Community Scrutiny Panel

Title: OPFCC Complaints & Reviews

Date: 17 July 2025
Agenda Item No: 09a
Originating Officer: Joanne Head, Governance Manager
CC:

Executive Summary:
In accordance with the Police Reform and Social Responsibility Act 2011 the Police, Fire and Crime Commissioner (Commissioner) has a responsibility in relation to conduct and complaints. The introduction of the Policing and Crime Act 2017 and subsequent complaint and misconduct regulations mandate Commissioners to deal with public complaint appeals now known as reviews.

The Commissioner is the appropriate authority for complaints and conduct matters relating to the Chief Constable only. The Chief Constable is the appropriate authority for any complaints regarding police officers (below the rank of Chief Constable) or police staff conduct whilst carrying out their work/duties under the Direction and Control of the Chief Constable.

Recommendation:
That, the Panel notes the current position in relation the number of complaints received by the Office of the Police, Fire & Crime Commissioner.

1. INTRODUCTION & BACKGROUND

1.1 The Office of the Police, Fire & Crime Commissioner (OPFCC) receives telephone calls and emails from members of the public who wish to make complaints about police officers and/or police staff under the rank of Chief Constable. As this is a matter for the Chief Constable to deal with a process has been developed with the Constabulary to forward such complaints onto the Constabulary's Professional Standards Department, advising the complainant accordingly.

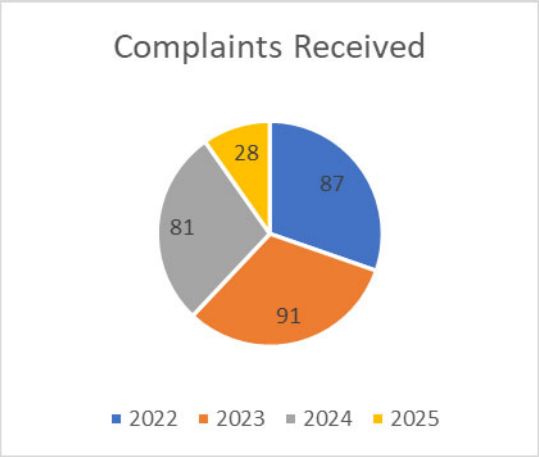
1.2 Some issues which are brought to the attention of the OPFCC do not constitute a complaint but are regarding quality of service issues. Again, a system has been developed with the Constabulary to pass on the issues to the Chief Constable's

Secretariat. The issues are then raised at a local level with the OPCC being kept updated as to progress and advised of either a final solution which has been agreed or a final response which the Commissioner will then send to the author. A separate report is provided to this meeting.

2. ISSUES FOR CONSIDERATION

Complaints received by the OPFCC

2.1 This chart details the number of complaints which have been received by the OPFCC from 1 January to 30 June 2025. Of the 28 received, all were regarding police officers below the rank of Chief Constable; with the remaining complaint about fire staff and as such the Commissioner has no statutory responsibility to deal with these complaints.



2.2 The OPFCC advises the complainant of the correct organisation to make their complaint to and if requested can forward the correspondence to either PSD or Fire on behalf of the complainant.

Commissioner and Deputy Commissioner Complaints

2.3 Complaints made regarding the Commissioner or Deputy Commissioner are dealt with by the Police, Fire and Crime Panel (PFCP). This Panel has statutory responsibility for holding the Commissioner to account for the work that he carries out and they are therefore the logical body to deal with any complaints. The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 details the role of the PFCP.

2.4 Any complaint regarding the Commissioner or Deputy Commissioner is sent to Westmorland and Furness Council's Monitoring Officer to assess and consider its severity. If it does not meet the above criteria an agreed protocol is in place whereby the Monitoring Officer will correspond with the Commissioner/ OPFCC Monitoring Officer to ascertain the circumstances surrounding the complaint and provide the complainant with an explanation. If the complainant is satisfied with the explanation such a complaint would be finalised as an informal resolution.

2.5 If the complaint cannot be dealt with by informal resolution the PCP will then consider the complaint and may decide to establish a subcommittee to consider the findings of the initial investigation of the Monitoring Officer and consider whether to undertake a more detailed investigation.

2.6 Detailed below are the number of complaints regarding the Commissioner, Mr David Allen following his appointment to office in May 2024, whereby the OPFCC has been requested to provide information to the Police, Fire and Crime Panel.

YEAR	N° of Complaints Received	Complaint not about the PFCC / DPFCC	Dealt with by informal resolution	Police, Fire & Crime Panel investigation
2024	0	0	0	0
2025	1			

2.7 There is currently one active complaint against the Commissioner, being dealt with by the Police, Fire and Crime Panel.

Chief Constable Complaints

2.8 The Commissioner is the appropriate authority for complaints and conduct matters relating to the Chief Constable. Members of the public may write to complain about the Chief Constable when in fact they are unhappy about the way in which policing is provided or regarding a policy or procedure rather than his personal conduct.

2.9 Changes in regulations mean that where it is apparent that the complaint is not in relation to the conduct of the Chief Constable and may in fact relate to that of officers below this rank, they are then automatically sent to the Constabulary's Professional Standards Department to deal with the issues raised. This would mean that the complaint is not in fact logged with the OPFCC. During 2024 a complaint regarding retired Chief Constable, Michelle Skeer, was received and referred to the Independent Office of Police Conduct (IOPC).

YEAR	N° of Complaints Received	Not Logged	Logged	Dealt with by NFA	Investigation	PSD to deal with	IOPC Appeal
2020	4	1	3	4	0		0
2021	4	0	4	2			1
2022	2	2	0	0	0	2	0
2023	2	2	0	2	0	2	0
2024	1	0	1	0			
2025	0	0	0	0	0	0	0

2.10 OPFCC Staff Complaints

During the first 6 months of 2025 no formal complaints were received by the OPFCC regarding any member of staff.

2.11 Complaint Reviews

From 1 February 2020, the Local Policing Body became the appropriate authority to deal with complaint reviews relating to cases dealt with as Recorded – No Investigation. The reviews are undertaken by an independent review officer to provide additional independence and transparency to the process.

2.12

OPFCC Review Summary	2023	2024	2025
Reviews Received:	41	49	18
Withdrawn/OPFCC not RRB	6	1	1
Reviews to be completed:	0	0	5
Reviews Upheld:	11 (26.8%)	11 (22%)	4 (22%)
Reviews Not Upheld:	24 (58.5%)	37 (78%)	8 (66%)

2.13 Upon the completion of a review the independent review officer will provide a written determination for the OPFCC Appropriate Authority to consider. This outlines what they have reviewed, taken into consideration and their final decision. A copy is provided to the complainant upon the conclusion of the review.

2.14 Where the review is upheld, the OPFCC Appropriate Authority will provide recommendations for the Constabulary's Appropriate Authority to consider. Within the legislation and statutory guidance, the Appropriate Authority must advise the OPFCC and the complainant within 28 days of whether or not they will carry out the recommendations. The Commissioner, nor the OPFCC, have any authority to direct or instruct the Constabulary to carry these out. However, as the ethos of the complaint review process is to learn and improve, the recommendations are generally accepted and implemented.

2.15 On average complaint reviews take 20-30 days from receipt to finalisation, however this will depend upon the complexity of the matter and staff availability to carry out and administer the review process.

2.16 Review outcomes, particularly those which are upheld, are discussed at the monthly Executive Board (Police) meetings. This ensures that Chief Officers are aware of any trends or issues. The Blue Light Collaboration Manager ensures that any learning identified is taken to the Constabulary's Organisational Board meetings.

3. Implications

3. 1 Financial - with the added statutory responsibility for undertaking complaint reviews there is an additional cost for the independent review officer. This is seen as value for money as they are only paid for the work that they carry out, there are no ancillary costs as there would be if they were an employed member of staff.

3.2 Legal – none identified.

3.3 Risk - None identified, beyond that to the OPFCC's reputation if it does not deal with the issues raised appropriately and proportionately according to the merits of the individual case.

3.4 HR / Equality - none specifically identified.