



Police, Fire and Crime Commissioner for Cumbria

STAFF COMPLAINTS PROCEDURE

Document control

This policy applies to all employees of the Office of the Police, Fire and Crime Commissioner for Cumbria.

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Approved By	Police and Crime Commissioner
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Introduction and Aim

- 1.2 The main purpose of this procedure is to ensure that any complaint is dealt with effectively. It applies only to complaints about the Office of the Police, Fire and Crime Commissioners (OPCC) staff and does not apply to complaints about the Police and Crime Commissioner (the Commissioner).

How to Make a Complaint

- 1.3 Complaints should be submitted in writing or via email where possible, outlining the circumstances of the complaint in as much detail as possible and giving the reasons why you wish to complain.
- 1.4 There is no time limit in making a complaint, however it is best to do so as quickly as possible after the incident occurred. If more than twelve months has passed between the incident and the date when the complaint is made, you should explain the reason for the delay but the OPFCC may determine they are unable to deal with it.
- 1.5 Complaints should be made to
- Deputy Chief Executive, Office of the Police, Fire and Crime Commissioner,
1-2 Carleton Hall, Penrith, Cumbria, CA10 2AU.
Email: commissioner@cumbria-pcc.gov.uk
Tel: 01768 217734
- 1.6 The following types of complaint are excluded from the procedure:
- i) Complaints which amount to a disagreement with a decision of the Police, Fire and Crime Commissioner;
 - ii) Matters which are currently subject of litigation or legal proceedings;
 - iii) Any dispute by staff members concerning their terms and conditions of service as other procedures are available.

The Complaint Process

- 1.7 An acknowledgement will be sent within 5 working days of the complaint being received by the OPFCC. Working days are Monday to Friday inclusive, excluding bank holidays.
- 1.8 If the complaint is not within the remit of the OPFCC you will be informed and advised of the appropriate organisation to direct your complaint to.

How the Complaint Will be Investigated

- 1.9 The Deputy Chief Executive will not necessarily personally investigate the complaint but may delegate the responsibility to another member of staff who has not had any involvement in the matter about which the complaint is being made. The complainant will be advised who their point of contact is and will be provided with written confirmation of the complaint. If it is unclear what the complaint is about then the complainant may be asked to clarify it or provide additional information.

Stage One – Initial Discussion

- 1.10 The Deputy Chief Executive will initially consider all complaints. Where the complaint is about the Chief Executive, it will be considered by another member of the OPFCC Executive Team, who will then delegate the matter to the Deputy Chief Executive to deal with. As complaints can often be resolved quickly through informal discussions, the Deputy Chief Executive, or an officer appointed by them (but not an officer who is subject of the complaint(s)) may contact a complainant to discuss the complaint.

Stage Two – Further Investigation

- 1.11 Where a complainant remains dissatisfied because any or no action has been taken to resolve the complaint, the Deputy Chief Executive will consider whether:
- (a) That in the circumstances no further action should be taken in relation to the complaint and provide a full explanation;
 - (b) That steps should be taken to resolve the complaint and delegate the matter to a member of staff;
 - (c) To personally deal with the matter to resolve the complaint; or
 - (d) That the matter should be formally investigated and appoint an investigator.

Appointing an Investigator

- 1.12 In the event of a matter referred for formal investigation, the Deputy Chief Executive shall appoint a person to investigate the complaint. The investigator may be a member of OPFCC staff or any other person that the Deputy Chief Executive decides to appoint. Depending upon the nature of the complaint in some circumstances it may be necessary to appoint an external investigator such as the Chief Executive of another OPFCC or a Monitoring Officer from a Local Authority.
- 1.13 Some investigations may be dealt with quickly whilst others may require more time. The investigator will look to provide the complainant with an update after 28 days should the matter not be concluded within this timeframe.

Stage Three – Formal Investigation

- 1.14 The investigator shall interview the complainant and such other persons as is considered necessary to establish the facts relating to the complaint. This will include the member of staff about which the complaint is made.
- 1.15 Upon conclusion of their investigation, the investigator will report to the Deputy Chief Executive with a conclusion and recommendations as to any further steps to be taken in response to the complaint.
- 1.16 The Deputy Chief Executive shall consider the report and shall decide what further steps, if any, shall be taken in relation to the complaint and inform the complainant of the outcome and the right of appeal available to them

Appeals Against Final Outcome Decisions

- 1.17 A complainant who is dissatisfied with a decision or action taken by the Deputy Chief Executive in relation to a complaint may appeal to the OPFCC Chief Executive within 10 working days of receipt of the final outcome. Where the complaint relates to the OPFCC Chief Executive the complainant may appeal to the OPFCC Executive Team.
- 1.18 The decision taken on appeal shall be final and the complainant shall be advised of the outcome. There are no further rights of appeal.
- 1.19 The OPFCC may if appropriate ask the Ethics and Integrity Panel to hear appeals relating to the OPFCC Chief Executive to ensure openness and transparency.