

Complaints Procedure

- 1.1 Arrangements for dealing with complaints about the Police and Crime Commissioner have been made in accordance with the Police Reform and Social Responsibility Act 2011, the Elected Local Policing Bodies (Complaints and Misconduct Regulations 2012 and the Police and Crime Panels (Application of Local Authority Enactments) Regulations 2012.
- 1.2 These arrangements cover complaints made against the Police and Crime Commissioner and any Deputy Police and Crime Commissioner appointed by him. Complaints against the Police and Crime Commissioner are the responsibility of the Police and Crime Panel for Devon and Cornwall hosted by Plymouth City Council.
- 1.3 Complaints about operational policing matters will be dealt with by the Chief Constable. The Police and Crime Commissioner for Devon and Cornwall has a role in monitoring how the police handle and respond to complaints against Devon and Cornwall police officers and police staff but he is not involved in the investigation of such complaints.
- 1.4 Complaints that indicate that there may have been potential criminal conduct and other serious complaints will be referred to the Independent Police Complaints Commission in accordance with their referral criteria.
- 1.5 The information set out below is the information made available to members of the public about their rights to complain. The following information is available on the PCC website.

1. Complaints Procedure of the Police and Crime Commissioner

- 1.1 In order to provide the best possible service to the public this information has been produced to enable you to make a formal complaint, should you wish to do so, against any of the following: Devon and Cornwall Police, the Police and Crime Commissioner for Devon and Cornwall or his Office.
- 1.2 **Complaint against Devon and Cornwall police officers, police staff and/or policies and procedures**
- 1.3 The Police and Crime Commissioner for Devon and Cornwall has a role in monitoring how the police handle and respond to complaints against Devon and Cornwall police officers and police staff. He is not involved in the investigation of such complaints. Complaints against Devon and Cornwall Police will be forwarded by the Office of the Police and Crime Commissioner to the Professional Standards Department of Devon and Cornwall Police, who will respond to you.

1.4 If you would prefer to forward your complaint directly yourself to Devon and Cornwall Police please use their website at <http://www.devon-cornwall.police.uk/ContactUs/MakeAcomplaint/Pages/default.aspx>

1.5 You also have the right to make a complaint against Devon and Cornwall Police direct to the Independent Police Complaints Commission. Information can be found on the their website at <http://www.ipcc.gov.uk/>

2. **Complaints against the Chief Constable**

2.1 The Police and Crime Commissioner has a statutory duty to consider complaints against the Chief Constable of Devon and Cornwall Police only. If you wish to make a complaint against the Chief Constable of Devon and Cornwall Police you may do so by:

2.1.1 Completing our online form at: <http://www.devonandcornwall-pcc.gov.uk/Feedback/Complaints-Form.aspx>

2.1.2 Writing to The Police and Crime Commissioner, Endeavour House, Pynes Hill, Exeter, EX2 5WH

2.1.3 Phoning 01392 225555

2.2 Please note that the Office of the Police and Crime Commissioner for Devon and Cornwall cannot investigate anonymous complaints. Neither the Police and Crime Commissioner nor his Office will enter into correspondence with individuals who have used foul or abusive language.

3. **Complaint against the Office of the Police and Crime Commissioner for Devon and Cornwall**

3.1 If you wish to make a complaint against the Office of the Police and Crime Commissioner for Devon and Cornwall, a member of their staff (including contractors), its policies or practices, or volunteers working on behalf of the Office of the Police and Crime Commissioner please contact the Chief Executive using any of the above methods.

3.2 If your complaint relates to the Chief Executive you should write directly to the Treasurer using any of the above methods.

4. **Complaints against the Police and Crime Commissioner**

4.1 Complaints against the Police and Crime Commissioner are the responsibility of the Police and Crime Panel (hosted by Plymouth City Council) but will initially be considered by the Chief Executive and should be sent to the Chief Executive using the above methods.

5. **Complaints Procedure of the Chief Constable**

5.1 **Make a complaint**

5.1.1 Devon & Cornwall police are committed to providing the highest possible level of service. However, there may be occasions when you feel dissatisfied with some aspect of the service received, or it may have fallen below the level you would expect, in which case you may wish to make a complaint.

5.1.2 Generally, there are two types of complaint:

5.1.2.1 **Complaints about staff**

Complaints about staff are recorded under the provisions of the Police Reform Act 2002 where the conduct or behaviour of a police officer or police staff member was inappropriate or below expectation. Such complaints fall under the umbrella of the Independent Police Complaints Commission (IPCC)

5.1.2.2 **'Direction & Control' Complaints**

Such complaints are about overall force policies commonly known as 'organisational' complaints. They may include operational policing policies, decisions about police resources, or general policing standards in your area. Whilst they will be recorded, these complaints fall outside the remit of the IPCC.

5.1.3 Unless there are exceptional circumstances, you should make a complaint within 12 months of the alleged incident.

5.2 **How to make a complaint**

5.2.1 There are a number of ways you can make a complaint:

5.2.1.1 Complete the on-line form.

5.2.1.2 Go into any police station.

5.2.1.3 By telephone: 101.

5.2.1.4 Contact any police station or our Headquarters by letter (PSD Department, Devon & Cornwall Constabulary, Middlemoor, Exeter, EX2 7HQ).

5.2.1.5 Contact a body to represent you e.g. Citizens Advice Bureau; Racial Equality Council; Youth Offending Team; Probation Service; or Neighbourhood Warden, all of whom can provide information.

5.2.1.6 Contact a Solicitor or your Member of Parliament.

5.2.1.7 **Contact the IPCC at:**
90 High Holborn, London WC1V 6BH
Telephone 0300 020 0096 (between 9.00am – 5.00pm)
For more information visit
<http://www.ipcc.gov.uk/complaints>

5.3 **What will happen to your complaint?**

5.3.1 Your complaint will be considered and a decision made about whether to record it or not (for example, you may not be someone eligible to make a complaint as outlined above), and the type of complaint it is, a 'Complaint about staff' or a 'Direction & Control' complaint.

5.3.2 You will be notified of that decision within 15 working days. If the decision is made not to record your complaint you can appeal the decision to the IPCC who are the final arbitrators.

5.3.3 Most cases will be suitable for resolving or investigation locally by a supervisory officer who will contact you to discuss your complaint. This will probably be a local Sergeant or Inspector.

5.3.4 The more serious complaints or incidents will be dealt with by the force's Professional Standards Department. In certain cases the Professional Standards Department may refer the matter to the IPCC who will decide on the most appropriate mode of investigation.

5.3.5 More information on this and the complaints procedure can be found on the IPCC website: <http://www.ipcc.gov.uk/>

5.3.6 You will be informed of the progress of your complaint at least every 28 days.

5.4 **Complaints Form**

5.4.1 Please click on this [complaint form link](#) to open an on-line complaints form to the Devon & Cornwall police. Please do not use this form in an emergency, but dial 999

5.4.2 You do not have to give us your details, but without them we will not be able to contact you and it may prevent us from being able to properly investigate your complaint.