



Sussex Police & Crime Commissioner

Complaints Policy

Regulations

Police Reform Act 2002
Police Reform & Social Responsibility Act 2011
The Policing & Crime Act 2017
Police (Complaints and Misconduct) Regulations 2020
The Police (Conduct Regulations) 2020
The Police (Performance) Regulations 2020

Guidance

The Independent Office for Police Conduct Statutory Guidance 2020
Home Office Guidance on Conduct, Efficiency and Effectiveness: Statutory Guidance on Professional Standards, Performance and Integrity in Policing 2020.

Definition of a complaint

A complaint is an expression of dissatisfaction with a police force that is expressed by, or on behalf of, a member of the public. It must be made by a person who meets the definition of a complainant and there must be some intention from the complainant to bring their dissatisfaction to the attention of the Local Policing Body. A complaint does not need to be communicated in writing, nor does it need to say explicitly that it is a complaint. It can simply be a statement of dissatisfaction.

Responsibilities

The Sussex Police and Crime Commissioner (PCC) is responsible for holding the Chief Constable of Sussex Police to account for how policing services are delivered in Sussex. She will ensure that the Chief Constable has appropriate processes in place for dealing with complaints and conduct matters.

The Police and Crime Panel have a duty to consider complaints received about the Police & Crime Commissioner.

The PCC is responsible for any complaints or conduct matters involving the Chief Constable of Sussex Police.

The Chief Constable is responsible for holding to account everyone in his/her Force. This includes responsibility for complaints and other matters, including those against senior officers.

The PCC also has a responsibility to manage complaints against the Deputy PCC (if appointed).

The Chief Executive & Monitoring Officer is responsible for dealing with complaint made against officers of the Office of the Sussex Police and Crime Commissioner (OSPCC) and contractors.

If you wish to make a complaint about the Chief Executive, please contact the PCC.

Handling complaints

The PCC takes all complaints and concerns very seriously as the way in which complaints and conduct matters are dealt with has a huge impact on public confidence in the police. The issues raised by complaints and the subsequent trends identified are reported and managed through regular meetings with the Chief Constable and the Force and are therefore valuable for informing the work that can be done to ensure a safer Sussex.

The PCC is committed to:

- a) supporting the goal of the OSPCC to be an organisation that inspires trust and confidence, listens, responds and meets the needs of individuals and communities;
- b) complying with statutory requirements to oversee complaints against the police and handle complaints against the Chief Constable; and
- c) working with the IOPC where required to ensure the effective resolution to complaints.

Under the above legislation, the Commissioner has a number of specific duties in relation to the handling of complaints. The Commissioner will:

- a) comply with legislative or regulatory requirements and associated advice on managing and effectively handling complaints against Sussex Police or the OSPCC to ensure that all forms of complaints are dealt with properly and effectively;
- b) provide clear information and guidance regarding the policies and procedures of the OSPCC for handling complaints received against the Chief Constable, the PCC, the Deputy Commissioner (if appointed) or members of its staff including the Chief Executive and Monitoring Officer and Chief Financial Officer;

- c) ensure that the lessons from such complaints are considered and assessed to inform the development of practice and procedure and the effectiveness of policing in Sussex; and
- d) consider review applications submitted where the Local Policing Body (the PCC) is the relevant review body to assess whether the outcome to the complaint is reasonable and proportionate. Where it is found that the outcome was not reasonable and proportionate, the reviewer will make recommendations to the Appropriate Authority accordingly. The review function will be delegated by the Police & Crime Commissioner to the performance team within the OSPCC.

Implementing the policy

In order that the OSPCC adhere to this complaints policy, the OSPCC together with Sussex Police have set out a procedure for the handling and oversight of complaints.

Human Rights and Equality

In implementing this policy, the OSPCC will ensure that its actions are in accordance with the requirements of the Human Rights Act 1998 and the Convention Rights embodied within it, in order to protect the human rights of complainants, other users of the police services and the OSPCC.