

AGENDA

KENT AND MEDWAY POLICE AND CRIME PANEL

Dear Panel Member

Notice is hereby given that a meeting of the **KENT AND MEDWAY POLICE AND CRIME PANEL** will be held in the **Council Chamber, Sessions House, County Hall, Maidstone** on **Tuesday, 7th September, 2021, at 2.00 pm** when the following business will be transacted

Members of the public who require further information are asked to contact Anna Taylor on 03000 416478

Membership

Councillor Peter Feacey	Ashford Borough Council
Councillor Ashley Clark	Canterbury City Council
Councillor Richard Wells	Dartford Borough Council
Councillor Oliver Richardson	Dover District Council
Councillor Shane Mochrie-Cox	Gravesham Borough Council
Mr Mike Hill	Kent County Council
Councillor Jonathan Purle	Maidstone Borough Council
Councillor Habib Tejan	Medway Council
Councillor Peter Fleming	Sevenoaks District Council
Councillor Jenny Hollingsbee	Folkestone and Hythe District Council
Councillor Richard Palmer	Swale Borough Council
Councillor George Kup	Thanet District Council
Councillor Des Keers	Tonbridge and Malling Borough Council
Councillor Andrew Fairweather	Tunbridge Wells Borough Council
Councillor Gary Hackwell	Co-opted member – Medway Council
Councillor John Burden	Co-opted member – Labour Group
VACANCY	Co-opted member
VACANCY	Co-opted member
Elaine Bolton	Independent Member
Mr Gurvinder Sandher	Independent Member

UNRESTRICTED ITEMS

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

- 1 Introduction/Webcast Announcement
- 2 Apologies and Substitutes
- 3 Declarations of Interests by Members in Items on the Agenda for this Meeting
- 4 Minutes of the Police and Crime Panel held on 17 June 2021

B - Commissioner's reports requested by the Panel/offered by the Commissioner

- B1 Commissioner's Annual Report
- B2 Police Uplift Programme
- B3 Mental Health - Verbal Update

C - Commissioner's Decisions - none for this meeting

D - Panel Matters

- D1 Commissioner's Expenditure over £500
- D2 Complaints against the Commissioner (Pages 1 - 2)
- D3 Future work programme (Pages 3 - 4)

E - Questions to the Commissioner

- E1 Questions to the Commissioner

EXEMPT ITEMS

(At the time of preparing the agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public)

Benjamin Watts
General Counsel
03000 416814

Friday, 27 August 2021

By: Anna Taylor, Panel Officer, Kent County Council
To: Kent and Medway Police and Crime Panel – 7 September 2021
Subject: Complaints against the Police and Crime Commissioner

1. Introduction

- 1.1 The Police and Crime Panel receives an annual report on complaints against the Police and Crime Commissioner. Due to disruption caused by the Covid-19 pandemic and other priorities for the Panel at the time the publication of this report was postponed from 2020 so this report covers the period June 2019 – June 2021.
- 1.2 The Elected Local Policing Bodies (Complaints and Misconduct Regulations) 2012 set out the statutory arrangements for dealing with complaints against Police and Crime Commissioners. Police and Crime Panels bear the statutory responsibility for resolving complaints and the Panel has established a Sub-Panel to undertake this role.

2. Complaints procedure

- 2.1 When a potential complaint is received (either via the Panel or the OPCC) the Regulations provide for an initial decision to be made on whether to record the complaint and, if so, whether to disapply the Regulations. The criteria by which these decisions are made are set out in Regulations and in the Panel's policy. The Panel delegated the initial complaint handling and recording decision-making to the PCC's Monitoring Officer (the OPCC Chief Executive). This delegation was in line with Home Office advice and is the approach adopted by most other Panels. The Explanatory Memorandum that accompanies the Regulations states: - "The Government takes the view that the task of the initial handling of complaints and conduct matters sits well with the role of the monitoring officer. Further, allowing scope for these matters to be dealt with internally in the first instance will promote the early resolution of minor complaints without unnecessary bureaucracy". To ensure appropriate monitoring and to allow for relevant information sharing, the initial complaint handling and recording decisions taken by the PCC's Monitoring are taken following consultation with Panel Officers.
- 2.2 A complaint against the Police and Crime Commissioner is an allegation or expression of concern that he has taken or not taken an action personally.

General criticisms of a PCC or of PCCs in general, or complaints about operational policing do not come within the scope of the Regulations.

- 2.3 The current complaints Policy, as set by the Panel, [is published online](#) via KCC's website.

3. Complaints since July 2019

- 3.1 Between July 2019 and June 2020 there were three recorded complaints against the Commissioner. Four possible complaints were received in total for assessment against the regulations. In the three cases where the complaint was recorded, the Regulations were disappplied on the grounds that the complaints were "vexatious, oppressive, repetitious or an abuse of the complaints process" – these categories are defined in the Regulations. In one case, the matter was assessed as not being a complaint under the regulations and this was therefore not recorded. The reasons for disapplication and non-recording, were provided to and discussed with Panel officers at the time and officers are fully satisfied that the PCC's Monitoring Officer made the correct decision in every case.
- 3.2 Between July 2020 and June 2021 there were five recorded complaints against the Commissioner. They were all disappplied on the grounds that the complaints were "vexatious, oppressive, repetitious or an abuse of the complaints process".
- 3.3 In the previous period (July 2018 to June 2019) there were four recorded complaints against the Commissioner. In all four cases the Regulations were disappplied. Three other matters were considered not to be complaints and were therefore not recorded.
- 3.4 This data shows no significant change to the number of recorded complaints made against the Commissioner. No complaints have been considered by the Panel's Complaints Sub-Committee during this period. Officer contact with other Panels continues to suggest that the number of complaints (recorded or otherwise) against the Kent Commissioner remains low compared with other Commissioners.

4. Recommendation

- 4.1 That the Panel notes the contents of this report and requests a further report in June 2022.

Contacts:

Anna Taylor 03000 416478

Police and Crime Panel Forward work programme (August 2021)**8 December 2021 – 2pm**

Victim Satisfaction Update	Requested by Panel	PCC
Violence Against Women and Girls	Requested by Panel	PCC

February 2022

Draft Police and Crime Plan	Statutory Requirement	PCC
Budget and Precept proposal 2022/23	Statutory Requirement	PCC
Panel Annual Report	Requested by the Panel	Panel

June 2022

Complaints against the Commissioner	Requested by the Panel	Panel
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Standard item at each meeting

Questions to the Commissioner

Items to note at each meeting

Commissioner's decisions

Performance and Delivery Board minutes (if available)

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