OFFICE OF THE POLICE & CRIME COMMISSIONER
Complaints Procedure

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1. Introduction

1.1 At the Office of the Police and Crime Commissioner for Avon and Somerset (OPCC), we are committed to providing a consistent effective, positive, and professional service to the public. We aim to be accountable and put things right when things go wrong, enabling us to continuously improve the service to the public we offer.

This procedure outlines the circumstances in which you can raise a complaint, how you submit it, and how it will be dealt with.

2. Application of this Procedure

2.1 This procedure only applies to complaints from members of the public, external organisations, and partners about the OPCC and its staff and volunteers. Complaints about the police or the service received from them are subject to separate procedures and should be directed accordingly to Avon & Somerset Police Complaints.

2.2 This procedure does not apply to complaints about the Police and Crime Commissioner (PCC) or the Deputy Police and Crime Commissioner (DPCC). These complaints should be directed to PCC & Deputy PCC Complaints

2.3 Staff who wish to complain about another staff member should use the OPCC Grievance Policy.

3. What is a Complaint?

3.1 We regard a complaint as any formal expression of dissatisfaction about the behaviour of a member of staff or the level of service offered by the OPCC. It may be about the conduct of one or more members of staff/volunteers and/or about the policies or procedures of the organisation.

4. When Can I Make a Complaint to the OPCC

4.1 We deal with the following types of complaint:

- Complaints against OPCC staff or volunteers (e.g., Independent Custody Visitors)
- Complaints against the policies and procedures of the OPCC

4.2 You should contact us directly if you wish to make a complaint. You can make a complaint by email, letter or telephone, and our contact details are given at the bottom of this policy. We would prefer this to be in writing so that there is a clear record of the issues you want to raise and the outcome you are seeking. If you are unable to do this, you can either ask someone else to write it down for you, or you can telephone the office, and we will arrange for someone to take down the details of your complaint for you.

4.3 There is no time limit on when you can make a complaint, but it is best to do it as quickly as possible. If there is a significant delay, we may not be able to deal with it as we would have liked as time will have passed, recollections faded, and records may have been destroyed. If there has been a delay in raising your complaint, please explain why you are now raising the issues, which will help us to ascertain what action may still be available to us to resolve the matter.

4.4 There may be occasions where an individual raises a complaint which has already been dealt with through this process. We will not reconsider a repetitious complaint if we are satisfied that due process has been followed.

5. What Happens When a Complaint is Made

5.1 Once we receive your complaint, we will acknowledge it in a timely manner. An initial assessment will be conducted, and if the issues you raise do not fall within our remit, we will let you know, and signpost you to the relevant agency wherever possible. In some circumstances we are required to directly refer your complaint to a specific organisation (such as Avon and Somerset Police), if this is the case, we will let you know.

5.2 Where the complaint is rightly directed at us, we will seek to resolve the matter as soon as possible. We will engage with you to understand what outcomes you are seeking and clearly explain how we may seek to resolve the matter. Examples of action we might take could be correcting an action, putting right a wrong, providing an explanation or an apology to bring the matter to a proportionate conclusion which meets with your satisfaction.

5.3 Following initial assessment, a decision will be made on how to manage it. Some complaints are straightforward to address, and others will be more complex, and more information may be needed to properly understand the issues raised. If your complaint is complex, it may take more time to complete but you will be kept regularly updated throughout and will be provided with a single point of contact for the member of staff handling your complaint.

5.4 Different approaches will be taken for different types of complaints as follows:

5.4.1 Complaints against OPCC staff or volunteers

All members of the OPCC staff and volunteers are required to comply with the OPCC Code of Conduct, which can be found here: NEW-PR001702-Staff-Code-of-Conduct-November-2023.pdf. The Code of Conduct incorporates the seven Nolan Principles to which all members of staff have agreed to adhere.

Complaints about members of OPCC staff or volunteers should be submitted to the Chief of Staff as per our process found here. Either the Chief of Staff or another senior member of staff will conduct the initial assessment and determine who is best placed to handle the complaint. They will also assess whether the complaint is valid as outlined in this policy. A complaint may be determined to be invalid if it is considered vexatious, repetitious or a complaint for which either another process exists or due process has already been exhausted.

If appropriate we will endeavour to resolve the complaint at this initial stage. Complaints handled in this way may be ones where we are able to provide an explanation or additional information to remedy the matter to your satisfaction.

If an immediate resolution is not possible or appropriate, we will consider in detail the complaint matter, speaking to individuals or partners as appropriate. The Chief of Staff may ask a senior member of the OPCC team who has not been involved in the matter to conduct a fact-finding exercise and report back with recommendations. Any complaint investigation will be conducted in collaboration with relevant bodies, as appropriate. We will keep you updated on progress with investigating your complaint, the likely date of conclusion, and endeavour to resolve the matter promptly as far as possible, in most cases within 20 working days. While the complaint is being investigated, if the staff member is working on something that is related to the circumstances of the complaint, it may be necessary to pause this work while the complaint is investigated.

Once concluded, we will provide you with a full explanation of the actions taken and the subsequent conclusion we have come to. We may need to keep some information confidential, but we will share what we can. Although complaints may refer to the conduct or behaviour of a particular member of staff, any issues concerning the employer/employee relationship, including disciplinary action, will be addressed under separate internal procedures, and we may not be able to share details of this with you.

The Chief of Staff's decision is final. There is no route of appeal for this type of complaint.

If your complaint is against the Chief of Staff, you should address it to the Head of HR and Business Services who will assess your complaint and advise on how your complaint will be handled.

5.4.2 Complaints against our policies and procedures

You can complain about one of our policies or procedures, if you feel that its application has caused you a measure of dissatisfaction. You should direct such a complaint in writing as described above, and we will deal with it accordingly. Such a complaint may be delegated by the Chief of Staff to a staff member to address where appropriate.

6. Unacceptable or Unreasonable Complaint Behaviour.

6.1 Complainants have the right to be heard, understood, and respected, and we are committed to ensuring that people can access the complaints system. It is our aim to resolve any complaint swiftly, fairly and in accordance with our organisational values. However, in a small number of cases, people pursue their complaints in a way that is unacceptable. They may behave unacceptably, be unreasonably persistent in their contact, or make unreasonable demands. This could have an impact on the capacity of our office and the wellbeing of our staff. It can also have an impact on the handling and resolution of their complaints.

6.2 All reasonable attempts will be made to explain the outcome of your complaint and how we came to our conclusion. Once this has been provided the OPCC will not seek to engage any further on the matter. Whilst a mutually agreeable outcome is always optimal, we recognise that in some cases, it is simply not achievable. Where persistent iterations of the same complaint are submitted and repeated expressions of dissatisfaction are received, despite a full explanation having been provided, we will assert the position not to provide any further response. This decision is not considered personal in any way but recognises that the process has concluded and all avenues of recourse exhausted.

7. Confidentiality & Support

7.1 All complaints are treated confidentially. We will use the information that you provide us for the purpose of complaint handling and resolution or investigation including sharing information with third parties if it is necessary to deal with your complaint. As a public authority we process your personal data in the exercise of our official authority and/or in performance of a task in the public interest.

7.2 Once the complaint has been reviewed, we may take action that we choose not to share with you, to maintain the individual's rights within their employment contract. We will store information relating to complaints in accordance with our information management policies, and where appropriate we will record complaint information on an individual's HR file. For more information on how we collect and use your personal data, please see our Privacy Notice.

7.3 We are unable to accept anonymous complaints under this policy however any anonymous complaints containing allegations of criminality or serious conduct matters may be considered further by the OPCC Senior Leadership team or passed to the police.

7.4 If you have been a victim of crime then you are entitled to support, please follow the link to find an appropriate support service. Find support – Victim and Witness

Information

7.5 Staff subject to complaints are entitled to support through their workplace representative, a support organisation such as a Union or the Employee Assistance Programme.

Appendix A: Signposting

Where to direct complaints regarding:

Complaints against members of OPCC staff or volunteers	Online: Complaints against OPCC staff or volunteer | OPCC for Avon and Somerset (avonandsomerset-pcc.gov.uk) **By Post:** The Chief of Staff/Human Resources Department The Office of the Police and Crime Commissioner Avon and Somerset Police Headquarters Valley Road Portishead Bristol BS20 8JJ
Complaints against Police Officers below the level of Chief Constable, Police Community Support Officers or Police Staff or Volunteers	**Professional Standards Department, Avon and Somerset Police**
Complaints about policies or procedures of the Avon & Somerset Police	**Professional Standards Department, Avon and Somerset Police**
Operational policing matters	**Professional Standards Department, Avon and Somerset Police**
Matters under consideration of the Courts Service	**HM Courts and Tribunals Service** Complaints procedure - HM Courts & Tribunals Service - GOV.UK (www.gov.uk) **Note:** Once legal proceedings have become active e.g., an arrest warrant has been issued, a summons issued, or a person has been charged; matters are deemed to be sub-judice. Only at the conclusion of the court proceedings could the matter be investigated by the relevant agency. This will also include matters being dealt with in civil proceedings.
Dissatisfaction with matters in your local area, e.g., inconsiderate parking	**Local Authority or Local Policing Team**
Complaints about PCCs, Deputy PCCs or PCC's staff and policies, other than Avon and Somerset	**Via the appropriate OPCC website/complaints procedure**
Complaints about the Avon and Somerset Police and Crime Panel	**Somerset County Council Monitoring Officer** monitoringofficer@Avon and Somerset.gov.uk

For information about how we handle your personal information, please read our privacy notice at: [Privacy Notice | OPCC for Avon and Somerset (avonandsomerset-pcc.gov.uk)]

Accessibility

If it is difficult for you to use this form or this service – for example, if English is not your first language or you have a disability – please contact us by email or by phone on 01278 646188.

If you require any adjustments to support you through the complaints system, please outline these below. For example, if you have a visual impairment, you may require the police or other organisation to provide written responses in larger text.

Policy Statement Information	
Policy Owner (Job Title)	OPCC Chief of Staff
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