

OFFICIAL



**POLICE & CRIME
COMMISSIONER**
for Leicester,
Leicestershire & Rutland
Your Communities - Your Commissioner

OPCC Policy for dealing with staff complaints.

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Policy Owner:	Chief Executive
Role Responsible:	Reviews and Complaints Officer
Senior Manager Review:	Director of Governance and Performance
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Review log

Date	Minor / Major / No change	Section	Author
08 February 2024	First Issue	All	N Chamund

Important

Once you have completed the document, please delete the comment boxes on the right, as these are for guidance in completing the fields above.

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1. Overview

- 1.1. The Office Police and Crime Commissioner for Leicester, Leicestershire and Rutland (the OPCC) is committed to dealing with complaints fairly, thoroughly, impartially and in a timely way. Generally, dealing with a complaint is a straightforward process following established policies and procedures.
- 1.2. The OPCC will always seek to provide a high standard of service for the public for all matters which are within the roles, functions and responsibilities of the Office.
- 1.3. The OPCC's staff are committed to respond with patience and understanding to the needs of all complainants and to seek to resolve their complaints. This includes, where relevant, considering any disability or other protected characteristic under equalities legislation which may make the process more difficult for any particular complainant.
- 1.4. However, there are times when the complainant is not satisfied with the resolution offered by the staff within the OPCC and as such may wish to make a complaint about a member of staff. This policy is designed to:
 - a) reassure the public that any reasonable complaint made about the performance or conduct of a member of OPCC staff will be impartially and thoroughly investigated within an appropriate timescale.
 - b) to ensure that OPCC staff members who are subject to a complaint have adequate rights and safeguards during the course of the investigation of the complaint and any subsequent disciplinary procedures (is appropriate); and
 - c) to ensure that any investigation and conclusions comply with the requirements of natural justice, rules of evidence, human rights and equal opportunities.

2. Scope of the Policy

- 2.1 The OPCC will investigate a complaint in accordance with this policy if it concerns one of the following:
 - i) if you are not satisfied about the level of service provided by a member of the OPCC's staff.
 - ii) if you believe there has been a breach of the Code of Conduct by a member of the OPCC's staff.
- 2.2 This policy and guidance apply to any complaint made in relation to:
 - the level or quality of service in respect of complaints about the PCC, the DPCC, a member of the OPCC's staff or a contractor engaged on behalf of the OPCC;
 - the conduct of a member of the OPCC staff or of a contractor engaged on behalf of the OPCC;
 - complaints in relation to the work of the Volunteers and Panel Members
 - complaints about the conduct of the PCC or any DPCC.
- 2.3 If your complaint relates to a response you have received to a request you have made for access to information, the OPCC will consider your complaint in accordance with the provisions of the Freedom of Information Act 2000.
- 2.4 This policy does not cover the process by which complaints will be investigated. Complaints will always be investigated in line with the complaints process outlined on our website and, in relation to complaints about the Chief Constable, will be dealt with in accordance with the

legislation governing conduct complaints against Police Officers, namely the Police Reform Act 2002 and any associated secondary legislation.

2.5 The following types of complaints are excluded from this policy.

- i) complaints which amount to a disagreement with a decision of the PCC.
- ii) matters which are currently subject of litigation or legal proceedings.
- iii) any dispute by staff members concerning their terms and conditions of service.
- iv) matters which are subject to criminal investigations.

3. Making a complaint

3.1 A complaint is an expression of dissatisfaction by a member of the public. Where possible these should be made in writing in order to aid clarity and avoid misunderstanding. However, if this causes you difficulty (due for example to a disability, difficulty reading and writing or due to a language barrier) then the complaint may be accepted in another format – each case will be considered individually.

3.2 Regardless of how the complaint is made, you will be provided with written acknowledgement of the complaint within 5 working days of receipt by the OPCC, along with the contact details of the person who has been nominated to handle your complaint.

3.3 To assist in the thorough investigation of your complaint, it is important that you provide as much information and detail as possible. For example, you should:

- be specific, wherever possible about exactly what you are alleging was said or done.
- provide the dates of the alleged incidents wherever possible. If you cannot provide exact dates, it is important to give a general timeframe.
- confirm whether there are any witnesses to the alleged conduct and provide their names and contact details if possible.
- provide any relevant background information and/or evidence. If further clarification is requested and not received within 10 working days, the complaint will be closed.

3.4 Complaints related to Operational Policing

All complaints relating to operational policing and about specific Police Officers with the rank of Deputy Chief Constable and below is the responsibility of the Chief Constable.

If you wish to complain about a Leicestershire Police operational policing matter or the conduct of a Police Officer below the rank of Chief Constable, there are several ways to do this as detailed below:

- Via the Leicestershire Police website Complaints; [Complaints | Leicestershire Police \(leics.police.uk\)](https://www.leics.police.uk/complaints)
- By writing to the Professional Standards Department using the following address.
- Professional Standards Department
St John
Enderby
Leicester
LE19 2BX
- E-mail: professional.standards@leics.police.uk
- Telephone 101 and ask for the Professional Standards Department

3.5 **Complaints relating to the Conduct of the Police and Crime Commissioner**

Any complaint that relates to the conduct of the PCC will be considered by the Police and Crime Panel. Should you wish to complain about the PCC, please put your complaint in writing and send it to:

- Monitoring Officer
Lauren Haslam
Director of Law and Governance
Leicestershire County Council
County Hall
Leicester
LE3 8RA
- Email: lauren.haslam@leics.gov.uk

3.6 **Complaints relating to the Conduct of the Chief Constable**

Any complaint that relates to the conduct of the Chief Constable will be handled by the PCC. The PCC is responsible for ascertaining if a complaint relates to an allegation of criminal behaviour. If it does, the OPCC will refer the complaint to the Independent Office of Police Conduct (IOPC) for investigation.

Where a complaint is recorded, the OPCC will provide the complainant with a reference number and a copy of the record of complaint. The Chief Constable will also be informed of the complaint and the recording decision unless to do so;

- May prejudice any criminal investigation; and/or
- Is otherwise contrary to public interest.

Should you wish to complain about the conduct of the Chief Constable please put your complaint in writing and send it to the below address:

- Via the OPCC website; [Complaint about the Chief Constable \(pcc.police.uk\)](http://pcc.police.uk)
- In writing using the following address.

Office of the Police and Crime Commissioner
Leicestershire Police Headquarters
St John
Enderby
Leicester
LE19 2BX

- E-mail: OPCC@leics.pcc.co.uk

3.7 **Complaints about staff or service received from the Office of the Police and Crime Commissioner**

The Chief Executive is responsible for investigating complaints received about the staff and levels of service you have received from the OPCC.

It should be noted that the Chief Executive will not necessarily personally investigate your complaint but may delegate the responsibility to the staff's line manager or another member

of staff who has not had any involvement in the matter about which the complaint is being made.

If you wish to complain about a staff member of the office, you can do this in the following ways:

- in writing to the following address:

Chief Executive
Office of the Police and Crime Commissioner
Leicestershire Police Headquarters
St John
Enderby
Leicester
LE19 2BX

- Email: OPCC@leics.pcc.co.uk

Please ensure that your correspondence is marked for the attention of the Chief Executive.

If the complaint is about the Chief Executive, then this will be investigated by the PCC, who may delegate this responsibility to another member of staff who has not had any involvement in the matter about which the complaint is being made.

If you wish to complain about the Chief Executive, you can do this in the following ways:

- in writing to the following address:

Office of the Police and Crime Commissioner
Leicestershire Police Headquarters
St John
Enderby
Leicester
LE19 2BX

- Email: OPCC@leics.pcc.police.uk

Please ensure that your correspondence is marked for the attention of the PCC.

4. Monitoring

- 4.1 The Chief Executive will closely monitor the implementation of this policy on an on-going basis. No policy or procedure will be published on the OPCC website without compliance with the guidance and legislative requirements. Monitoring will also include gaining feedback from policy / procedure owners and authors and undertaking a formal review annually.

Office Contact details

Office of the Police and Crime Commissioner for Leicestershire
Police Headquarters
St Johns
Enderby
Leicester
LE19 2BX
0116 229 8980

OPCC@leics.police.uk

Agreed:

Date of Review

This policy will be reviewed in April 2025