ASSOCIATION OF GREATER MANCHESTER AUTHORITIES

POLICE AND CRIME PANEL

DATE: Friday 27 June 2014
TIME: 11.30am
VENUE: Council Chamber, Bolton Town Hall

AGENDA

ANNUAL MEETING

1. APOLOGIES

2. APPOINTMENT OF CHAIR

Members are required to appoint a Chair for 2014/15 from amongst their membership.

3. MEMBERSHIP

To note the membership of the Police and Crime Panel for 2014/15 as follows:

<table>
<thead>
<tr>
<th>District</th>
<th>Member</th>
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<tbody>
<tr>
<td>Bolton</td>
<td>Cliff Morris</td>
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<tr>
<td>Bury</td>
<td>Michael Connolly</td>
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<tr>
<td>Manchester</td>
<td>Richard Leese</td>
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<tr>
<td>Oldham</td>
<td>Jim McMahon</td>
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<td>Rochdale</td>
<td>Richard Farnell</td>
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<tr>
<td>Salford</td>
<td>Ian Stewart</td>
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<td>Stockport</td>
<td>Sue Derbyshire</td>
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<tr>
<td>Tameside</td>
<td>Kieran Quinn</td>
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<tr>
<td>Trafford</td>
<td>Sean Anstee</td>
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<tr>
<td>Wigan</td>
<td>Peter Smith</td>
</tr>
<tr>
<td>Co-opted member</td>
<td>Diane Curry</td>
</tr>
<tr>
<td>Co-opted member</td>
<td>Maqsood Ahmad</td>
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1
4. DECLARATIONS OF INTEREST

To receive declarations of interest in any item for discussion at the meeting. A blank form for declaring interests has been circulated with the agenda. Please ensure that this is returned to the Democratic Services officer at the start of the meeting.

5. MINUTES OF THE POLICE AND CRIME PANEL MEETING - 31 JANUARY 2014 - Attached

To consider the approval of the Minutes of the meeting held on 31 January 2014 as a correct record.

6. FORWARD PLAN 2014/15 - Attached
Report of Jim Taylor, City Director, Salford City Council.

7. REFRESH OF the GREATER MANCHESTER POLICE AND CRIME PLAN FOR 2013 – 2016 - Attached
Report of Tony Lloyd, Police and Crime Commissioner

8. ANNUAL REPORT ON WORK OF THE POLICE AND CRIME LEADS AND STEERING GROUP - Attached
Report of Jim Taylor, City Director, Salford City Council

9. COMPLAINTS AGAINST THE POLICE AND CRIME COMMISSIONER AND OR DEPUTY POLICE AND CRIME COMMISSIONER - Attached
Report of Jim Taylor, City Director, Salford City Council.

10. GREATER MANCHESTER POLICE AND CRIME PANEL COMPLAINTS PROCEDURE - Attached
Report of Jim Taylor, City Director, Salford City Council

D.Hall, AGMA Secretary

Agenda Contact:
Sylvia Welsh/Kerry Bond
Democratic Services Team
GMIST
Tel: 0161 234 3383/3302
Email: sylvia.welsh@agma.gov.uk/k.bond@agma.gov.uk
Police and Crime Panel Meeting on 27 June 2014

Declaration Of Councillors’ Interests in Items Appearing on the Agenda

NAME OF COUNCILLOR ______________________________

<table>
<thead>
<tr>
<th>Minute Item No. / Agenda Item No.</th>
<th>Nature of Interest</th>
<th>Type of Interest</th>
</tr>
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<tbody>
<tr>
<td></td>
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<td>Personal / Prejudicial / Disclosable Pecuniary</td>
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<tr>
<td></td>
<td></td>
<td>Personal / Prejudicial / Disclosable Pecuniary</td>
</tr>
</tbody>
</table>
MEMBERS PRESENT-

BOLTON COUNCIL        Councillor Cliff Morris
BURY COUNCIL           Councillor Mike Connolly
MANCHESTER CC          Councillor Richard Leese
OLDHAM COUNCIL         Councillor Jim McMahon
ROCHDALE MBC           Councillor Colin Lambert
SALFORD CC             Mayor Ian Stewart
STOCKPORT MBC          Councillor Sue Derbyshire
TAMESIDE MBC           Councillor Kieran Quinn
TRAFFORD COUNCIL       Councillor Matthew Colledge
WIGAN COUNCIL          Councillor Peter Smith (in the Chair)

OTHER MEMBERS IN ATTENDANCE

Police and Crime Commissioner       Tony Lloyd
Deputy Police and Crime Commissioner Jim Battle
Chief Constable                   Peter Fahy

OFFICERS IN ATTENDANCE

Howard Bernstein    GMCA Head of Paid Services
Richard Paver       GMCA Treasurer
Rodney Lund         Manchester CC
Sean Harriss        Bolton Council
Mike Kelly          Bury Council
Geoff Little        Manchester CC
Carolyn Wilkins     Oldham Council
Jim Taylor          Rochdale MBC
Ben Dolan           Salford CC
Eamonn Boylan       Stockport MBC
Angela Hardman      Tameside MBC
Theresa Grant       Trafford Council
Donna Hall          Wigan Council
1. **APOLOGIES**

Apologies were received from Steven Pleasant, Diane Curry and Maqsood Ahmad.

2. **DECLARATIONS OF INTEREST**

None were received.

4. **MINUTES OF POLICE AND CRIME PANEL MEETING 29th NOVEMBER 2013**

RESOLVED/-

To approve the Minutes of the meeting of the Police and Crime Panel held on 29 November 2013.

5. **POLICE AND CRIME PRECEPT 2014/15 BUDGET PROPOSALS – LEGAL CONTEXT**

The Panel received a report from Jim Taylor, Lead Chief Executive for Police and Crime detailing the process and context for setting the precept for 2014/15 and requesting that this be taken into account when considering the Police and Crime Commissioner’s proposed precept levels.

The GMCA Treasurer drew Members attention to the timeline and process set out in section 3 of the report and the current position in relation to the Government’s new referendum criteria expected to be announced in a weeks time.

RESOLVED/: 

1. To note the timeframe for considering the precept proposals.

2. To note that the guidance for the Council Tax referendum criteria for Council and Police Authorities has not yet been received and the implications of this.

3. To note the options available to the Panel in considering the proposed precept.

6. **POLICE AND CRIME PRECEPT 2014/15 BUDGET PROPOSALS**


The Police and Crime Commissioner reported that regrettably the Government has not yet announced its referendum criteria therefore the proposed precept is conditional on the criteria to be announced. He confirmed that he had no intention to trigger a referendum as stated in the report and if the criteria establishes a lower threshold than his proposed precept amount then he would look to reduce the precept to the maximum allowed to remain within the
threshold. Alternatively he may consider accepting the freeze grant if it makes more sense to do so.

The Police and Crime Commissioner also drew Members attention to paragraph 1.5 of the report in relation to his budget proposals for 2014-15.

The Police and Crime Commissioner circulated details of amendments to section 3.5.1 Capital Programme and a revised table of figures as follows:-

<table>
<thead>
<tr>
<th></th>
<th>2014/15</th>
<th>2015/16</th>
<th>2016/17</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Capital Programme</strong></td>
<td>27.056</td>
<td>30.970</td>
<td>23.779</td>
</tr>
<tr>
<td><strong>Funded by</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Home Office Capital Grant</td>
<td>5.525</td>
<td>5.525</td>
<td>5.525</td>
</tr>
<tr>
<td>Capital Receipts</td>
<td>0.219</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unsupported Borrowing</td>
<td>11.312</td>
<td>15.445</td>
<td>18.254</td>
</tr>
<tr>
<td>Transformation Programme</td>
<td>10.000</td>
<td>10.000</td>
<td></td>
</tr>
<tr>
<td><strong>Total Funding</strong></td>
<td><strong>27.056</strong></td>
<td><strong>30.970</strong></td>
<td><strong>23.779</strong></td>
</tr>
</tbody>
</table>

He pointed out that the amendments largely reflect much needed investment in IT and required investment in the estate in order to maximise receipts from the rationalisation and disposal of some sites.

**RESOLVED/-**

1. To note that the Police and Crime Commissioner proposes a precept of £154.33 which includes an increase of £5 per band D for 2014/15.

2. To note that the Secretary of State has not yet issued referendum criteria and that in the event of the referendum thresholds establishing a maximum limit less than a £5 increase, the Police and Crime Commissioner proposes to increase the precept by the maximum amount allowable within this threshold.

3. To report to the Police and Crime Commissioner that the Panel supports his proposals and in particular strongly agrees and recommends that any increase in the precept should be less than the threshold which would trigger a referendum.

4. To delegate authority to the Chair of the Panel and Councillor Colin Lambert, Leader with portfolio responsibility for Crime, in consultation with the GMCA Treasurer and Monitoring Officer, to agree the need, if necessary, to reconvene the Panel.

5. To note the latest revenue budget projections and the proposals for achieving a balanced budget in 2014-15.

6. To note the budget assumptions relating to the budgets for 2015/16 and 2016/17 and amendments to the Capital programme reported to the meeting.
7. To note that the Leaders budget scrutiny panel will work collaboratively with the Police and Crime Commissioner to examine the Police budgets throughout the year.

7. FIT FOR THE FUTURE

The Panel received a presentation from Sir Peter Fahy, Chief Constable Greater Manchester Police which outlined the thinking behind the proposed Fit for the Future Programme which looks at the financial, operational and people challenges that GMP faces between 2014-2017 and beyond and would include:

- A dedicated team headed by full time chief officer
- Creation of a local integrated team in line with AGMA PSR process
- Involvement of all key partners in consultation and design process
- Radical overhaul of call handling and crime investigation tactics

The programme looks at whether the organisational culture and structure of GMP are fit for the degree of financial and operational challenges they are faced with, and would integrate more leadership, coordination and facilitation to create an organisational structure which reduces the gap between strategic and front line giving clear lines of accountability and ownership, allowing the force to fully participate in AGMA Public Service Reform process.

A number of concerns were expressed regarding the proposition to extend the remit of individual Superintendents to cover more than one district, with the potential to dilute the experience, capabilities and partnership arrangements in place within communities.

The Chief Constable confirmed that GMP is open to working collaboratively with district councils and other partners, providing opportunities to share information and accommodation, creating better working relationships. He drew particular attention to working with the Public Service Reform Team and the potential to reduce demands by dealing with Troubled Families in a different and more joined up way.

Members expressed concerns in relation to the communication of the proposals and stressed that going forward districts should be closely involved as the work progresses.

The Chief Constable confirmed that decisions on specific proposals have not been made, the work was in the early stages, the first phase has been to establish a ‘Change Team’.

The Police and Crime Commissioner undertook to meet with Leaders individually to discuss the detail of the proposals and the consultation process.

RESOLVED: To receive the presentation and agree that Sean Harriss, Chief Executive portfolio lead for public service reform should be closely involved in the work.
POLICE AND CRIME PANEL – FORWARD PLAN

ANNUAL MEETING

27 JUNE 2014

FORWARD PLAN

1. INTRODUCTION

1.1 This report sets out a possible annual Forward Plan to inform the business of the Police and Crime Panel. It allows for the Panel to meet its statutory functions. It assumes that much of the detailed work to support the Police and Crime Panel and the Police and Crime Commissioner will be undertaken by the Police and Crime Steering Group.

2. RECOMMENDATIONS

2.1 Panel members are invited to note, comment upon and suggest any changes they wish to make on the proposed Forward Plan for the Panel, which is attached to this report.

2.2 If agreed, the Plan will result in three meetings of the Panel per year - normally in January, June and October. Ad hoc meetings may be required to allow consideration of any proposed senior appointments by the PCC and possibly to enable detailed consideration of precept and budget reports.

3. FORWARD PLAN: RULES OF PROCEDURE

3.1 The Panel Arrangements require the Panel to set its own programme, having regard to:

(a) the requirement to properly undertake the functions and responsibilities of the GMPCP as set out in the Police Reform Act;

(b) the priorities defined by the PCC; and

(c) the views of Members and advisers as to the appropriate work to be undertaken.

3.2 The Police Reform Act is quite specific about the functions and responsibilities of the Police and Crime Panel:

- scrutiny of the Commissioner’s Police and Crime Plan
- scrutiny of the Commissioner’s Annual Report
- review of the Commissioner’s proposed senior appointments (to the roles of Chief Executive, Chief Finance Officer and Deputy Commissioner)
• scrutiny, including the right to veto, of the Commissioner’s precept proposals
• review, including the right to veto, the Commissioner’s proposed appointment of the Chief Constable

3.3 The timings for consideration of the precept and any confirmation hearings are set out in Regulations, and in the Panel’s Rules of Procedure. These are reflected as necessary in the draft Forward Plan.

3.4 The Panel is also responsible for ensuring the initial handing and informal resolution of complaints against the PCC. Initial handling and informal resolution of complaints has been delegated by the Panel to the lead Chief Executive, and then to a small sub-committee, chaired by the police and crime portfolio lead. The Forward Plan allows for an annual complaints monitoring report to the Panel.

3.5 Confirmation hearings for any senior appointments (including that of Chief Constable) will be factored into the Forward Plan as required. It may be that ad hoc meetings are required to consider such appointments (dependent on the timing of notification from the PCC). The Rules of Procedure delegate the calling of an ad hoc meeting to the Chair.

3.6 The Panel is also able to review or scrutinise the decisions or actions of the Commissioner in connection with the discharge of his functions. In this context, it is suggested that the Panel consider a mid-year and end-year performance report from the PCC. The latter would be considered alongside the PCCs Annual Report. It is also suggested that the lead Chief Executive monitor the PCCs own Key Decisions, and in liaison with the Chair, police and crime portfolio lead, and the PCC agree those issues that should come to the Panel. Issues brought to the Panel would satisfy two tests: have potentially significant affects on communities living within Greater Manchester, or any matter likely to impact on services or budgets of local authorities.

3.7 The Forward Plan assumes the majority of issues will be considered by the Police and Crime Steering Group. This might include iterative development of the Police and Crime Plan, the development of delivery plans and projects to support the Plan, the development of a PCC commissioning framework etc. A parallel and more detailed Forward Plan is being developed for the Police and Crime Steering Group taking into account wider crime and disorder issues.
## FORWARD PLAN OF KEY DECISIONS
### JUNE 2014 – APRIL 2015

<table>
<thead>
<tr>
<th>ANTICIPATED DATE</th>
<th>KEY DECISION / ITEM OF BUSINESS / CONTACT OFFICER / CONSULTATION DETAILS</th>
</tr>
</thead>
<tbody>
<tr>
<td>June 2014</td>
<td><strong>Annual Report on the work of the Police and Crime Steering Group -2013/14</strong></td>
</tr>
<tr>
<td></td>
<td>Joint report of Jim Taylor, Lead Chief Executive and Councillor Colin Lambert,</td>
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<td></td>
<td>Lead Member, Police and Crime</td>
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<td></td>
<td>Contact officer: Jim Taylor, Lead Chief Executive</td>
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<td></td>
<td><strong>Complaints against the OPCC</strong></td>
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<tr>
<td></td>
<td>Report on behalf of the Police &amp; Crime Panel</td>
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<tr>
<td></td>
<td>Contact officer: Jim Taylor, Lead Chief Executive</td>
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<tr>
<td></td>
<td><strong>Complaints Procedure</strong></td>
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<td></td>
<td>Report on behalf of the Police &amp; Crime Panel</td>
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<td></td>
<td>Contact officer: Jim Taylor, Lead Chief Executive</td>
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<td></td>
<td><strong>Annual Meeting - Forward Plan 2014/15 - Standing Item</strong></td>
</tr>
<tr>
<td>October 2014</td>
<td><strong>OPCC’s Annual Report 2013/14</strong></td>
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</tbody>
</table>
| Report of the PCC  
Contact Officer: Steve Mycio, Interim Chief Executive OPCC |
<table>
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<tbody>
<tr>
<td>Mid-Year Performance Report - OPCC</td>
</tr>
</tbody>
</table>
| Report of the OPCC  
Contact officer: Steve Mycio, Interim Chief Executive, OPCC |
| Mid-Year Performance Report of the Police and Crime Steering Group |
| Joint report of Jim Taylor, Lead Chief Executive and Councillor Colin Lambert, Lead Member, Police and Crime  
Contact officer: Jim Taylor, Lead Chief Executive |
| Police and Crime Panel refresh |
| Report of the OPCC  
Contact officer: Steve Mycio, Interim Chief Executive, OPCC |
<p>| Forward Plan 2014/15 – Standing Item |</p>
<table>
<thead>
<tr>
<th>January 2015</th>
<th>Initial consideration of the Commissioner’s 2015/16- precept proposals</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>Report of the PCC and report of the WLT Chief Executive</td>
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<td></td>
<td>Consideration of the PCCs revenue and capital budget proposals</td>
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<td></td>
<td>Consideration of the PCCs proposed Community Safety Grants</td>
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<td></td>
<td>Scrutiny of the Police and Crime Plan - Panel consideration of any proposed updates / revisions to the Plan (if necessary)</td>
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<tr>
<td></td>
<td>Reports of the PCC</td>
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<td></td>
<td>Contact Officer: Steve Mycio, Interim Chief Executive OPCC</td>
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<tr>
<td></td>
<td>WLT Chief Executive</td>
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<tr>
<td></td>
<td>Forward Plan 2014/15 – Standing Item</td>
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</tbody>
</table>
PURPOSE OF REPORT:

To share with the Panel the proposed approach and draft timetable for undertaking work to refresh the Greater Manchester Police and Crime Plan 2013-2016.

BACKGROUND:

The Commissioner’s first Police and Crime Plan for Greater Manchester was published on 28th March 2013 and took effect from 1st April. Leaders and other stakeholders were consulted widely during the development of the Plan. The feedback received resulted in a number of changes.

After 18 months in office, the Commissioner wants to take the opportunity to review the current Plan, reflecting upon the experience and learning gained since its publication. This refresh will ensure that the Plan’s focus and content are relevant and properly reflect the current challenges and opportunities.

This brief paper outlines the approach and timetable proposed for refreshing the Plan.

DETAIL:

The refresh of the Plan will be informed by two main sources of information.

• Relevant reports, intelligence and other information

  (e.g. the 2013 Greater Manchester Strategy; 2014 Integrated Greater Manchester Assessment; the priorities and focus of the Public Service Reform programme; services, projects and initiatives the Commissioner is prioritising and supporting financially; the police budget settlement; Greater Manchester Police performance trends, risks and projections; the Greater Manchester Police Organisational Assessment; public views; local needs assessments and community safety plans and priorities; information gathered through various calls for evidence).

• The views of key partners and stakeholders

  (e.g. Police and Crime Panel, Police and Crime Steering Group, Police and Crime Leads Group, local authorities, Greater Manchester Police, criminal justice organisations, other partners and stakeholders).
The refresh process will commence in July 2014 and the updated and revised Plan will be presented to the Police and Crime Panel in October 2014. A notional timeline outlining key activities is presented below.

<table>
<thead>
<tr>
<th>Time period</th>
<th>Activities</th>
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<tbody>
<tr>
<td>July and August 2014</td>
<td>Review and analysis of relevant reports, intelligence and other information.</td>
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<tr>
<td>September 2014</td>
<td>Collation and interpretation of views gathered and findings from analysis.</td>
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<tr>
<td></td>
<td>Consultation with Commissioner on implications for the Police and Crime Plan.</td>
</tr>
<tr>
<td></td>
<td>Revisions and additions drafted.</td>
</tr>
<tr>
<td>October 2014</td>
<td>Refreshed Plan presented by the Commissioner to the Police and Crime Panel and feedback invited.</td>
</tr>
<tr>
<td></td>
<td>Refreshed Plan circulated to other partners and stakeholders for comment.</td>
</tr>
<tr>
<td>November 2014</td>
<td>Further revisions made.</td>
</tr>
<tr>
<td>December 2014</td>
<td>Final version of the revised Plan is published online and circulated.</td>
</tr>
</tbody>
</table>

**RECOMMENDATIONS:**

Panel members are invited to:

1. endorse the approach and timetable outlined; and,
2. highlight any further sources of information they feel should be considered as a part of the refresh of the Plan.

**CONTACT OFFICERS:**

Steve Mycio  
Interim Chief Executive, Office of the Police and Crime Commissioner, Greater Manchester  
steve.mycio@gmpcc.org.uk

Samantha Frenz  
Head of Scrutiny and Engagement, Office of the Police and Crime Commissioner, Greater Manchester  
samantha.frenz@gmpcc.org.uk
1. Background

1.1 In line with the forward plan the following report is presented to the Greater Manchester Police and Crime Panel as a summary of work conducted by both the Police and Crime Leads and Steering group meetings for the 2013/2014 period. Together with an indication of its continuing work programme for the 2014/2015 period.

1.2 The Lead Leader and Chief Executive set objectives to be achieved as follows:

- Conduct a review and revise the current Complaints Procedure.
- Conduct a review and revise the current Greater Manchester Police and Crime Structure.
- Establish a work plan of priority areas of work for both the Greater Manchester Police and Crime Leads and Steering Group meetings, ensuring appropriate officer and member engagement in the development and delivery of the priorities, ensuring appropriate progress is made against the priorities.

1.3 In addition to the above objectives the Lead Chief Executive has taken responsibility for dealing with complaints against the PCC’s office in line with the Complaints procedure and the Police Reform Act.

2.0 Complaints

2.1 A revised Complaints Procedure has been written for the Police and Crime Panel, to discharge its duty as detailed in the Police Reform Act regarding complaints against the Police and Crime Commissioner and/or the Deputy Police Crime Commissioner. This is presented to the Greater Manchester Police and Crime Panel in a separate report.

2.2 The handling of complaints against the Police and Crime Commissioner and/or Deputy Police and Crime Commissioner is delegated to the Lead Chief Executive in Greater Manchester for Police and Crime, on behalf of the Greater Manchester Police and Crime Panel. A small number of complaints have been received during the...
2013/2014 period. The current (and revised) complaints procedure requires an annual report detailing complaints reported to the Greater Manchester Police and Crime Panel.

3.0 Greater Manchester Police and Crime Structure

3.1 An objective was set to review the Police and Crime Structure the following had to be achieved:

- Map and understand all the multi-agency meetings taking place on a Greater Manchester level regarding Police & Crime.
- Propose a future GM Police & Crime Structure which is clear in its governance, membership and terms of reference for each meeting.

3.2 The Lead Leader and Chief Executive are the main sponsors of this project, a number of Local Authority Heads of Community Safety; Elected Member Portfolio Holders for Community Safety and the Office of the Police and Crime Commissioner have been involved in the review.

3.3 A short mapping exercise was conducted to understand the current landscape regarding Greater Manchester level meetings taking place that are related to Police and Crime work.

3.4 The mapping exercise identified the following meetings that should become part of a Greater Manchester Police and Crime governance structure:

- Licencing Leads
- DAAT Leads
- Prevent Leads
- ASB Leads
- Domestic Abuse Leads
- YOT Leads

3.5 The following meetings have their own governance structure:

- Transforming Justice and Rehabilitation Executive (and sub groups)
- Local Criminal Justice Board
- AGMA Civil Contingencies Resilience Unit Chief Officer Group
- Operation Phoenix

3.6 A revised terms of reference for the Greater Manchester Police and Crime Leads and Steering Groups has been developed.

3.7 The revised terms of reference will set the overall purpose of both the Greater Manchester Police and Crime Leads and Steering Groups to oversee, drive improvement and share good practice at a Greater
Manchester level. The work of the groups will reflect each district Community Safety Partnership.

3.8 The Police and Crime Steering Group working alongside the Police and Crime Commissioner, set the direction and focus for the Greater Manchester Police and Crime agenda with regard to wider Greater Manchester work. The specific remit of the group is as follows:

- Play a key role in supporting the Police and Crime Panel’s consideration of its statutory responsibilities.
- Provide political and officer leadership on key issues relating to police and crime matters.
- Assist the office of the Police and Crime Commissioner to develop and implement the Greater Manchester Police and Crime Plan.
- Develop an annual work plan and schedule which sets out priority areas of focus for the forthcoming year.
- Oversee and direct the work of the Commission for New Economy in respect of police and crime matters.
- Assist the office of the Police and Crime Commissioner regarding commissioning intentions.
- Ensure a golden thread overview of police and crime issues ensuring connectivity between district Community Safety Partnerships and Greater Manchester level groups, along with other relevant Greater Manchester meetings and structures.
- Ensure a robust governance structure for Greater Manchester police and crime related theme groups.
- Ensure relevant and appropriate, standards and approaches, are shared across Greater Manchester and developed.
- Have an overview of police and crime performance across Greater Manchester, identifying potential collaborative action and key issues for consideration.

3.9 Membership of the meetings will have representation from each local authority area. The membership will include the Office of the Police and Crime Commissioner and other partners who are reflective of district level Community Safety Partnerships.

3.10 Sub Group Meetings will be under the direction of the Greater Manchester Police and Crime Leads and Steering Group meetings

4.0 Greater Manchester Police and Crime Leads and Steering Priorities

4.1 The table below outlines the priority areas of work for the lead officer and lead member.

<table>
<thead>
<tr>
<th>Work Programme area</th>
<th>Area of focus</th>
<th>Lead Officer</th>
<th>Lead Member</th>
</tr>
</thead>
</table>

3
<table>
<thead>
<tr>
<th>Local Alcohol Action Area</th>
<th>Development of a GM strategy for Alcohol</th>
<th>Jim Taylor (Rochdale)</th>
<th>Tameside Member to be requested</th>
</tr>
</thead>
<tbody>
<tr>
<td>Needs Assessment</td>
<td>Development of Strategic Threat Assessments for GM &amp; ten LA areas to inform future commissioning and priorities</td>
<td>Samantha Frenz (GM PCC office) Jeanette Staley (Rochdale) Jayne Stephenson (Trafford) Delivered by the Commission for New Economy</td>
<td>No member allocated</td>
</tr>
<tr>
<td>Community Engagement</td>
<td>Understanding and mapping of Community Engagement, with a view to rolling out good practice</td>
<td>GM PCC Office Paul Whitemoss (Wigan)</td>
<td>Diane Curry (Partners of Prisons) &amp; Maqsood Ahmad (NHS)</td>
</tr>
<tr>
<td>Public Service Reform Transforming - Justice and Rehabilitation</td>
<td>To drive forward and successfully implement the transforming Justice and Rehabilitation Public Service Reform programme</td>
<td>Alison Connelly (GM PCC office) Jennet Peters (GM PSR team) Jim Taylor (Rochdale)</td>
<td>Cllr Sultan Ali (Rochdale)</td>
</tr>
<tr>
<td>GM Police &amp; Crime Structures</td>
<td>To review and develop new meeting structure for GM Police and Crime area of work</td>
<td>Jeanette Staley (Rochdale) Alison Connelly (GM PCC) Nick Maher (Bolton) Paul Whitemoss (Wigan)</td>
<td>Cllr David Lancaster (Salford)</td>
</tr>
<tr>
<td>Domestic Abuse (including Domestic)</td>
<td>To have a minimum standard of service for both</td>
<td>Laura Mercer (GM PCC office) together with the</td>
<td>Cllr Kevin Anderson (Wigan)</td>
</tr>
<tr>
<td>Topic</td>
<td>Description</td>
<td>Participants and Group</td>
<td></td>
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<tr>
<td>Homicide reviews)</td>
<td>victims and perpetrators of Domestic Abuse across GM</td>
<td>Domestic Abuse leads group</td>
<td></td>
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<td></td>
<td>To implement across GM common lessons learnt themes from Domestic Homicide Reviews (DVHR)</td>
<td>Sarah Schofield – DVHRs (Bolton) Don Brown (Salford)</td>
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<tr>
<td>Organised crime – Operation Challenger</td>
<td>To have a consistent multi-agency response across GM to organised crime</td>
<td>Vicky Charles (GMP) Don Brown (Salford)</td>
<td></td>
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<tr>
<td>Travellers Encampments</td>
<td>To have a consistent approach in response to travellers across GM</td>
<td>Rebecca Bryant (Manchester)</td>
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<tr>
<td>Budget issues including governance and European Funding</td>
<td>To develop an understanding of potential future funding opportunities and ensure that any bids are effectively co-ordinated</td>
<td>Fiona Worrall (Manchester) No member allocated</td>
<td></td>
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<tr>
<td>ASB legislation</td>
<td>To have a single set of policies and procedures for the new ASB legislation across GM</td>
<td>David Boulger (Trafford) Lorraine Kenny (Oldham) through the ASB leads group</td>
<td></td>
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<tr>
<td>Prevent Violent Extremism</td>
<td>To share good practice and develop a consistent approach across GM</td>
<td>David Boulger (Trafford) Fiona Worrall (Manchester) Lorraine Kenny (Oldham) through the Prevent Leads</td>
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<tr>
<td>GM Drug and</td>
<td>To explore,</td>
<td>Alison Connelly No member</td>
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</table>
4.2 Areas of the work programme not included in the above are:

- PCC’s commissioning framework—this will be update reports brought from the commissioner’s office to appropriate meetings
- Youth triage, improving access to suitable and settled accommodation and offenders and the work programme - these work programme areas are part of the Transforming Justice and rehabilitation work theme
- Child Sexual Exploitation – Operation Phoenix. This is being led by a GM project group. Police and Crime meetings with receive the updates for consultation and information purposes.

4.3 It has been agreed that this work priority list will be the priority for both 2013/2014 and 2014/2015, and that it will be periodically reviewed and added to.

5.0 Progress against Priorities

5.1 The Transforming Justice and Rehabilitation work theme has been progressing in line with the Greater Manchester’s Public Service Reform agenda. With the OPCC and other partners we have been working to ensure the reforms to the Probation Service are implemented as smoothly as possible. The Probation Service has effectively divided its service. All staff and cases are allocated to the new National Probation Service or the new Community Rehabilitation Company. Currently, the Community Rehabilitation Company arm of the Probation Service is out to tender. The Transforming Justice and Rehabilitation Executive engaged with the potential primes to ensure the Greater Manchester Transforming Justice Public Service Reform programme is prioritised by potential successors. The tender process for the Community Rehabilitation Company closes on 30th June. An announcement is expected in September on the successful bidder (the successful bidder will be notified in August).

5.2 One of the Public Service Reform themes of Transforming Justice is from the roll out of Intensive Community Orders (ICO) across Greater Manchester. This follows a successful pilot that delivered from Manchester for Manchester, Salford and Trafford offenders. These orders are aimed at males aged 18–25 years old and ensure intensive support and enforcement interventions for 12 months in order to rehabilitate the offender. The ICO programme in Greater Manchester
went live at the beginning of June. Bury and Stockport have joined the central Manchester ICO and the remaining boroughs have established their own schemes.

5.3 Greater Manchester was successful in its bid to government to become a Local Alcohol Action Area. The first priority was to develop a draft Greater Manchester Alcohol Strategy. The draft strategy development has been through a number of processes, coordinated by New Economy, which included key leaders of the task and finish group meetings, which engaged with representatives from a large variety of stakeholders, a public consultation for the development of the strategy and a call for evidence.

5.4 The draft Greater Manchester Alcohol Strategy has been being drafted and will be approved in August. The strategy has an overarching purpose to reduce demand and complex dependency through early intervention and prevention. It will seek to achieve the following outcomes:

i. reducing alcohol related crime, anti-social behaviour and domestic abuse;

ii. reducing alcohol related health harms; and

iii. establishing diverse, vibrant and safe night-time economies.

5.5 The strategy is based upon on a number of guiding principles as follows:

- the Alcohol Strategy key activities to be delivered in order to assist the Greater Manchester aim of growth and public sector reform.
- the GM strategy will support local delivery, particularly where this fosters and promotes consistent application of best practice.
- the strategy should take advantage of Greater Manchester’s scale, particularly opportunities to pursue transformational change through lobbying and advocacy activities.

5.6 All Local Authorities are receiving support if required from the Commission for the New Economy in completing Strategic Threats Assessments. Resulting in a revised Greater Manchester Strategic Needs Assessment and will inform the Police and Crime Commissioners Commissioning Framework which will be taken to the Police and Crime Panel later in the year.

5.7 The Police and Crime Leads have been assisting the Operation Phoenix project, with particular input to the disruption and licensing elements of the project. With the support of Baroness Smith, the Lead
Leader for Police and Crime and the Office of the Police and Crime Commissioner were successful in lobbying government to enhance legislation in this area of work. A new clause - 136BA, ‘Power to authorise issue of closure notice: child sex offences in England and Wales’ will be inserted into the Sexual Offences Act 2003.

5.8 Local Authorities are working closely with Greater Manchester Police to enhance multi-agency enforcement activity under the banner of Operation Challenger. Operation Challenger’s vision is to redesign the public service response to organised crime through greater collaboration and integrated working, thereby delivering demand reduction for all agencies and better outcomes for local communities.

5.9 The Anti-Social Behaviour Legislation recently received Royal Assent. Many of the tools and powers will be enacted between now and October 2014. The Anti-Social Behaviour Leads group have developed an implementation plan, to ensure the legislation is applied in a consistent manner across Greater Manchester whilst also allowing for local flexibility.

6.0 Recommendations

6.1 Greater Manchester Police and Crime Panel members are asked to acknowledge the work carried out during the 2013/2014 period.

Background Papers (available upon request)

- Terms of Reference
- Structure Diagram for the Greater Manchester Police and Crime Leads and Steering Group
- Work Plan of the Greater Manchester Police and Crime Leads and Steering Group
Report to: Police and Crime Panel

Report of: Jim Taylor
Chief Executive Lead – Police and Crime

Subject: Complaints against the Police and Crime Commissioner and or Deputy Police and Crime Commissioner

Date: 27th June 2014

1. Background

1.1 In line with Greater Manchester’s Police and Crime Panel forward plan the following report is intended to give Panel Members a summary of complaints received against the Police and Crime Commissioner and the Deputy Police and Crime Commissioner.

1.2 The Panel is required through the Police Reform Act to set out its complaints procedure and the Panels current (and revised) complaints procedure delegates the responsibility for dealing with complaints to the Lead Chief Executive.

1.3 Furthermore the Panel has statutory responsibilities under the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 relating to the recording and determination of complaints against the Police and Crime Commissioner and the Deputy Police and Crime Commissioner

1.4 Finally the current (and revised) complaints procedure states it will produce an annual report of complaints to the Panel.

2.0 Complaints

2.1 Between the 1st of April 2013 and the 31st of March 2014 a total of six complaints were received regarding the conduct of the office of the Police and Crime Commissioner.

2.2 Three of the complaints related to complaints that were originally with either Greater Manchester Police or Greater Manchester Local Authority area Councils , which the complainant had then escalated to the Office of the Police and Crime Commissioner. These complaints were then escalated to the Lead Chief Executive by the complainant.

2.3 Two complaints related to the same matter (but were from different complainants) and concerned the conduct of the Office of the Police and Crime Commissioner.
2.3 In all six cases the Lead Chief Executive found that the Office of the Police and Crime Commissioner acted appropriately and therefore no further action was required.

3.0 Lessons Learnt

3.1 Having reviewed the complaints for the 2013/2014 financial year it is clear that most of the complaints originate from complaints against either Greater Manchester Police or Greater Manchester Local Authority area Councils and that on many occasions the complainant had not exhausted their right to complain within this organisation before escalating to the Office of the Police and Crime Commissioner.

3.2 Likewise many of the complaints received by the Lead Chief Executive against the Office of the Police and Crime Commissioner are escalated to the Lead Chief Executive without first allowing the Office of the Police and Crime Commissioner an opportunity to respond to the complaint.

3.3 The proposed new complaints procedure for the Greater Manchester Police and Crime Panel (covered as a separate item on the agenda) includes an additional stage in the process to address item 3.2 above.

6.0 Recommendations

6.1 Greater Manchester Police and Crime Panel members are asked to note the information contained in this report.

Background Papers (available upon request)
- Greater Manchester Police and Crime Panel Complaints Procedure
PURPOSE OF REPORT:

To present to the Panel the revised Complaints Procedure for the Panel regarding the conduct of the Police and Crime Commissioner or the Deputy Police and Crime Commissioner.

BACKGROUND:

Section 31 and Schedule 7 of the Police Reform Act and the Complaints Regulations require the provision of a complaints procedure for dealing with complaints against the Police and Crime Commissioner and Deputy Police and Crime Commissioner.

The procedure has now been in place for a year, and the Greater Manchester Lead Chief Executive and Lead Leader requested a review of the procedure in terms of its effectiveness and accessibility.

The revised document introduces an extra stage in the procedure to allow the Office of the Police and Crime Commissioner the opportunity to resolve a complaint in the first instance, and the overall procedure document has been reduced in length. In addition, the document has been rewritten to include the use of more Plain English.

RECOMMENDATIONS:

To note, comment and approve the revised Complaints Procedure for the Greater Manchester Police and Crime Panel with regard to the conduct of the Police and Crime Commissioner or Deputy Police and Crime Commissioner.
Greater Manchester Police & Crime Panel

Procedure for Dealing with Complaints made against the Greater Manchester Police & Crime Commissioner and the Deputy Greater Manchester Police & Crime Commissioner

1. Introduction

1.1 This procedure details the process for dealing with complaints about the conduct of the Greater Manchester Police and Crime Commissioner (PCC) and Deputy Police and Crime Commissioner (DPCC).

1.2 The procedure has been introduced in accordance with Section 31 and Schedule 7 of the Police Reform and Social Responsibility Act 2011 ("the Police Reform Act") and The Elected Local Policing Bodies (Complaints and Misconduct Regulations 2012 ("the Complaints Regulations"). Nothing in this procedure overrules the provisions of those Regulations.

1.3 A flow chart providing an overview of the complaints process can be found at appendix 1.

2. Roles and Responsibilities

2.1 Police and Crime Panels have statutory responsibilities under the Complaints Regulations relating to the recording and determination of complaints against the PCC and DPCC.

2.2 In accordance with Part 2 of the Complaints Regulations, the GM Police and Crime Panel (GMPCP) is responsible for initially handling all complaints against the PCC and DPCC, including all Serious Complaints (as defined by Paragraph 2(6) of Schedule 7 to the Police Reform Act) and Conduct Matters (as defined by Section 31(1)(b) of the Police Reform Act). Any Serious Complaints or Conduct Matters must be referred to the Independent Police Complaints Commission (IPCC).

2.3 Regulation 6 of the Complaints Regulations requires the GMPCP to be responsible for the following non delegable ‘general duties’ in relation to complaints against the PCC and DPCC (referred to in the Complaints Regulations as “Relevant Office Holders”):

   a) To ensure that the GMPCP is kept informed about all matters relating to a Relevant Officer Holder where these are:
      • matters with respect to which any provision of the Complaints Regulations has effect;
• anything which is done under or for the purposes of any such provision; and
• any obligations to act or refrain from acting that have arisen under the Complaints Regulations, but have not yet been complied with or have been contravened.

b) To provide the IPCC and every member of the IPCC’s staff with assistance as reasonably required for the purposes of, or in connection with, the carrying out of any investigation by the IPCC under Regulation 20 of the Complaints Regulations (Investigations by the IPCC itself).

c) To ensure that a person appointed under Regulation 19 of the Complaints Regulations (Investigations managed by the IPCC) to conduct an investigation under the management of the IPCC is given all such assistance and co-operation in the carrying out of that investigation as that person may reasonably require.

2.4 For complaints not being dealt with by the IPCC, the GMPCP can determine these through informal resolution in accordance with the arrangements set out in this procedure.

2.5 The Complaints Regulations and the Police and Crime Panels (Application of Local Authority Enactments) Regulations 2012 enable some responsibilities in relation to the handling of complaints against the PCC and DPCC to be delegated to a Chief Officer of a local authority in the police area. The GMPCP has delegated the functions set out in Parts 2 and 5 of the Complaints Regulations to the Council Director of Salford City Council (who has been appointed by the AGMA Executive Board as the “Lead Chief Officer” in relation to the GMPCP).

2.6 The Lead Chief Officer is the main point of contact for complaints made under the Complaints Regulations and is responsible for recording formal decisions. (For the purposes of this procedure, reference to a “Recorded Complaint” means a Complaint that the GMPCP is obliged under the Complaints Regulations to record by entry into the Recorded Complaints and Conduct Matters Register).

2.7 The GMPCP will retain the responsibility for the overall effectiveness of this procedure and will monitor its implementation on a regular basis.

3. Scope of the Procedure

3.1 This procedure deals with complaints about the conduct of the Greater Manchester Police and Crime Commissioner (“PCC”) or Deputy Police and Crime Commissioner “DPCC”.

3.2 The procedure does not cover:
• Complaints about operational policing matters or the conduct of individual police personnel, which are dealt with by the Chief Constable.
• Complaints about policing policy matters or complaints relating to the conduct of the Chief Constable, which are dealt with by the PCC.
• Serious Complaints and Conduct Matters. Where a formal complaint has been received or the circumstances suggest potential criminal conduct of the PCC or DPCC the matter will be referred to the Independent Police Complaints Commission (IPCC) for determination.

4. Making a complaint under this procedure

4.1 Complaints may be made in writing or by completing the complaint form attached at appendix 3 and returning to the Lead Chief Officer for the GMPCP:

By post: Jim Taylor, Lead Chief Officer for GMPCP,
c/o Jeanette Staley
Rochdale Borough Council
Floor 3, Number One Riverside
Smith Street
Rochdale
OL16 1XU

By e-mail: jeanette.staley@rochdale.gov.uk

4.2 Complaints about the conduct of the PCC or DPCC may also be submitted to the following people or organisations who will pass the complaint on to the Lead Chief Officer within 3 working days to deal with in accordance with the complaints procedure:

• The GMPCP
• The PCC or DPCC
• The Chief Constable of the GMP
• The IPCC

5. Initial Assessment on receipt of a complaint

5.1 The Lead Chief Officer has been delegated responsibility by the GMPCP for the discharge of its statutory functions under Part 2 of the Complaints Regulations. This includes the initial assessment as to whether or not a matter constitutes a complaint which is to be dealt with under the Complaints Regulations.

5.2 On receipt of a complaint about the PCC or DPCC the Lead Chief Officer will acknowledge its receipt and record the complaint.
5.3 Correspondence with a complainant is usually via email, however, formal letters will be sent as an email attachment with a printed copy also sent by post.

5.4 The Complaints Regulations require the Lead Chief Officer to maintain a Recorded Complaints and Conduct Matters Register (“the Register”) – see section 6. Certain complaints are exempt from the requirement to be entered into the Register; however the Lead Chief Officer will keep an informal record of all complaints received.

5.5 The Lead Chief Officer will then establish whether the complaint concerns the conduct of the PCC or the DPCC.

5.6 If the complaint does not relate to the conduct of the PCC or DPCC it will be referred to the appropriate body as referred to in section 3.2 and the file will be closed.

5.7 Where the complaint does relate to the conduct of the PCC or DPCC the complaint will be formally recorded in the Register (unless one of the exemptions apply) and the Lead Chief Officer will assess whether the complaint is a ‘Serious Complaint’ or ‘Conduct Matter’.

5.8 A ‘Serious Complaint’ is a complaint which constitutes or appears to constitute or involve the commission of a criminal offence. Serious Complaints are dealt with by the IPCC to whom the Lead Chief Officer will refer the complaint. The Lead Chief Officer will inform the parties of the decision and close the file.

5.9 A ‘Conduct Matter’ only requires there to be an indication that the PCC or DPCC may have committed a criminal offence. Conduct Matters can arise without a formal complaint having been made. The Chief Lead Officer must refer conduct matters to the IPCC. Following referral of a conduct matter to the IPCC for investigation, the Lead Chief Officer will inform the parties of the decision and close the file.

5.10 Complaints which are neither ‘Serious’ nor a ‘Conduct Matter’ will be dealt with under the following procedures.

5.11 The delegation to the Lead Chief Officer also includes the discharge of the GMPCP’s duties under Regulation 8 of the Complaints Regulations in relation to the preservation of evidence which are set out in detail at section 12.

6. Taking no action on a Recorded Complaint

6.1 If a Recorded Complaint is not one that must be referred to the IPCC, and meets the criteria below, the Lead Chief Officer may handle the complaint in whatever manner he/she thinks fit.

6.2 The types of Recorded Complaint that may be dealt with in this way are:
(a) Where more than twelve months have elapsed since the incident and there is no reason for the delay or injustice would be caused by it;

(b) The matter has already been the subject of a Complaint;

(c) The Complaint is anonymous;

(d) The Complaint is vexatious, habitual, oppressive or otherwise an abuse of the procedures; (see Appendix 2 for the procedure in handling vexatious, habitual complaints).

(e) The complaint is repetitious. A repetitious complaint is one which is substantially the same as a previous complaint, it concerns substantially the same conduct as a previous conduct matter, it contains no fresh allegations which significantly affect the account of the conduct complained of, no fresh evidence (being evidence which was not reasonably available at the time the previous complaint was made is tendered in support of it) and, in respect of the previous complaint or conduct matter, a determination or withdrawal of complaint has been made).

6.3 The Lead Chief Officer must notify the complainant that she/he has decided to handle the Recorded Complaint by taking no further action.

7. Complaints resolution

7.1 Stage one

- Where appropriate, the Office of the PCC will be given the opportunity to respond to complaints received before being considered by the Lead Chief Officer. If the complainant remains dissatisfied with the response at this initial stage, the complaint will be considered by the Lead Chief Officer.

7.2 Stage two

- The Lead Chief Officer will acknowledge the complaint and provide the complainant with information about the next steps to be taken.

- The complainant may be asked to provide further information or detail if required in order for the Lead Chief Officer to properly consider the complaint under the Complaint Regulations.

- A copy of the complaint will be provided to the PCC or DPCC unless the Lead Chief Officer is of the opinion that to do so might prejudice any criminal investigation or pending
proceedings, or would otherwise be contrary to the public interest.

- The Lead Chief Officer will invite written comments from the complainant and PCC or DPCC as soon as practicable. Any comments received will be considered by the Lead Chief Officer in consultation with the Chair of the PCP.

- If the complaint can be resolved at this stage, the Lead Chief Officer will conduct an informal resolution. The decision will be communicated to all parties and the complaint record will be updated and the file closed.

- Wherever possible, the Lead Chief Officer will endeavour to facilitate a satisfactory outcome to a complaint with a view to avoiding, if possible, the application of the informal resolution process under the Complaints Regulations. If it is not possible to secure a satisfactory outcome for the complainant the Lead Chief Officer will refer the complaint to a Sub-Committee of the GMPCP who shall arrange for informal resolution of the complaint in accordance with the arrangements made by the GMPCP.

7.3 Informal Resolution Sub-Committee

- An Informal Resolution of Complaints Sub-Committee of the GMPCP, consisting of 3 Members of the GMPCP, including where possible the AGMA Lead Member for Policing, the Chair or Vice Chair of the GMPCP, and one of the Independent Members of the GMPCP will be appointed by the Lead Chief Officer, to consider the complaint and secure the informal resolution.

- The appointment of the Resolution Sub-Committee will take place after the Lead Chief Officer has consulted the Chair of the GMPCP, who may request that the matter be referred to the full GMPCP.

- The informal resolution will not include a formal investigation of the complaint but documents in relation to the complaint and meetings with the person complained against may be requested.

- In attempting to secure informal resolution of the complaint, the Resolution Sub-Committee will consider whether any further information, clarification or explanation is required and will provide an opportunity for both the complainant and the person complained against to comment on the complaint as soon as is practicable.
• Where the person complained against chooses not to comment on the complaint when invited to do so by the Resolution Sub-Committee, the Resolution Sub-Committee will record this fact in writing.

• Where it appears to the Resolution Sub-Committee that a Recorded Complaint against the PCC or DPCC had in fact already been satisfactorily dealt with at the time it was brought to their notice, the Resolution Sub-Committee may, subject to any further representations, treat it as having been resolved. The Resolution Sub-Committee shall, prior to making a final decision that a complaint has already been resolved, give the complainant and the person complained against an opportunity to comment on the proposed decision.

• The Sub-Committee will consider both written and oral evidence and make an informal resolution. The decision of the Sub-Committee will be communicated to all parties, the complaint record updated and the file closed.

• The Lead Chief Officer or Sub-Committee of the PCP may seek informally to resolve a complaint by securing an apology from the PCC or DPCC to the complainant, either directly or indirectly. The Resolution Sub-Committee will not, however, tender on behalf of the person complained against an apology for his / her conduct unless the person complained against has agreed to issue the apology.

• In exceptional circumstances a complaint may be referred to the PCP as a whole if the Lead Chief Officer is of the opinion that this will lead to a more satisfactory resolution of the complaint.

8. Complaint Outcomes

8.1 There are a number of possible outcomes following a complaint investigation:

• **Complaint not upheld**

  No further action to be taken.

• **Complaint upheld / partially upheld**

  If the complaint can be resolved on the available information, the Lead Chief Officer will conduct an informal resolution. This might mean for example that the complaint is resolved by explaining, clearing up or settling the matter directly with the complainant. The Lead Chief Officer decision will be communicated to all parties, the complaint log will be updated and the file closed.
9. Recording of a Resolution

9.1 The Lead Chief Officer will make a record of the outcome of the complaints procedure as soon as practicable and send a copy of the record to the complainant and the person complained about.

9.2 In accordance with the Complaints Regulations, the Lead Chief Officer will not publish any part of any record unless it has:
- Given the complainant and the person complained about the opportunity to make representations in relation to the proposed publication; and
- Considered any such representation and is of the opinion that publication is in the public interest.

9.3 In cases where a complaint has been upheld by either the Lead Chief Officer or Sub-Committee of a PCP, there are no legal powers to apply formal sanctions other than to provide an opinion on the conduct of the office-holder concerned. The Resolution Sub-Committee shall do this within ten working days of the resolution of the Sub-Committee.

10. Timescales

10.1 Complaints dealt with in accordance with this procedure are subject to the following timescales:

- Acknowledgement of complaint and notification to the PCC or DPCC - within 5 working days of receipt.

- Referral to the Office of the PCC for resolution - within 5 working days of receipt (stage one).

- Consideration of complaint by Office of the PCC – 10 working days.

- Consideration of complaint by Lead Chief Officer in consultation with the Chair of the PCP (stage two) – 15 working days.

10.2 Following consideration of the complaint by the Lead Chief Officer, either:

- The Lead Chief Officer conducts informal resolution and informs all parties – 10 working days, or

- A Sub-Committee of the PCP is convened to conduct an informal resolution and inform all parties – 20 working days.

10.3 The aim is to deal with all complaints within the timescales above; however, there is an element of flexibility depending on the
circumstances of each individual complaint. The complainant will be advised of any anticipated extensions to the specified timescales.

11. Recorded Complaints and Conduct Matter Database

11.1 The Lead Chief Officer is required by the Complaints Regulations to establish and maintain a ‘Recorded Complaints and Conduct Matters Register’ ("the Register"). The register is in the form of an electronic database in which all key details of a complaint are recorded.

11.2 The Lead Chief Officer will record a complaint in the Register unless any of the following exceptions apply, in which case it is not necessary to record the complaint (in whole or part):

(a) if it has been or is currently being dealt with by criminal proceedings (this will normally be the case where the Police have formally charged the person complained about or information alleging an offence has been laid before a magistrates court); or

(b) the complaint has been withdrawn.

11.3 If the Lead Chief Officer does not record a complaint in the Register, the complainant will be notified and provided with the reasons for the decision not to record the complaint and therefore take no action upon it (including whether this relates to the whole or part of the complaint).

12. The GMPCP’s duties to obtain and preserve evidence

12.1 The Lead Chief Officer has been delegated the discharge of the GMPCP’s statutory duties under Regulation 8 of the Complaints Regulations in relation to the preservation of evidence. This means that when a complaint comes to the attention of the Lead Chief Officer, she/he is under a duty to secure that all steps as appropriate are taken for obtaining and preserving evidence in relation to the conduct in question, both initially and from time to time after that. It is not the Lead Chief Officer’s role to investigate matters and it is likely that before taking steps to obtain or preserve evidence the Lead Chief Officer will normally consult the IPCC. The IPCC may also give the Lead Chief Officer, the GMPCP and relevant Office Holders directions for obtaining and preserving evidence.

12.2 Accordingly, the Lead Chief Officer may make formal requests of any of the following persons to take such steps as the Lead Chief Officer considers are expedient or necessary for obtaining and preserving evidence in relation to the conduct in question, both initially and from time to time after that, including requests that
steps are taken concerning the disposition of the property and resources of the PCC’s office (such as its buildings, assets, equipment, supplies, accounts, records, information, electronic data etc. in their widest sense and wherever located) or other persons:

• The PCC and DPCC;
• Any employees of the PCC’s office;
• Any member or employee of a functional body; and
• Any person or organisation having a current or past contractual relationship with the PCC office or its predecessors or in receipt of a grant from such bodies.

12.3 A person given a direction by the Lead Chief Officer under this Procedure shall comply with it in full and shall generally cooperate with the Lead Chief Officer and his or her authorised officers in the discharge of their statutory duties under the Complaints Regulations.

12.4 Such persons shall also permit access and render possession of any such evidence in relation to the conduct complained about to the Lead Chief Officer as is in their possession, custody or control in accordance with the Lead Chief Officer’s instructions.

12.5 The Lead Chief Officer shall inform the GMPCP of any instances where there has been a complete or partial failure by any person or organisation to comply with any request regarding evidence.

12.6 As set out at paragraph 2.3 above, the GMPCP has a non-delegable duty under the Complaints Regulations to ensure that it is kept informed of matters relating to the conduct of the relevant Office Holders. The Lead Chief Officer will therefore submit a report to the GMPCP at its Annual Meeting in June of each year setting out information in relation to the number and nature of complaints made against the PCC and DPCC during the previous financial year.

13. Withdrawal of a complaint

13.1 If the Lead Chief Officer receives a notification that the complainant wishes to withdraw their complaint, signed either by the complainant, their solicitor or another person acting on the complainant’s behalf, the Complaints Regulations will cease to apply to the complaint, subject to the following provisions:

(a) If the Recorded Complaint is with the IPCC, the Lead Chief Officer must notify the IPCC that she/he has recorded the withdrawal of the complaint.
(b) In the case where the IPCC has referred the Recorded Complaint to Lead Chief Officer, she/he must consider whether it is in the public interest for the complaint to be treated as a
Conduct Matter (notwithstanding the complaint’s withdrawal) and shall notify the IPCC accordingly.

13.2 In respect of a Recorded Complaint which has not been notified to the IPCC, the Lead Chief Officer must determine whether it is in the public interest for the complaint to be treated as a Conduct Matter despite the complainant’s withdrawal of it. The Lead Chief Officer shall notify the PCC or DPCC complained about of the recording of a withdrawal of the Recorded Complaint and whether she/he has decided to treat it as a Recorded Conduct Matter notwithstanding, and shall amend the Register accordingly.

13.3 The IPCC, on receiving notification of withdrawal from the Lead Chief Officer of a Recorded Complaint referred to it, shall determine whether it is in the public interest for the complaint to be treated as a Recorded Conduct Matter and notify the Lead Chief Officer, who shall notify the complainant and amend the Register accordingly.

13.4 The Complaints Regulations also contain provisions for contacting the complainant if they indicate they wish to withdraw their Recorded Complaint, but have not signed the withdrawal request.

13.5 If the IPCC refers a matter back to the Lead Chief Officer, it shall be dealt with in accordance with the guidance on Resolution of Complaints.

14. Local Government Ombudsman

14.1 Where all other procedures have been exhausted and the complainant is still not happy about the way their complaint has been handled, they can refer the matter to the Local Government Ombudsman, who can carry out an investigation on their behalf.
Appendix 1

Complaint received by Jeanette Staley on behalf of Lead Chief Officer, Jim Taylor

Complaint acknowledged

Complaint recorded and assessment made

Complaint to be investigated?

Yes

Complaint referred to the Office of the PCC for resolution (Stage one)

Complaint resolved?

Yes

No further action

No

Enquiry undertaken by Jeanette Staley on behalf of Lead Chief Officer, Jim Taylor (stage two)

Complaint upheld

Complainant and Office of the PCC notified of the outcome

Complainant and Office of the PCC notified of the outcome

Complaint referred to the Informal Resolution Sub Committee
Appendix 2

HABITUAL OR VEXATIOUS COMPLAINTS CONCERNING THE GREATER MANCHESTER POLICE AND CRIME COMMISSIONER OR DEPUTY POLICE AND CRIME COMMISSIONER

1. Introduction

1.1 This policy identifies situations where Complainants, either individually or as part of a group, or a group of complainants, might be considered to be “habitual or vexatious” and ways of responding to these situations.

1.2 In this policy the term habitual means “done repeatedly or as a habit”. The term vexatious is recognised in the dictionary of law and means “an action brought for the purpose of annoying the opponent and with no reasonable prospect of success”. This policy is intended to assist in identifying and managing persons who seek to be disruptive through pursuing an unreasonable course of conduct.

1.3 Habitual or vexatious complaints can be a problem for officers and members. The difficulty in handling such complaints is that they are time consuming and wasteful of resources in terms of officer and member time and displace scarce human resources that could otherwise be spent on council priorities. Whilst the Lead Chief Officer for the Greater Manchester Police and Crime Panel will endeavour to process all complaints against the Greater Manchester Police and Crime Commissioner or Deputy Police and Crime Commissioner in accordance with the GMPCP’s Complaints Handling Procedure, there are likely to be occasions when there is nothing further which can reasonably be done to assist or to rectify a real or perceived problem.

2. Habitual or Vexatious Complainants

2.1 For the purpose of this policy, the following definition of habitual or vexatious complainants will be used:

The repeated and/or obsessive pursuit of:

(i) unreasonable complaints and/or unrealistic outcomes; and/or

(ii) reasonable complaints in an unreasonable manner.

2.2 Prior to considering its implementation the Lead Chief Officer will send a copy of this policy to the complainant to give them prior notification of its possible implementation.

2.3 Where complaints continue and have been identified as habitual or vexatious in accordance with the criteria set out in Schedule A below, the Lead Chief Officer will consult with the Chair of the GMPCP to seek
agreement to treat the complaint as habitual or vexatious and for an appropriate course of action to be taken. Schedule B below details the options available for dealing with habitual or vexatious complaints.

2.4 The Lead Chief Officer will notify complainants in writing of the reasons why their complaint has been treated as habitual or vexatious and the action that will be taken. The Lead Chief Officer will also notify the Greater Manchester Police and Crime Commissioner or Deputy Police and Crime Commissioner, as appropriate, that a complainant has been designated as a habitual and vexatious complainant to the GMPCP.

2.5 Once a complainant has been determined to be habitual or vexatious, their status will be kept under review after one year and monitored by the Lead Chief Officer with reports being taken to the GMPCP as required. If a complainant subsequently demonstrates a more reasonable approach then their status will be reviewed.

Schedule A – Criteria for determining habitual or vexatious complainants

Complainants (and/or anyone acting on their behalf) may be deemed to be habitual or vexatious where previous or current contact with them shows that they meet one of the following criteria:

Where complainants:

1) Persist in pursuing a complaint where the procedure for handling complaints has been fully and properly implemented and exhausted.

2) Persistently change the substance of a complaint or frequently raise new issues or seek to prolong contact by frequently raising further concerns or questions whilst the complaint is being addressed. (Care must be taken however not to disregard new issues which are significantly different from the original complaint as they need to be addressed as a separate complaint.)

3) Are repeatedly unwilling to accept documented evidence given as being factual or deny receipt of an adequate response in spite of correspondence specifically answering their questions or do not accept that facts can sometimes be difficult to verify after a long period of time has elapsed.

4) Repeatedly do not clearly identify the precise issues which they wish to complain about despite reasonable efforts to help them specify their concerns and/or where the concerns identified do not fall within the remit of the GMPCP.

5) Regularly focus on a trivial matter to an extent which is out of proportion to its significance and continue to focus on this point. It is
recognised that determining what a trivial matter is can be subjective and careful judgement will be used in applying this criteria.

6) Has threatened or used physical violence towards employees at any time. This will itself cause personal contact with the complainant and/or their representative to be discontinued and the complaint will, therefore, only be continued by written communication. The Lead Chief Officer will determine that any complainant who threatens or uses actual physical violence towards employees will be regarded as a vexatious complainant. The complainant will be informed of this in writing together with notification of how future contact with the complainant will be made.

7) Have in the course of addressing a complaint to the Lead Chief Officer had an excessive number of contacts with the Lead Chief Officer, placing unreasonable demands on officers. A contact may be made in person by telephone, letter or email. Judgment will be used to determine excessive contact taking into account a specific circumstance of each individual case.

8) Have harassed or been verbally abusive on more than one occasion towards officers dealing with complaints. Officers recognise that complainants may sometimes act out of character in times of stress, anxiety or distress and will make reasonable allowances for this. Some complainants may have a mental health disability and there is a need to be sensitive in circumstances of that kind.

9) Are known to have recorded meetings or face to face/telephone conversations without prior knowledge and consent by the parties involved.

10) Make unreasonable demands on the Lead Chief Officer and her/his employees and fail to accept these may be unreasonable, for example insist on an action being taken by the GMPCP which falls outside of its remit.

11) Make unreasonable complaints which impose a significant burden on the human resources of the Lead Chief Officer and where the complaint:

   • clearly does not have any serious purpose or value; or
   • is designed to cause disruption or annoyance; or
   • has the effect of harassing the Lead Chief Executive; or
   • can otherwise fairly be characterised as obsessive or manifestly unreasonable.

12) Make repetitive complaints and allegations which ignore the replies the Lead Chief Officer has supplied in previous correspondence.
Appendix 2

Schedule B – Options for dealing with habitual or vexatious complainants

The options below can be used singularly or in combination depending on the circumstances of the case and whether the complaint is ongoing or completed.

1) A letter to the complainant setting out responsibilities for the parties involved if the Lead Chief Officer is going to assess the complaint. If terms are contravened, consideration will then be given to implementing other action as indicated below.

2) Decline any contact with the complainant, either in person, by telephone, by letter, by email or any combination of these provided that one form of contact is maintained. This may also mean that only one named officer will be nominated to maintain contact and the complainant is notified of this person.

3) Notify the complainant in writing, that the Lead Chief Officer has responded fully to the points raised and has tried to resolve the complaint but there is nothing more to add and continuing contact on the matter will serve no useful purpose. The complainant will also be notified that the correspondence is at an end, advising the complainant that they are being treated as a habitual or vexatious complainant and as such the Lead Chief Officer does not intend to engage in further correspondence dealing with the complaint.
LEAD CHIEF OFFICER

GREATER MANCHESTER POLICE AND CRIME PANEL

COMPLAINT FORM – Alleging a Conduct Matter about the Greater Manchester Police and Crime Commissioner or Deputy Police and Crime Commissioner.

Your details

1. Please provide us with your name and contact details

<table>
<thead>
<tr>
<th>Title:</th>
<th></th>
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<tbody>
<tr>
<td>First Name:</td>
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<td>Surname:</td>
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</tr>
<tr>
<td>Address:</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Telephone Number(s):</th>
<th></th>
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</table>

| Email address:       |                     |

2. The Lead Chief Officer will tell the following people that you have made this complaint:

- the office of the PCC you are complaining about
- any other person whom we consider it necessary to inform to properly investigate your complaint
- The Independent Police Complaints Commission (IPCC) if appropriate

If you have serious concerns about your name and a summary, or details, of your complaint being released, please complete section 6 of this form.
Making your complaint

3. Your complaint will be acknowledged within 5 working days, and the Lead Chief Officer will make an initial assessment as to how to deal with your complaint, and determine whether your complaint must be entered into the Recorded Complaints and Conduct Matters Register. Where your complaint alleges potential criminal conduct of the Greater Manchester Police and Crime Commissioner or Deputy Police and Crime Commissioner, the Lead Chief Officer will refer your complaint to the Independent Police Complaints Commission (IPCC).

4. Please indicate which officer holder your complaint relates to:

| Greater Manchester Police and Crime Commissioner |
| Deputy Greater Manchester Police and Crime Commissioner |

5. Please explain in this section (or on separate sheets) what the office holder has done for you to allege this complaint.

It is important that you provide all the information you wish to have taken into account when the Lead Chief Officer decides whether any action can be taken.

- You should be specific, wherever possible; about exactly what you are alleging the office holder said or did. For instance, instead of writing that you were insulted, you should state what it was they said.
- You should provide the dates of the alleged incidents wherever possible. If you cannot provide exact dates it is important to give a general timeframe.
- You should explain whether there are any witnesses to the alleged conduct and provide their names and contact details if possible.
- You should provide any relevant background information.
Please provide us with details of your complaint. Continue on a separate sheet if there is not enough space on this form.
Only complete this next section if you are requesting that your identity or details of your complaint is kept confidential.

6. In the interests of fairness and natural justice, office holders who are complained about have a right to know who has made the complaint. The GMPCP also believes they have a right to be provided with a summary of the complaint and then further details of it if there is a decision to investigate it or take other action on it.

The Lead Chief Officer will not withhold your identity, or a summary or the details of your complaint, unless you have exceptional reasons why we should do so.

If you think you have such reasons and want the Lead Chief Officer to consider withholding your identity and/or any details of your complaint, either altogether or for some period of time, you must cross out the statement in the box below giving your consent to such disclosure. You must also attach to this form a separate sheet which fully explains what information you want withheld and your reasons for your request to withhold it.

I understand and agree that my name and details of this complaint will be disclosed to the persons mentioned in paragraph 1 above.

If you do request confidentiality and this is not granted, the Lead Chief Officer will usually allow you the option of withdrawing your complaint.

However, it is important to understand that in certain exceptional circumstances where the matter complained about is very serious, the Lead Chief Officer may still proceed with an investigation or other action and disclose your name even if you have expressly asked for your identity to be withheld.

Additional Help

7. Complaints must be submitted in writing. This includes email submissions. However, in line with the requirements of the Disability Discrimination Act 2000, the Lead Chief Officer can make reasonable adjustments to assist you if you have a disability that prevents you from making your complaint in writing.

The Lead Chief Officer can also help if English is not your first language.

If you need any support in completing this form, please let the Lead Chief Officer know as soon as possible who will try to arrange appropriate assistance for you.
Signed………………………………………………………………………

Dated………………………………………………………………………

This form once completed should be sent, along with any supporting documents to:

Jim Taylor, Lead Chief Officer
Greater Manchester Police and Crime Panel
c/o Jeanette Staley
Rochdale Borough Council
Floor 3, Number One Riverside
Smith Street
Rochdale
OL16 1XU

Email: jeanette.staley@rochdale.gov.uk