

By: Gaetano Romagnuolo, Panel Officer, Kent County Council
To: Kent and Medway Police and Crime Panel – 10 October 2024
Subject: Complaints Against the Commissioner – Annual Report 2023-24

1. Introduction

1.1 The Police and Crime Panel (PCP) receives an annual report in relation to complaints made against the Police and Crime Commissioner (PCC).

2. Complaints procedure

2.1 The powers of the PCP in respect of complaints are prescribed by the Police Reform and Social Responsibility Act 2011, and the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012.

2.2 The PCP is responsible for handling complaints made against the PCC and for informally resolving non-criminal complaints, as well as complaints or conduct matters that are referred back to the Panel by the Independent Office for Police Conduct (IOPC).

2.3 The PCP is also required to forward any serious complaint it receives against the PCC to the IOPC. The definition of a serious complaint is 'a qualifying complaint made about conduct which constitutes or involves, or appears to constitute or involve, the commission of a criminal offence', as per paragraph 2(6) of Schedule 7 to the Police Reform and Social Responsibility Act 2011.

2.4 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 has delegated the initial complaint handling and recording decision-making to the PCC's Monitoring Officer (the OPCC Chief Executive). This delegation is 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 Chief Executive is taken following consultation with Panel Officers.

- 2.5 A complaint against the Police and Crime Commissioner is an allegation or expression of concern that he/she 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.
- 2.6 The current complaints Policy, as set by the Panel, [is published online](#) via KCC's website.

3. Complaints from 1 July 2023 to 30 June 2024

- 3.1 7 complaints were received in total against the PCC, Matthew Scott, for assessment against the regulations between 1 July 2023 and 30 June 2024. A summary of complaints activity can be found below:

Complaints Received for Assessment	2023-24	2022-23	2021-22	2020-21
Recorded complaints – disappled	5	11	6	5
Recorded complaints – Sub-Committee convened	0	1	1	0
Complaint received and not recorded	1	0	3	0
Recorded - Ongoing	1			

- 3.2 In the 5 cases where the complaint was recorded, the Regulations were disappled on the grounds that the complaints were “vexatious, oppressive, repetitious or an abuse of the complaints process” – these categories are defined in the Regulations. 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.
- 3.3 In this period the Complaints Sub-Committee was not convened to consider and resolve any complaints as no complaint was recorded and passed to the PCP for further action.

3.4 The above data shows **a decrease** in the number of recorded complaints made against the Commissioner, albeit to a similar number to that in 2021-2022. Information from other Panels suggests that the number of complaints (recorded or otherwise) against the Kent Commissioner is in an average range when compared with other Commissioners.

4. Recommendation

4.1 That the Panel notes the contents of this report.

5. Contact Details

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