



Friday 22 April 2016

Wakefield Town Hall

Complaints Received by the Panel

Item 11

**Emma Duckett
Police and Crime
Panel Officer
01924 305310**

1. Summary

- 1.1 Through the Police Reform and Social Responsibility Act 2011, the West Yorkshire Police and Crime Panel has a duty to record and consider non-criminal complaints made against the Police and Crime Commissioner (PCC) for West Yorkshire and his Deputy.
- 1.2 The table below provides an update on each of the four complaints that are currently being dealt with by the Panel. No new complaints have been recorded since the meeting of the Panel on 11 March 2016.

Substance of Complaint	Status
<p>1. That the PCC failed to conduct a proper investigation and failed to act in accordance with his own procedures</p>	<ul style="list-style-type: none"> • Complaint recorded and referred to the IPCC on 5 March 15. • Letter received from IPCC dated 8 April 15 stating that they will not be investigating the complaint and are returning it to Panel to deal with. • Complainant appealed against the IPCC's decision. • IPCC referred the complaint back to Panel on 23 July 2015 • As agreed at the last full Panel meeting, a Complaints Sub-Panel was arranged to consider the complaint and took place on 21 August. • The Complaints Sub-Panel have requested information and clarification on a number of issues from the Commissioner and intend to meet again in late September/early October to consider the complaint with the response from the Commissioner. • Complaints Sub Panel to meet on 13 November 2015 to consider additional information. • An appeal into the non-recording of an additional element to this complaint will be considered by the full Panel on 13 November. Panel upheld the Complaints Sub Panel's decision. This element is now closed. • Informal resolution proposed by the Complaints Sub Panel and sent to the complainant on 3 December. • Additional clarification sought from the Commissioner around disclosure of documents. Confirmation sent to complainant on 2 February 2016. • Appeal heard on 6 April 2016.
<p>2. That the Commissioner has misconducted himself by making slanderous</p>	<ul style="list-style-type: none"> • Complaint recorded on 23 September. • Complaint then referred to IPCC on 24 September. • IPCC returned complaint to Panel on 15 October.

comments	<ul style="list-style-type: none"> • Detailed rationale requested by Panel of the IPCC in order to better understand the reasons for returning the complaint to Panel. • Complaints Sub Panel deferred consideration of this complaint on 9 December 15 at the request of the complainant. • Complaints Sub Panel met again on 14 January and 19 February. • Further information sought from the PCC and the complainant by 4 March 16. • Informal resolution proposed by Complaints Sub Panel. • Complainant wishes to appeal against the Complaint Sub Panel's proposed informal resolution.
3. The Commissioner presented himself as dealing with your complaint against WYP and disclosed your personal information without permission	<ul style="list-style-type: none"> • Complaint recorded on 6th October. • Further information sought from the complainant. • Complaints Sub Panel to meet to consider this complaint on 9 December 15. Deferred at the request of the complainant. • Proposed informal resolution agreed with the PCC. • Proposed informal resolution to be sent to the complainant 4 March 16. • Complainant wishes to appeal against one element of the proposed informal resolution. • Appeal to be heard on 22 April 16.
4. The Commissioner failed to act in accordance with his own procedures.	<ul style="list-style-type: none"> • Complaint formally agreed with the complainant on 4 March 16. • Complaints Sub Panel to meet to consider the complaint on 26 April 16.

1.3 Members will be aware that the complaint highlighted at section 1 was the subject of an appeal to the full Panel on 6 April 16. The complainant has been notified of the Panel's decision.

1.4 The complaint highlighted at section 3 of the table is the subject of an appeal to the full Panel at its meeting on 22 April 16.

1.5 The complaint highlighted at section 2 of the table wishes to appeal against the Complaints Sub Panel's findings. A date for this appeal is still to be confirmed.

1.6 Members will be aware that there has been a complaint to the Local Government Ombudsman in relation to the way in which the Panel dealt with a complaint about the Police and Crime Commissioner. The Local Government Ombudsman's final decision was provided to the Panel on 31 March 2016. In summary, the Local Government Ombudsman concluded:

"There is no fault in the way the West Yorkshire Police and Crime Panel dealt with Mr X's complaint about the West Yorkshire Police and Crime Commissioner"

1.7 An issue was reported to the Panel on 6 April. A decision on whether to investigate this matter further is currently under review.

2. Recommendation

2.1 That members note the contents of the report.