the Police Authority.
 - b. The Police Authority's Monitoring Officer (the Chief Executive).

3. Complaints against members

- 3.1 The Standards Board for England (SBE) is responsible for overseeing the Code of Conduct for Local Government.¹⁰ The SBE can only consider complaints that fall within their powers as set out by Parliament.¹¹ For the SBE to consider a complaint, it has to be about an elected, co-opted or independent member of the Authority and it has to be about something covered by the Code of Conduct. These things are listed below.
- 3.2 The complaint must also:
 - be about something that happened after the Code of Conduct came into effect (basically after 30 November 2001)
 - be made in writing
- 3.3 The following behaviour is covered by the Code of Conduct
 - unlawfully discriminating against someone
 - failing to treat people with respect

¹⁰ The Local Authorities (Model Code of Conduct) (England) Order 2001 (Statutory Instrument No. 3575 of 2001)

¹¹ Local Government Act 2000.

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- doing something to prevent those who work for the authority from being unbiased
- revealing information that was given to them in confidence, or stopping someone getting information they are entitled to by law
- damaging the reputation of their office or authority
- using their position improperly, to their own or someone else's advantage or disadvantage
- misusing their authority's resources
- allowing their authority's resources to be misused for the activities of a registered political party
- failing to report another member's misconduct to us
- failing to register financial or other interests
- failing to reveal a personal interest at a meeting;
- taking part in a meeting or making a decision where they have an interest that is so significant that it is likely to affect their judgement
- failing to register any gifts or hospitality that they have received in their role as a member worth over £25

Once the SBE has dealt with the complaint, the closing report will be reviewed and noted by the Ethical Standards Committee.

4. Complaints against members not covered by the SBE

- 4.1 Clearly, situations will exist where a complaint falls outside of the jurisdiction of the SBE as laid out above. Such complaints can reach the Authority either by referral from the SBE or directly from the public.
- 4.2 Where a complaint is referred from the SBE then proceed as per section 6 below.
- 4.3 Where a complaint is received directly from the public, it should be assessed by the Monitoring Officer as to whether it should be dealt with by the SBE. Guidance on this can be found in the SBE publication "How to make a Complaint".¹² All Members have a copy and additional copies are held in the Police Authority Executive Office.
- 4.4 If the complaint falls within the jurisdiction of the SBE then the Monitoring Officer will formally write to the complainant, explaining this fact, returning any original correspondence and directing them to write

¹² SBE Leaflet "How to Make a Complaint" March 2006

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directly to the SBE, explaining why and providing address details to facilitate their complaint report.

5. Complaints against the Monitoring Officer.

- 5.1 The SBE does not deal with complaints against Monitoring Officers. Where such a complaint is received directly, then proceed as per section 6 below.

6. Dealing with Complaints not handled by the SBE

- 6.1 In the case of a complaint against a Member, the Monitoring Officer will proceed and investigate the complaint in the normal way. If there is any doubt about a conflict of interest then he/she will request a Monitoring Officer from a neighbouring authority to investigate the matter.
- 6.2 Whichever Monitoring Officer conducts the investigation, he/she will report the investigated matter to the Ethical Standards Committee, together with a recommendation, so that a committee decision can be taken and documented.
- 6.3 In the case of a complaint against the Monitoring Officer the Research and Policy Manager (the de facto Deputy Monitoring Officer) will notify the Chairman and will request a Monitoring Officer from a neighbouring authority to investigate the matter.
- 6.4 The investigating Monitoring Officer will report the investigated matter to the Ethical Standards Committee, together with a recommendation, so that a committee decision can be taken and documented. The investigating Monitoring Officer will liaise with the Research and Policy Manager to ensure that the Chairman is briefed of the outcome.

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Appendix 4

EQUALITY IMPACT ASSESSMENT

Title of Policy Guidance/ Procedure	Cambridgeshire Police Authority Complaints Policy		
Name of Author	Mr RE Toland		
Date of creation/review	9 Aug 2006	Version No.	1
PLEASE OUTLINE THE RESULTS OF YOUR IMPACT ASSESSMENT BELOW			
B1	What are the aims and proposed outcomes of your policy guidance/procedure?		
<p>The Police Authority can receive complaints from Members of the Public about a number of aspects of its business. These are listed in the Complaints Policy. The aims of the complaints policy are to:</p> <ul style="list-style-type: none">• Describe the various types of complaint with which the Authority may become involved.• Provide guidance on the avenues to be adopted for handling different types of complaints, highlighting other Agencies involved in complaints processes and referencing where further detailed information can be found.• Set out a policy for dealing with “persistent” complainants.• Set out a protocol for dealing with complaints against Members and the Monitoring Officer.			
B2	What research has been undertaken?		
<p>Having set up a new Police Authority Office in December 2005 it quickly became evident that the various policies and procedures for handling complaints, which are largely dictated by statute or regulation were fragmented. This single document repairs that situation.</p>			

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2. Aug 08 - Editorial amendments to reflect changed role of Standards Board for England.

B3	What consultation has taken place? (<i>who has been consulted, and by what method?</i>)
(a)	Internally within the Authority/Constabulary
	Police Authority Members of the Professional Standards Committee. The full Police Authority for approved the Persistent Complainants Policy. Constabulary Diversity Unit.
(b)	Externally
	Cambridgeshire County Council which operates a similar persistent complainants' scheme.
B4	What feedback was received?
	This impact assessment is based on that in use by the Constabulary. Cambridgeshire County Council kindly provided a copy of their persistent Complainants' policy on which we have based the Authority's policy.
B5	What amendments, if any, have been incorporated into the policy guidance/procedure to reflect that feedback?
	Impact assessment incorporated.
B6	If changes were recommended but <i>not</i> incorporated, what justification is there for this?
	N/A

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B7	What monitoring arrangements are to be put in place (or already exist) to monitor the <i>actual</i> impact of this policy guidance/procedure?
Cases of persistent complainants and complaints against Members and the Monitoring Officer will be overseen by the Professional and Ethical Standards Committees respectively.	
B8	How will this guidance eliminate unlawful discrimination ? <i>Consider and comment on operational, community impact and institutional perspectives</i>
The guidance in itself will do nothing to eliminate unlawful discrimination. However, the policy will be applied in a non-discriminatory way, particularly that concerning persistent complainants. The determination as to whether a complainant has become persistent will be made by the Professional Standards Committee.	
In relation to this duty, do you consider its potential impact to be HIGH <input type="checkbox"/> MEDIUM <input type="checkbox"/> LOW <input checked="" type="checkbox"/>	
B9	How will this guidance promote equality of opportunity ? <i>Consider and comment on professional, individual, organisational and community perspectives</i>
The fair and impartial application of the policy will ensure equality.	
In relation to this duty, do you consider its potential impact to be HIGH <input type="checkbox"/> MEDIUM <input type="checkbox"/> LOW <input checked="" type="checkbox"/>	
B10	How will this guidance promote good relations between people from different groups ? <i>Consider and comment on individual practice, team operation, and organisational functioning perspectives</i>
The guidance will be applied proportionately and in a non-discriminatory way, particularly the policy relating to the treatment of persistent complainants. Additionally, the needs and welfare of staff handling persistent complainants will be taken into account.	
In relation to this duty, do you consider its potential impact to be HIGH <input type="checkbox"/> MEDIUM <input type="checkbox"/> LOW <input checked="" type="checkbox"/>	