

AGENDA

KENT AND MEDWAY POLICE AND CRIME PANEL - COMPLAINTS SUB-COMMITTEE

Dear Councillor

Notice is hereby given that a meeting of the **KENT AND MEDWAY POLICE AND CRIME PANEL - COMPLAINTS SUB-COMMITTEE** will be held in the **Wantsum Room, Sessions House, County Hall, Maidstone** on **Tuesday, 28th March, 2017, at 2.00 pm** when the following business will be transacted

Members of the public who require further information are asked to contact Joel Cook/Anna Taylor on 0300 416892/416478

Tea/Coffee will be available 15 minutes before the start of the meeting in the meeting room

Membership

Councillor Paul Clokie	Ashford Borough Council
Councillor Pat Todd	Canterbury City Council
Councillor John Knight	Gravesham Borough Council
Councillor Alan Horton	Swale Borough Council
Dr Mike Eddy	Co-opted member
Mr Roger Latchford	Co-opted member
Ms Elaine Bolton	Independent Member

UNRESTRICTED ITEMS

(During these items the meeting is likely to be open to the public)

- 1 Police and Crime Commissioner Code of Conduct (Pages 3 - 6)
- 2 Police and Crime Panel Policy for Handling Complaints about the Police and Crime Commissioner (Pages 7 - 8)
- 3 MOTION TO EXCLUDE THE PRESS AND PUBLIC FOR EXEMPT ITEM

That under Section 100A of the Local Government Act 1972 the press and public be excluded from the meeting for the following business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1 & 2 of part 1 of Schedule 12A of the Act.

EXEMPT

(During these items the meeting is likely NOT to be open to the press and public)

4 Complaint Ref: OPCC/MS/PCC/01/17 (Pages 9 - 10)

John Lynch
Head of Democratic Services
03000 410466
Monday, 20 March 2017

Police and Crime Commissioner - Code of Conduct

Introduction

1. This Code applies to me in the office of Police and Crime Commissioner when acting or representing to act in that role.
2. This code does not apply when I am acting in a purely private capacity.
3. I have adopted this code and have agreed to abide by its provisions.
4. The Policing Protocol provides that all parties will abide by the seven principles set out in Standards in Public Life: First Report of the Committee on Standards in Public Life known as the 'Nolan Principles'.
5. I agree to abide by the Nolan Principles which are set out below:

The Seven Principles of Public Life

Selflessness - Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

All gifts and hospitality offered to me or staff working in my Office (whether accepted or refused) are fully listed on my website, regularly updated and scrutinised by my Monitoring Officer.

Integrity - Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

I am acutely aware of my statutory responsibilities as Police and Crime Commissioner and the damage that can be caused by people in public office who have their duties influenced (or perceived influence). Accordingly, I maintain the highest levels of integrity in this area and have the additional safeguard of a Monitoring Officer whose statutory responsibility is to report on matters they believe are, or are likely to be, illegal or represent misconduct related to my role.

Objectivity - In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

On 6 May 2016 I took an oath of integrity and transparency to the people of Kent and fully intend to uphold this. As Police and Crime Commissioner, all decisions I take, whether that be awarding contracts, making appointments, or other responsibilities that come with the role of Commissioner, shall be based on open and transparent criteria and in-line with statutory requirements.

Accountability - Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

I aspire to be an accessible Police and Crime Commissioner so the people of Kent can hold me to account for all my decisions and actions. To achieve this, I will maintain a wide ranging engagement schedule which includes public events, surgeries and responding to correspondence as well as being present on social and print media.

Openness - Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

All my decisions, minutes of meetings and papers will be accessible on my website. The core purpose of good governance in public services is to ensure public bodies take informed, transparent decisions and manage risk. All decisions and actions I take are underpinned by the following principles:

- Transparency
- Openness
- Proportionality
- Timeliness
- Auditable; and
- Engagement and consultation

Honesty - Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

I maintain a statutory Register of Interests which declares personal and business interests with the intention of being open and transparent with the public. In the eventuality where there might be an actual or perceived conflict of interest I shall as soon as possible declare such a conflict and take necessary action.

Leadership - Holders of public office should promote and support these principles by leadership and example.

I lead by example and expect the same qualities from staff working in my Office. I achieve this by empowering, trusting and setting examples in all aspects of my public life. I aspire to lead in the same way I would wish to be led, and provide access to and promote opportunities in my Office to further develop my staff's leadership skills.

General Obligations

6. I agree:-

- To treat others with dignity and respect.
- Not to use bullying behaviour or harass any person.
- Not to conduct myself in a manner which:-

(i) is contrary to the policing protocol; and/or

(ii) could reasonably be regarded as bringing my Office into disrepute.

Use of resources

7. I agree:-

- Not to use the resources of the elected local policing body for my personal benefit or for the benefit of myself, my friends, or any other person in relation to any business interest of mine.
- Not to use the resources of the elected local policing body improperly for political purposes (including party political purposes).
- To claim expenses and allowances in accordance with the published expenses and allowances scheme of the elected local policing body.

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Police and Crime Panel- Policy for Handling Complaints Against the Commissioner

Version 1	Approved by Police and Crime Panel on 29.11.12
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1. When the decision has been made to record a complaint (and there is no decision to disapply), the Chief of Staff of the KPCC will:

- send a record of the complaint to the complainant and will include the contact details of the Panel officer at KCC;
- pass the record, and copies of all the associated documentation, to the named individual for the panel. This will be no later than three working days after the complaint has been recorded.

2. On receipt of the complaint, the Panel officer will

- convene a meeting of the sub committee of the Panel. This will be within four weeks of the Panel receiving the complaint.
- write to the complainant, setting out timescales, and what they may expect from the process. They will also request that they comment on the matter, and give ten working days to respond.
- write to the Commissioner, and ask her to comment on the matter, giving her ten working days to respond.

3. The Panel officer will compile a brief report for the panel, setting out the pertinent details of complaint, and making suggestions for the next steps.

4. The sub-committee will first consider if any action needs to be taken. If not, it will record its reasons, and will finalise the case, informing all the parties.

5. If, on considering the report, the committee feels that the matter needs to be formally resolved, it will decide its course of action, and will suggest an action plan based on the local resolution procedures. This plan will be drawn up by the Panel officer. It will also include an indicative timeframe.

6. The committee will also decide whether it wishes to

- reconvene to consider the matter when the action plan has been completed
- refer the matter to the Panel when the action plan has been completed
- agree that the Panel officer, in consultation with the Chair of the sub committee be empowered to sign off the work
- allow the Panel officer to sign off the work.

7. For less complex complaints, the resolution of the complaint could be reached by the writing of, or commissioning of, an explanatory letter or phone call. After this letter had been sent, the matter would be closed.

8. The plan may include (for example):

- An explanatory letter being written by an officer of the Panel (or on behalf of the Panel)
- An explanatory letter being written by an officer of the OPCC
- A suggested change to the PCC's policy

- A request that an apology is tendered
- The plan may, in more serious cases, first require more information being collected from the officer of the OPCC or the Commissioner (in addition to the response previously given) or that the Commissioner be required to appear before the sub committee or Panel to provide an explanation and answer questions.

9. Once the actions from the plan have been completed, the matter may be referred back to the sub committee or Panel, or signed off by the Panel officer (or Chair).

10. When completed, both parties will be notified and the matter closed.

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Agenda Item 4

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