

Cheshire Police and Crime Panel

Date of meeting: 18 September 2020

Report of: Brian Reed, Head of Governance and Democratic Services

**Subject: Creation of a new Complaints Management Sub Committee
and adoption of revised way of managing complaints**

1. Report Summary

- 1.1 This report makes a number of recommendations which are consistent with the decisions made at a recent meeting of the Complaints Sub Committee. At that meeting the Sub-Committee discussed the Terms of Reference for a new Complaints Management Sub Committee and the adoption of a revised way for managing complaints made against the Police and Crime Commissioner and Deputy (when one is appointed).

2. Recommendations

2.1 The Panel is recommended to:

- (i) Appoint a new Complaints Management Sub Committee with the powers and the Terms of Reference detailed in Appendix I.
- (ii) Determine the number of members on a Complaints Management Sub Committee.
- (iii) Appoint the members of a new Complaints Management Sub Committee.
- (iv) Appoint a Chair and Deputy Chair of a Complaints Management Sub Committee.
- (v) Adopt a new procedure, to be introduced with effect from 1 November 2020, for the management of complaints made against the Police and Crime Commissioner (and Deputy, when appointed), as detailed in Appendix II.
- (vi) Delegate to the Head of Democratic Services and Governance the authority to make such changes to the Panel's Procedure Rules to give effect to the wishes of the Panel in relation to the management of complaints made against the Police and Crime Commissioner

(and Deputy Commissioner, when appointed).

- (vii) Delegate to the Head of Democratic Services and Governance the authority to develop the information that will appear on the Panel's page of the Cheshire East Council website in relation to a revised procedure for managing complaints, and any other incidental changes necessary to give effect to the wishes of the Panel.

- (viii) Abolish the current Complaints Sub Committee.

3. Background

- 3.1 At its meeting on 4th September 2020, the Complaints Sub Committee discussed the creation of a new Sub Committee to manage complaints made against the Police and Crime Commissioner. The Sub Committee also discussed a revised procedure for the management of such complaints. Draft Terms of Reference for a new Sub Committee and a draft complaints procedure, recommended by the Sub Committee can be found in Appendix I and II.
- 3.2 The Complaints Sub Committee discussed the size of a newly created Complaints Management Sub Committee. The Secretariat were asked to develop a number of options for further consideration. Panel members are reminded of the need for sub-committee membership to be proportionate to overall Panel membership. Assuming that the Panel would always wish to see one of the three independent co-opted members on the Sub Committee, options include:
 - (i) **7 Members**, 1 independent co-opted, plus 4 Labour, 1 Conservative and 1 Independent grouped Councillor.
 - (ii) **6 Members**, 1 independent co-opted, plus 4 Labour and 1 Conservative.
 - (iii) **5 Members**, 1 independent co-opted, plus 3 Labour and 1 Conservative.
 - (iv) **4 Members**, 1 independent co-opted, plus 2 Labour and 1 Conservative.
- 3.3 Once the Panel has agreed to the creation of a new Sub – Committee and the introduction of a revised procedure for the management of complaints, it will take a little time to develop information for the Panel's page of the Cheshire East Council website and the associated systems necessary to support a new procedure. LGA guidance is that a flowchart is developed to outline how the complaints system operates. It is therefore recommended that the new procedure is introduced with effect from 1st November 2020.

4. Equality Implications

4.1 There are no equality implications.

5. Financial Considerations

5.1 There are no financial implications to report to the Panel in considering this matter.

6. Contact Information

Contact details for this report are as follows:-

Name:	Brian Reed
Designation:	Head of Governance and Democratic Services
Local Authority:	Cheshire East Council
Tel. No.:	01270 686670
Email:	brian.reed@cheshireeast.gov.uk