



Hertfordshire Police Authority Complaints Policy

Document Control Log

Version	Description	Author	Authorised By	Release Date	Review Date
2.0	Final	P. Hinton	A. White	16 th April 2010	16 th April 2011
2.1	Final	P. Hinton	Full Authority	28 th May 2010	28 th May 2011

1 Introduction

Under the Police Act of 1996 the Police Authority has a number of specific duties in relation to the handling of complaints. It has a responsibility to manage complaints it may receive against Chief Officers of the Force, its own Members staff or contractors. The Authority also has a duty to keep itself informed about complaint and discipline matters within its home force. (As set out in section 15 of the Police Reform Act 2002)

2 Purpose of this Document

This document sets out the Authority's policy in relation to the above and is addressed to Members of the Public, Senior Police Officers, Police Authority Members, Staff and Contractors.

3 Risk

If the Authority does not have a policy and procedure that it adheres to in relation to complaints this could have a detrimental impact on the perception that the public and partners have of the Authority and Force. This would impact on the ability to deliver against the strategic priorities.

4 Complaints Policy

Hertfordshire Police Authority will;

- 4.1 Comply with legislative or regulatory requirements and associated advice on managing and effectively handling complaints against the Force or Authority to ensure that all forms of complaints are dealt with properly and effectively.

- 4.2 Provide clear information and guidance regarding the policies and procedures of the Authority for handling complaints received against senior police officers, members of the Authority or its staff including the monitoring Officer and Chief Executive.
- 4.3 Ensure that the lessons from such complaints are considered and assessed to inform the development of practice and procedure and the effectiveness of policing in Hertfordshire.
- 4.4 Promote an open a responsive complaints system that supports the delivery of the National Policing Pledge

5 Policy Principles

Hertfordshire Police Authority in establishing this policy and associated procedures is:

- 5.1 Supporting the Authority's goal to be an organisation that inspires trust and confidence, listens, responds and meets the needs of individuals and communities.
- 5.2 Supporting the delivery of its strategic aims and the National Policing Pledge
- 5.3 Embracing the principles of public life and supporting the proper use of public resources.
- 5.4 Promoting equality and diversity within the Constabulary and the Authority to help eliminate discrimination, and promote equality of opportunity
- 5.5 Complying with the statutory requirements to oversee complaints against the police and handle complaints against chief officers. To intervene in the handling of those complaints where the Authority believes that the response provided by the Constabulary is unsatisfactory.

6 How is this Policy Implemented

In order that its policy regarding complaints is adhered to, the Authority together with the Constabulary, has set out a number of procedures and guidance documents for the recording, handling and oversight of complaints. These documents set out the roles and responsibilities of individuals and organisations within the complaints process:

- 6.1 Hertfordshire Police Authority Complaints Procedure

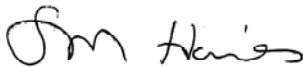
- 6.2 Hertfordshire Police Authority Persistent Complainants Policy and Procedures
- 6.3 Hertfordshire Police Authority Guidance to Members and Staff on Handling Complaints and Complaint Oversight processes

7 Human Rights and Equality

In implementing this policy, the Police Authority will ensure that its actions are in accordance with the requirements of the Human Rights Act 1998 and the Convention Rights embodied within it, in order to protect the human rights of complainants, other users of the police services and the Policy Authority Members and Officers. This policy has been screened and its potential impacts assessed in order to ensure that its provisions comply with the Race Relations Amendment Act 2000, the Disability Discrimination (Amendment) Act 2005 and in addition considered the potential for differential impact on people in the following groups: Faith, Gender, Age, Sexual orientation (see Appendix 1).

8 Freedom of Information Act Assessment

This policy is suitable for access by the General Public
Freedom of Information Officer Signature:



Ratification by Police Authority

Date: 28th May 2010

Equality Impact Assessed

Date: 5th January 2010

Appendix 1 – Equality Impact Assessment

Title of Policy Guidance/ Procedure	Hertfordshire Police Authority Complaints Policy		
Name of Author	Mr RE Toland		
Date of creation/review	5 th January 2010	Version No.	2
PLEASE OUTLINE THE RESULTS OF YOUR IMPACT ASSESSMENT BELOW			
B1	What are the aims and proposed outcomes of your policy guidance/procedure?		
<p>The Police Authority can receive complaints from Members of the Public about a number of aspects of its business. These are listed in the Complaints Policy. The aims of the complaints policy are to:</p> <ul style="list-style-type: none"> • Describe the various types of complaint with which the Authority may become involved. • Provide guidance on the avenues to be adopted for handling different types of complaints, highlighting other Agencies involved in complaints processes and referencing where further detailed information can be found. • Set out a policy for dealing with “persistent” complainants. • Set out a protocol for dealing with complaints against Members and the Monitoring Officer. 			
B2	What research has been undertaken?		
<p>Having set up a new Police Authority Office in December 2005, it quickly became evident that the various policies and procedures for handling complaints, which are largely dictated by statute or regulation were fragmented. This single document repairs that situation.</p>			
B3	What consultation has taken place? <i>(who has been consulted, and by what method?)</i>		
(a)	Internally within the Authority/Constabulary		
<p>Police Authority Members of the former Professional Standards Committee. The full Police Authority for approval of the Persistent Complainants Policy.</p> <p>Constabulary Diversity Unit.</p>			
(b)	Externally		
<p>Hertfordshire County Council which operates a similar Persistent Complainants’ Policy.</p>			

B4	What feedback was received?
<p>This impact assessment is based on that in use by the Constabulary. Hertfordshire County Council kindly provided a copy of their Persistent Complainants' Policy on which we have based the Authority's policy.</p>	
B5	What amendments, if any, have been incorporated into the policy guidance/procedure to reflect that feedback?
<p>Impact assessment incorporated.</p>	
B6	If changes were recommended but <i>not</i> incorporated, what justification is there for this?
<p>N/A</p>	
B7	What monitoring arrangements are to be put in place (or already exist) to monitor the <i>actual</i> impact of this policy guidance/procedure?
<p>Cases of persistent complainants and complaints against Members and the Monitoring Officer will be overseen by the Standards Committee.</p>	
B8	How will this guidance eliminate unlawful discrimination ? <i>Consider and comment on operational, community impact and institutional perspectives</i>
<p>The guidance in itself will do nothing to eliminate unlawful discrimination. However, the policy will be applied in a non-discriminatory way, particularly that concerning persistent complainants. The determination as to whether a complainant has become persistent will be made by the Complaints and Professional Standards Sub-Committee.</p> <p>In relation to this duty, do you consider its potential impact to be HIGH <input type="checkbox"/> MEDIUM <input type="checkbox"/> LOW <input checked="" type="checkbox"/></p>	
B9	How will this guidance promote equality of opportunity ? <i>Consider and comment on professional, individual, organisational and community perspectives</i>
<p>The fair and impartial application of the policy will ensure equality.</p> <p>In relation to this duty, do you consider its potential impact to be HIGH <input type="checkbox"/> MEDIUM <input type="checkbox"/> LOW <input checked="" type="checkbox"/></p>	
B10	How will this guidance promote good relations between people from different groups ? <i>Consider and comment on individual practice, team operation, and organisational functioning perspectives</i>
<p>The guidance will be applied proportionately and in a non-discriminatory way, particularly the policy relating to the treatment of persistent complainants. Additionally, the needs and welfare of staff handling persistent complainants will be taken into account.</p> <p>In relation to this duty, do you consider its potential impact to be HIGH <input type="checkbox"/> MEDIUM <input type="checkbox"/> LOW <input checked="" type="checkbox"/></p>	