



## COMPLAINTS

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<b>Applicable to</b>	Police and Crime Commissioner and all Officers of the Office and Police and Crime Commissioner

## **COMPLAINTS AND COMPLAINT REVIEW PROCEDURE**

The Office of the Police and Crime Commissioner for Merseyside (OPCC) is committed to providing a transparent and professional service to the public at all times. Sometimes however, you may feel we have got something wrong or an aspect of the way we have dealt with you has not been right. If this is the case, you can make a complaint.

We take all complaints seriously and aim to handle them quickly and effectively in a fair and open way.

Please note that the OPCC cannot investigate anonymous complaints (i.e. they must come from a named individual) and all complaints need to be made in writing or submitted by email. If this poses a difficulty for you, please get in touch with our office or ask a friend or relative to contact us on your behalf.

Neither the PCC nor the OPCC will enter into correspondence with individuals who have used foul or abusive language.

The OPCC assumes that you consent to your information being shared with relevant partners for the purpose of complaints investigation, unless you advise otherwise.

### **1. MAKING A COMPLAINT**

This procedure document provides information regarding who has responsibility for the various types of complaint which might arise and where you should address your complaint. It also advises on how the Office of the Police and Crime Commissioner deals with those complaints which fall under its area of responsibility.

### **MATTERS THAT ARE OUTSIDE OF THE POLICY**

Complaints against the following cannot be dealt with by the Office of the Police and Crime Commissioner:

- Police officers below the level of Chief Constable.
- Police Community Support Officers.
- Police staff.
- Police volunteers, including Special Constables.
- Policies or procedures of the police force.
- Operational policing matters.
- Matters under consideration of the Courts Service.
- Dissatisfaction with matters in your local area, e.g. inconsiderate parking.
- PCCs, Deputy PCCs or PCC's staff and policies, other than Merseyside
- The Merseyside Police and Crime Panel.

### **2. COMPLAINTS ABOUT POLICE OFFICERS AND POLICE STAFF**

If you wish to make a complaint against a police officer (other than the Chief Constable) or a member of police staff that works for Merseyside Police, there is a [dedicated section of the Merseyside Police website](#) which includes all the information you need.

If you choose to put your complaint in writing, please try to provide a full account of the incident to:

Merseyside Police,  
Professional Standards Department,  
PO Box 59,  
Liverpool,  
L69 1JD

Alternatively, you can visit the Independent Office for Police Conduct (IOPC) website at [www.policeconduct.gov.uk/](http://www.policeconduct.gov.uk/) or contact them by telephone on 0300 020 0096 (press 1 at prompt), or write to them at:

Independent Office for Police Conduct  
PO Box 473  
Sale  
M33 0BW

Or e-mail [enquiries@policeconduct.gov.uk](mailto:enquiries@policeconduct.gov.uk)

In certain circumstances, the Police and Crime Commissioner is required to refer matters to the IOPC.

The IOPC is completely independent of the police and is responsible for making sure that complaints against the police are dealt with properly. In certain circumstances, you can appeal to the IOPC or the OPCC if you are not satisfied with the way your complaint has been dealt with by the police and where you have been notified of a right of review to one of those bodies.

**The Police and Crime Commissioner does not deal with complaints about police officers and staff who work for Merseyside Police, apart from the Chief Constable.** The Commissioner regularly monitors information about complaints received by Merseyside Police and the lessons learned by the force.

### **3. COMPLAINTS ABOUT THE CHIEF CONSTABLE**

The Police and Crime Commissioner is responsible for recording and investigating complaints against the Chief Constable. In dealing with complaints about the Chief Constable, the Commissioner will follow the [statutory guidance](#) issued by the Independent Police Complaints Commission and in line with the [Police \(Complaints and Conduct\) Regulations 2020](#).

All complaints must be in writing to the Chief Executive at the following address:

#### **Postal Address**

The Office of the Police and Crime Commissioner for Merseyside  
Mather Avenue Training Centre,  
Mather Avenue,  
Allerton,

Liverpool,  
L18 9TG.

**Email Address**

[Info@merseysidepcc.info](mailto:Info@merseysidepcc.info)

**4. COMPLAINTS ABOUT THE POLICE AND CRIME COMMISSIONER (PCC)**

The appropriate authority for complaints made against Police and Crime Commissioners, is the [Police and Crime Panel](#). The Police and Crime Panel are responsible for initial recording of complaints and conduct matters and for referring any complaints which allege criminality to the Independent Office for Police Conduct (IOPC). Where complaints do not allege criminality, the panel is responsible for handling and resolving these complaints.

For more detailed information please see the [Elected Policing Bodies \(Complaints and Misconduct\) Regulations](#) and the [Home Office Guidance](#).

If you have a complaint about the Police and Crime Commissioner please make your complaint in writing to the Police and Crime Panel at the following address:

**Postal Address**

The Monitoring Officer  
Knowsley MBC  
Host Authority – Merseyside Police and Crime Panel  
Municipal Buildings  
Archway Road  
Huyton  
Knowsley  
L36 9YU

**5. COMPLAINTS ABOUT POLICE AND CRIME COMMISSIONER'S SUPPORT STAFF**

If your complaint is about an individual member of the Police and Crime Commissioner support staff (other than the Chief Executive), please write to or email the Chief Executive at:

**Postal Address**

The Office of the Police and Crime Commissioner for Merseyside  
Mather Avenue Training Centre,  
Mather Avenue,  
Allerton,  
Liverpool,  
L18 9TG.

**Email Address**

[Info@merseysidepcc.info](mailto:Info@merseysidepcc.info)

If your complaint is against the Chief Executive, please write to or email the Police & Crime Commissioner at:

**Postal Address**

The Office of the Police and Crime Commissioner for Merseyside  
Mather Avenue Training Centre,  
Mather Avenue,  
Allerton,  
Liverpool,  
L18 9TG.

**Email Address**

[Info@merseysidepcc.info](mailto:Info@merseysidepcc.info)

**6. COMPLAINTS AGAINST THE CHIEF EXECUTIVE OF THE OFFICE OF THE POLICE AND CRIME COMMISSIONER**

Complaints against the Chief Executive of the OPCC will be dealt with by the PCC. The PCC will investigate the complaint where appropriate to do so, or delegate to an appropriate senior officer. The PCC will aim to respond as soon as possible to advise if the complaint has been recorded and will provide regular updates on any investigation. The PCC will conduct any complaint investigation in collaboration with other relevant bodies.

If your complaint is against the Chief Executive, please write to or email the Police & Crime Commissioner at:

**Postal Address**

The Office of the Police and Crime Commissioner for Merseyside  
Mather Avenue Training Centre,  
Mather Avenue,  
Allerton,  
Liverpool,  
L18 9TG.

**Email Address**

[Info@merseysidepcc.info](mailto:Info@merseysidepcc.info)

**7. COMPLAINTS ABOUT INDEPENDENT CUSTODY VISITORS**

If you wish to complain about the conduct of an Independent Custody Visitor, please contact the Chief Executive either in writing or by email at the following address:

### **Postal Address**

The Office of the Police and Crime Commissioner for Merseyside  
Mather Avenue Training Centre,  
Mather Avenue,  
Allerton,  
Liverpool,  
L18 9TG.

### **Email Address**

[Info@merseysidepcc.info](mailto:Info@merseysidepcc.info)

## **8. GENERAL INFORMATION: THE OFFICE OF THE POLICE AND CRIME COMMISSIONER COMPLAINTS PROCESS**

The Police and Crime Commissioner can consider the following complaints:

- Complaints about the conduct of the Chief Constable;
- Complaints about the conduct of members of staff that work for the Police and Crime Commissioner.

The Commissioner will not be able to consider:

- A matter which is subject to any legal dispute or legal proceedings;
- Abusive, unreasonable or repeated complaints (as defined by the Independent Police and Crime Commission) or anonymous complaints.

The OPCC assumes that you consent to your information being shared with relevant partners for the purpose of complaints investigation, unless you advise otherwise.

However if the complaint is about something or someone over which the Police and Crime Commissioner has no remit, we will advise you of this at the earliest opportunity.

## **9. HOW TO MAKE A COMPLAINT**

It is best to make a complaint as quickly as possible after the incident(s) have occurred.

For complaints which are the responsibility of the Police and Crime Commissioner, we will ensure that your complaint is recorded and given a reference number. We will try to deal with your complaint as quickly as possible and will write to advise you that the matter has been recorded and explain how we intend to deal with or investigate the matter.

Where your complaint takes longer than 28 days to resolve, you will be kept up to date at least monthly with details of the progress of the complaint. Where any investigation is complex and needs information from partner organisations, the investigation may take longer. You will be kept informed regularly (in accordance with relevant legislative requirements) of the progress of your complaint by a method agreed with you, be that e-mail, letter or telephone (followed up in writing if agreed with you). When you are provided with the outcome of your complaint we will also ensure you are aware if there is a right of a reviews in relation to the outcome of your complaint or the way it has been handled.

Complaints should be addressed to the Chief Executive, unless the complaint is against the Chief Executive, in which case you should address your complaint to the Police and Crime Commissioner.

## CONFIDENTIALITY

All complaints are treated confidentially. The OPCC assumes that you consent to your information being shared with partners for the purpose of complaint handling.

The OPCC is unable to deal with anonymous complaints under this policy.

## 10. Complaint Reviews

On 1/2/20 the Home Office introduced new legislation giving Police and Crime Commissioners the responsibility for addressing complaint reviews. If a complainant is dissatisfied with either the way their complaint has been addressed or with the outcome of the complaint process, they can apply to the Police and Crime Commissioner to request a review of their complaint.

If a complainant is provided with a right to review by PSD at the conclusion of the complaint process they can apply for a review using one of the following methods:

- i. a request for a review form can be accessed and downloaded directly from the OPCC website complaints page, completed and returned via email to [complaintreviews@merseysidepcc.info](mailto:complaintreviews@merseysidepcc.info);
- ii. alternatively a completed form can be posted to the Police Complaints Adjudicator, Office of the Police and Crime Commissioner, Mather Avenue Training Centre, Mather Avenue, Allerton, Liverpool. L18 9TG;
- iii. if a complainant is unable to access a form or has a disability that requires reasonable adjustments to be made, a form can be requested by email at the above email address or by telephoning 0151 777 5155/4493 where a form will be posted out.

The Commissioner will not be able to consider:

- A matter which is subject to any legal dispute or legal proceedings
- Abusive, unreasonable or repeated complaints (as defined by the Independent Police and Crime Commission).

If the complaint is about something or someone over which the Police and Crime Commissioner has no remit, we will pass your complaint to the appropriate person/organisation and you will be contacted to advise you that this is the case.

## Equalities

The PCC office aims to handle all complaints fairly and honestly regardless of who makes a complaint. The PCC office treats all members of the community equitably and will not show bias to any particular individual or group. The OPCC endeavours to make its services accessible to everyone. If you have a specific requirement, please contact us to discuss how we can help you.

This policy has been equality impact assessed.

## Data Protection

In May 2018, new data protection legislation came into force which aims to protect people's privacy further. This policy has been revised since the introduction of the new legislation and has been assessed to ensure compliance with GDPR.