



COMPLAINTS POLICY STATEMENT

1. Introduction

- 1.1 This Policy Statement sets out Cambridgeshire Police and Crime Commissioner's (the "Commissioner") approach to complaints and conduct matters that he has legally responsibility for dealing with. The Policy also provides details of how to complain about the conduct of the Commissioner and those officers within his office, the Office of the Cambridgeshire Police and Crime Commissioner (OPCC). The Policy also aims to outline what can be expected of the Commissioner and others in their respective roles.

2. What constitutes a complaint

- 2.1 The complaints system is the mechanism by which the public may raise their concerns about the circumstances where professional standards are not met in respect of the service they receive from the police force, the Commissioner or the OPCC. This includes an expression of dissatisfaction about conduct or a matter relating to operational decision making about deployment of resources and strategic decisions by the police force as to how policing powers should be exercised (a 'direction and control' matter).

3. Who can be complained about

- 3.1 **Chief Constable of Cambridgeshire Constabulary.** The Police Reform Act 2002 (as amended)¹ gives the Commissioner the legal responsibility for handling complaints in respect of conduct matters, or death or serious injury relating specifically to the acts, omissions, statements and decisions of the Chief Constable.
- 3.2 **Police Officers and Staff of Cambridgeshire Constabulary.** Whilst the Commissioner has a legal responsibility to monitor how Cambridgeshire Constabulary handle complaints, he does not have the legal responsibility to deal with complaints regarding the conduct of a Cambridgeshire police officer or member of police staff below the rank of Chief Constable. The Chief Constable of Cambridgeshire Constabulary is the appropriate authority responsible for handling complaints, conduct matters, or death or serious injury matters, concerning Constabulary officers and staff. In practice, the Chief Constable has delegated the handling of such matters to the collaborated Professional Standards Department (PSD) for Cambridgeshire Constabulary, Bedfordshire Police, and Hertfordshire Constabulary. PSD's contact details are given at Annex A to this document.
- 3.3 **Office of the Cambridgeshire Police and Crime Commissioner.** A complaint may also be submitted where a member of the public feels that they are not satisfied with the service they have received from officers of the OPCC. This service could include the

¹ http://www.legislation.gov.uk/ukpga/2011/13/pdfs/ukpga_20110013_en.pdf



behaviour or conduct of an officer or whether a policy or procedure has not been followed. This includes the Chief Executive of the OPCC, other officers and volunteers such as Independent Custody Volunteers.

- 3.4 **The Commissioner and Deputy Commissioner.** The Cambridgeshire Police and Crime Panel are responsible for dealing with complaints against the Commissioner and the Deputy Police and Crime Commissioner. The Panel have their own procedure regarding how they handle these complaints. Details of how to contact the Police and Crime Panel are given at Annex A.

4. **Who can complain**

- 4.1 A complaint or an expression of dissatisfaction can be communicated verbally or in writing, with any comments we are made aware of on social media proportionately considered.
- 4.2 A complainant can be a member of the public who claims that the conduct took place in relation to him or her, who claims to have witnessed it, or been adversely affected by the conduct, even though it did not take place in relation to him or her. However, a person acting on behalf of someone who falls within any of the above categories, can complain. A person cannot be a complainant by claiming to be adversely affected if they have only seen or heard the conduct or its effects.

5. **Our approach**

- 5.1 In handling complaints, the Commissioner and the OPCC recognise that it is essential that complaints are handled appropriately to ensure that service users feel confident that their complaints are heard, considered and acted upon promptly and fairly. We will ensure that complainants are treated courteously and their complaints are dealt with in an impartial, transparent and accountable manner in accordance with statutory duties and responsibilities. We will also ensure that any learning is captured to improve our service.
- 5.2 We will take a proportionate approach to any investigation or review of a complaint to ensure that, in the public interest, our investigative resources are focused and employed efficiently and fairly.
- 5.3 A civil standard of proof will be applied in reaching a conclusion in respect of any complaint. That standard being on the balance of probabilities whether it is more likely than not that the conduct alleged did in fact take place based on the facts available. This standard of proof is not affected by the severity of the allegation made.

6. **Procedure for handling complaints**

- 6.1 **Complaints against the Chief Constable.** The Commissioners Scheme of Governance² enables the Chief Executive of the OPCC to consider with the Commissioner any complaint made against the Chief Constable and where appropriate to make arrangements to deal with the complaints.



- 6.2 Following receipt of a complaint against the Chief Constable an assessment will be made to assess whether it falls within the scope of the Police Reform Act 2002 and whether the matter should be recorded. Complaints will be dealt with in accordance with the Independent Office for Police Conduct (IOPC) Statutory Guidance to the police service on the handling of complaints³. In certain circumstances the OPCC will, when required, refer the matter to the IOPC for independent consideration.
- 6.3 We will inform the complainant of the OPCC's decision whether to record the complaint or not and the reasons behind the decision. The complainant will be informed in writing of any outcome as well as any right of appeal.

7. Appeals

- 7.1 Although we recognise that some complainants might be frustrated regarding the outcome of their complaint, in circumstances where a legal right of appeal exists, it can provide an opportunity for a complainant to challenge a decision or outcome. Complainants will be dealt with by the appropriate body in accordance with guidance and policy.

8. Management of Repetitious and Vexatious Complaints

- 8.1 Some complainants may make unnecessary repetitious or disproportionate demands on OPCC staff. This could include excessive contact, submitting repeat complaints essentially about the same issues, making attempts to re-open an issue which has been concluded, or complaining about the outcome. Equally this could be where a complainant's behaviour is abusive or aggressive towards officers of the OPCC which is beyond an acceptable level. Such demands and behaviours may lead the OPCC to consider the complaint to be vexatious, oppressive or an abuse of the procedures for dealing with complaints and will choose to deal with it appropriately.

9. Transparency

- 9.1 Complaints made against the Police and Crime Commissioner, Deputy Police and Crime Commissioner, officers of the Police and Crime Commissioner and the Chief Constable will be published, on the Commissioners website, at the end of the financial year in which they were made and in accordance with the Police Reform and Social Responsibility Act 2011.

10. Review

- 10.1 This Policy will be reviewed annually, the next review scheduled for December 2019.

² The Scheme of Governance details the responsibilities of the Commissioner and the delegated authorities he has placed upon his officers in carrying out his responsibilities. The document can be found at:

<http://www.cambridgeshire-pcc.gov.uk/transparency/governance-information>

³ <https://www.policeconduct.gov.uk/investigations/statutory-guidance>



How to Complain

Annex A

Complaints must be made in writing. If you wish to make a complaint on behalf of someone else you will need to have their permission in writing. However, this does not apply if you are the parent or guardian of a child aged 16 or under and wish to complain on their behalf. Complaints made anonymously are unable to be investigated.

Complaints against the Chief Constable of Cambridgeshire Constabulary and the Chief Executive of the Cambridgeshire Office of the Police and Crime Commissioner please write to:

Jason Ablewhite
Cambridgeshire Police and Crime Commissioner PO Box 688
Huntingdon PE29 9LA
By email: cambs-pcc@cambs.pnn.police.uk

Complaints against the officers of the Cambridgeshire Commissioner please write to:

Dr Dorothy Gregson Chief Executive
Office of the Cambridgeshire Police and Crime Commissioner PO Box 688
Huntingdon PE29 9LA
By email: cambs-pcc@cambs.pnn.police.uk

Complaints against the Cambridgeshire Police and Crime Commissioner and the Deputy Police and Crime Commissioner please contact:

Dr Dorothy Gregson Chief Executive
Office of the Cambridgeshire Police and Crime Commissioner PO Box 688
Huntingdon PE29 9LA
By email: cambs-pcc@cambs.pnn.police.uk

A copy of the **Police and Crime Panel's Complaints Procedure** can be found at:

<http://democracy.peterborough.gov.uk/mgCommitteeDetails>

Contact Officer for the Cambridgeshire Police and Crime Panel:

Jane Webb
Senior Democratic Services Officer
Peterborough City Council
Town Hall
Bridge Street
Peterborough
PE1 1HQ
Email: jane.webb@peterborough.gov.uk

Complaints against Cambridgeshire Constabulary police officers and staff

In person at any Cambridgeshire Constabulary police station or in writing to:

Professional Standards Department

Station Road

Biggleswade

Bedfordshire SG18 8AL

Email: PSD@cambs.pnn.police.uk

Tel: 101 or 01234 842538

Completing an on-line complaints form:

<https://www.contactcambspolice.uk/Report/CCC/ComplaintForm.aspx>