



Annual Assessment of the Police and Crime Commissioner's Complaint Review Function 2023/24

Introduction

Police and Crime Commissioners (PCCs) are required by law to operate a complaint review function, as outlined in the [Police Reform and Social Responsibility Act 2011](#), and further supported by guidance from the [Independent Office for Police Conduct \(IOPC\)](#).

When an individual is dissatisfied with the outcome of a police complaint, they have the right to request a review (previously known as an appeal). The PCC is responsible for handling this review process in cases where the IOPC is not the designated review body.

The statutory requirements stipulate that reviews conducted by the PCC must be independent, impartial, and transparent. These principles align with the IOPC's standards, ensuring that the review process is rigorous and capable of identifying any shortcomings in the original handling of the complaint. The PCC is responsible for assessing whether the police's handling of the complaint and its outcome were reasonable and proportionate. If any shortcomings are identified and the review is upheld, the Police and Crime Commissioner will make recommendations to the police to address and resolve the issue.

PCCs are also required to publish specific information to ensure public accountability. [The Elected Local Policing Bodies \(Specified Information\) \(Amendment\) Order 2021 guidance](#) outlines the information that must be made publicly available.

This assessment has been prepared in line with the aforementioned order and aims to provide an overview of the performance of the Avon and Somerset PCC in fulfilling their complaint review responsibilities.

The data in this report is drawn from complaints statistics published by the IOPC, including the [Annual Police Complaints Statistics](#) and [IOPC Quarterly Performance Data Bulletins](#) specific to Avon and Somerset Police (ASP).

Further details on the PCC's complaint handling function can be found [here](#).

1. The timeliness of complaint reviews

The OPCC sets an aspirational target of 90 days to complete a review. The [Q4 IOPC Avon and Somerset Police Complaints Information Bulletin](#) highlights that complaint reviews handled by the PCC as the Local Policing Body were completed in an average of just 9 working days during 2023/24. This is notably more efficient compared to the national average of 50 working days and the [Most Similar Group](#) average of 51 days. In contrast, IOPC Complaint Reviews for the same period took an average of 136 days to complete.

The 2023/24 [Q4 IOPC Avon and Somerset Police Complaints Information Bulletin](#) indicates that 209 review applications were submitted regarding the handling of Avon and Somerset Police complaints. This accounts for 20% of the total eligible complaints, an increase from 18% last year and 13% in 2021/22. Of the reviews completed by PCC, 23% were upheld, meaning they were found to have outcomes that were not reasonable or proportionate. This is slightly higher than the national average of 21%.

2. The functions the Police and Crime Commissioner has delegated and what measures have been taken to ensure quality, integrity and impartiality

The PCC delegates the responsibility of handling operational reviews to a designated Review Officer. This officer possesses relevant experience, College of Policing-approved training, and has been selected based on their expertise, skills, and ability to manage complex cases in accordance with statutory guidance.

While the PCC does not typically delegate the review process to external organisations, on rare occasions, such delegation may be necessary. In such instances, reviews are entrusted only to a reputable private legal services firm that meet College of Policing-approved training standards and provide police training. A Data Sharing Agreement is in place.

The PCC is committed to ensuring that the complaint review process within their office maintains the highest standards of integrity, impartiality, and service. At key stages of the review process – including decision-making and final outcomes – each completed review is submitted to the Director of Performance and Accountability for thorough quality assurance.

This oversight ensures that review decisions are consistent with the requirements of complaints legislation and [IOPC statutory guidance](#).

The PCC retains overall responsibility for this function, with reviews escalated as necessary for additional scrutiny. When escalation occurs, the PCC personally reviews the findings and responses. Additionally, this function has undergone an independent audit to ensure full compliance with legislation, ensuring that reviews are conducted with integrity and meet the highest standards.

3. Quality assurance mechanisms the Police and Crime Commissioner has established to ensure that review decisions are sound and in line with the requirements of the complaint's legislation and IOPC statutory guidance

The complaint review function within the OPCC has undergone an audit by [SWAP](#) to ensure its effectiveness and compliance. No issues were found in any of the cases reviewed and the auditor was satisfied that the process for reviewing complaints had been followed. Review decisions are further scrutinised by the [Independent Scrutiny of Police Complaints Panel](#) which is commissioned by the PCC and provides assurance that decisions align with relevant legislation and guidance.

Each review case is discussed with the Director of Performance and Accountability to provide additional assurance, and, where necessary, with the PCC.

The [Police and Crime Panel](#) is responsible for managing non-criminal complaints against the PCC, as well as criminal complaints and conduct matters referred back to the Panel by the IOPC. The Panel's role in complaint handling is outlined in the [Elected Local Policing Bodies \(Complaints and Misconduct\) Regulations 2012](#) and the accompanying Home Office Guidance. Additionally, the Panel's Complaints Sub-Committee provides an extra layer of scrutiny, overseeing the complaint review process and the PCC's statutory responsibility to monitor the police complaints regime.

4. How the Police and Crime Commissioner assesses complainant satisfaction with the way in which they have dealt with complaints

The PCC will assess complainant satisfaction by closely monitoring the conversion rate of complainants who, after remaining dissatisfied with the outcome, request a review of their complaint.

The number of upheld reviews enables the PCC to determine whether complainant dissatisfaction is justified and to identify areas for improvement.

Furthermore, the PCC will take into account any available feedback from complainants after a review is completed, ensuring their views are considered and their satisfaction is thoroughly assessed.

When a review is upheld, the Review Officer will ensure that learning and feedback is shared with the Professional Standards Department of Avon and Somerset Police. This process aims to drive improvements and prevent the issue from recurring.