



## **Complaints against Kent Police policy**

This policy sets out how complaints received by the Office of the Police and Crime Commissioner (OPCC) which relate to the officers/staff, actions, decisions etc. of Kent Police will be handled. This reconciles the need for complaints to be recorded and dealt with correctly under the law by the Appropriate Authority, whilst acknowledging the Police and Crime Commissioner's role as both the elected representative for policing in Kent and recipient of the complaint.

Information on how the public can make a complaint is published on the Commissioner's website, and is supported by this accessible, public-facing policy.

### **Where a complaint is received by the OPCC**

1. Complaints can be received via any method of communication and do not have to be marked as a complaint to be considered as such.
2. When a complaint is received, it will be directed to the appropriate member of OPCC staff for review and classification.
3. The OPCC will send an acknowledgement to the complainant within three working days.
4. If the complaint relates to Kent Police, it will be passed to the Force's Professional Standards Department (PSD) which acts as the Appropriate Authority for complaints. It will be a matter for Kent Police to decide whether to record the complaint or not.
5. The PSD may, at this point, be asked to provide a brief summary of the complaint, including whether:
  - It relates to an on-going issue, or is new?
  - The complainant is known to Kent Police?
  - There are any pertinent issues the OPCC should be aware of (e.g. the person is vulnerable, presents a threat).

### **OPCC contact with the complainant and requirements from the Professional Standards Department**

6. The complainant will be advised that their complaint has been passed to Kent Police; the reason for this<sup>1</sup>; and informed that one of the following actions will be taken:
  - 6.1 If the complaint relates to an on-going matter, the OPCC will determine the frequency of updates, but advise the individual that the process started by the Force must be completed.

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<sup>1</sup> The Commissioner is required by law (Police Reform Act 2002) to pass any complaint that relates to Kent Police to the PSD, acting as the Appropriate Authority.

6.2 If the complaint is new, but in the OPCC's view is not a significant matter of concern, the complainant will be updated at a frequency determined by the OPCC. This may be during the period the complaint is being resolved, or at its conclusion.

6.3 If the complaint is new, but in the OPCC's view is a significant matter of concern, a full briefing on the matter will be requested. The OPCC will advise the complainant that they will be updated regularly.

6.4 Where the complaint relates to a Chief Officer other than the Chief Constable (the Chief Constable is the Appropriate Authority for Chief Officers, and the Commissioner for the Chief Constable), the OPCC will request a full briefing on the matter. The OPCC will advise the complainant that they will be updated regularly.

6.5 Where the complaint relates to issues of potential discrimination, vulnerable victims, or any related matter, the OPCC will request a full briefing on the matter. The OPCC will advise the complainant that they will be updated regularly.

6.6 Where the complaint is of significant concern or interest, the OPCC reserves the right to establish direct contact with the complainant. The OPCC may also require the response be sent to the Commissioner, so it can be issued in their name.

- In such cases, an agreement will be reached with the PSD to ensure any potential complaint investigation is not compromised, especially where there are allegations of misconduct or criminal conduct.

7. The PSD will provide information as required to allow the OPCC to carry out the actions noted above.

### **Mixed complaints**

8. Where the OPCC receives a complaint that involves Kent Police, but also:

- The Chief Constable;
- The Commissioner;
- A member of OPCC staff; or
- Officers from another Force

In the first instance, the OPCC will send an acknowledgement to the complainant.

9. Where there is more than one Appropriate Authority, the OPCC will send a copy of the complaint to each. The complainant will be informed of this.

10. A meeting will then be convened between the relevant bodies where it will be agreed how best to progress the complaint in the interests of the complainant. Discussion will include:

- Whether to consider the parts of the complaint concurrently or consecutively;
- If consecutively, in what order;
- If and how the outcomes of one part of the investigation should be shared;
- Arrangements for updating other bodies involved and the complainant.

**Finalisation of complaints and appeals**

11. When the PSD finalises a complaint, a copy of the Investigating Officer's report or a record of how the matter was locally resolved will be sent to the OPCC as well as the complainant.
12. The complainant will also be advised regarding their right of appeal.
13. The OPCC will write to the complainant, and:
  - confirm the matter has been finalised;
  - ensure they have been advised about the routes of appeal.

*This policy is subject to revision by the Monitoring Officer; it was last reviewed in October 2016*