

Office of the Police and Crime Commissioner

Complaints Policy

Policy Summary	This document sets out the policy of the OPCC in relation to the handling of complaints .
Version control	2.0
Date implemented	October 2022
Review date	September 2026
Policy owner	Head of Assurance,OPCC

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1.0 Summary

This Policy will provide guidance on how a complaint about those who work for the Office of the Police and Crime Commissioner (OPCC) in Dyfed Powys will be processed.

2.0 Objective

The aim of this procedure is to ensure that there is a set process in place to deal with any complaints received against the OPCC as an organisation e.g., against its policies and procedures or lack of them, and against any member of staff.

3.0 Complaints about the OPCC or about a member of OPCC staff

Who can a complaint be made about?

- A complaint can be made about any member of OPCC staff.
- Complaints can also be made about the OPCC and the way it conducts its business.

Complaints about OPCC staff (other than the Chief Executive) or about the organisation should be in writing and should be sent to the Chief Executive

Complaints against the Chief Executive should also be sent using the contact details above but highlighted for the attention of the PCC. The PCC is the Appropriate Authority for these complaints.

The Commissioner has the option to delegate investigation of the complaint to any person he feels appropriate.

Complaints about the Police and Crime Commissioner (PCC) are dealt with by the Police and Crime Panel (PCP). Any complaints received by the OPCC about the PCC will be sent to the PCP to be progressed in accordance with The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012. Contact details for the Police and Crime Panel are available on their website [Dyfed Powys Police And Crime Panel](#)

4.0 Who can make a complaint?

Complaints about policies, procedures and our service delivery.

A member of the public who

- Was adversely affected ¹by the matter complained about; or
- Someone acting on behalf of someone who was adversely affected by the matter complained about. This can be a family member, friend, legal representative or any other person.
- A young person under 16 years old should not normally need to provide written permission for a parent or guardian to act for them in this way.

Complaints about the conduct of members of staff within the OPCC

¹ A person will be considered to have been adversely affected if they have suffered any form of loss, damage, distress or inconvenience as a result of the matter complained about, if they have been put in danger or otherwise unduly put at risk of being adversely affected.

A member of the public who:

- Claims to be the person in relation to whom the conduct took place,
- Claims to have been adversely affected by the conduct,
- Claims to have witnessed² the conduct,
- Is acting on behalf of someone who satisfies one of the above. This can be a family member, friend, legal representative or any other person.

A young person under 16 years old should not normally need to provide written permission for a parent or guardian to act for them in this way.

5.0 Who can't make a complaint

- A member of the public who has been given the right to a review to the Independent for Police Conduct following a complaint where the Police and Crime Commissioner was the appropriate authority.
- A member of the public who has been advised to seek independent legal advice following a review of a complaint where the Police and Crime Commissioner was the relevant review body in accordance with the IOPC Statutory Guidance on the police complaints system.
- Staff and Officers under the direction and control of the Chief Constable may not use this Policy to complain, they should refer to para 5.7 of the IOPC Statutory Guidelines ³on the police complaints system.
- Staff employed by the Office of the Police and Crime Commissioner for Dyfed Powys should refer all dissatisfactions to their immediate Line Manager or to the Chief Executive.

6.0 How to make a complaint

Complaints can be made using one of the following methods:

Post: Office of the Police and Crime Commissioner Dyfed Powys, Police Headquarters, Llangunnor SA31 2PF

Social Media: Complaints can be made via social media if they are sent by a direct message. We do not scan social media platforms for complaints.

Email: OPCC@dyfed-powys.police.uk

Online: [Dyfed-Powys Police & Crime Commissioner](#)

² A person can be said to be a witness to the conduct if, and only if: They have acquired their knowledge of the conduct in a manner which would make them a witness capable of giving evidence of the conduct in criminal proceedings. They possess or have in their control anything that could be used as admissible evidence in such proceedings.

³ [Statutory guidance on the police complaints system \(policeconduct.gov.uk\)](https://www.policeconduct.gov.uk)

When submitting your complaint please provide the following information:

What is the nature of your complaint

What outcome are you wanting to achieve

Unless there are exceptional circumstances, we ask that you summarise your complaint in no more than 500 words. Keeping complaints concise helps us to understand the key issues quickly and ensure they are considered efficiently and fairly. Complaints drafted with the assistance of artificial intelligence (AI) will be accepted; however, you remain responsible for ensuring that the information submitted is accurate, relevant, and proportionate to the matters being raised.

7.0 Dealing with your complaint

The Appropriate Authority will review the complaint and will decide on the relevant action to take.

The options are:-

- If no performance issue or conduct is identified: No Further Action will be taken.
- The Appropriate Authority will deal with the complaint as Management Action or refer to the relevant line manager as appropriate.
- If the Appropriate Authority considers that the matter cannot be dealt with as Management Action and may be considered to be Misconduct, Gross Misconduct or On Duty Conduct the matter will be referred to the Head of the Force's Professional Standards Department for a formal assessment and possible investigation.
- If an investigation is required, a plan will be drawn up, and actions logged as the investigation progresses. Possible outcomes to a complaint include, but are not restricted to:
- An apology and actions to prevent recurrence
- Individual or/and Organisational learning
- Referring the matter to be dealt with under criminal, disciplinary or performance proceedings in accordance with the Police Staff Council regulations
- Taking no further action

8.0 What we will do

Your complaint will be logged on our systems and an acknowledgement of the complaint will be provided within 5 working days. An opportunity will be provided to discuss any reasonable adjustments if required and to ensure that the complaint is understood.

Depending on the nature of your complaint, we may need to share information with other organisations such as Dyfed Powys Police in order to come to a resolution. Further information can be found in our [privacy notice](#).

We will inform you in writing of the outcome to your complaint as soon as is reasonably practicable. You will be provided with an update on progress with your complaint at least every 28 days. This will be sent to you in the same format you used to contact us unless agreed otherwise.

9.0 Outcome of your complaint

You will receive a letter from the person considering your complaint to inform you of the outcome. We will include an explanation of how the matter has been handled, the actions taken and the findings. If appropriate, it will also include a clear rationale for not taking certain actions.

The outcome of your complaint will be final, there is currently no right to request a review.

10.0 Legal Requirement

Although there is no legal requirement for specific processes to be followed for complaints against the OPCC or its staff as there is for complaints against police forces and their staff, we have aligned this procedure as closely as possible to the Police (Complaints and Misconduct) Regulations 2020 ⁴

11.0 Abuse of the complaints system

The OPCC has adopted the IOPC definitions of these types of complaints as follows.

- Vexatious complaints are without foundation, which is intended, or tends to vex, worry, annoy or embarrass.
- An oppressive complaint is without foundation that is intended or likely to result in burdensome, harsh or wrongful treatment of the person complained against.
- An abuse of the complaints system is where there is or has been a manipulation or misuse of the complaints system to initiate or progress a complaint which, in all the circumstances of the particular case, should not have been made or should not be allowed to continue.
- A complaint is fanciful if no reasonable person could lend any credence to it. It is an objective test. The PCC wants to deal fairly and openly with complaints and ensure that other service users or the PCC staff do not suffer detriment from persons making vexatious, oppressive, abusive or fanciful complaints. The PCC's office may write to any complainants making such complaints to inform them that their complaints will no longer be dealt with and may decide to no longer respond to a complainant fulfilling any of the criteria outlined above.

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

⁴ [The Police \(Complaints and Misconduct\) Regulations 2020 \(legislation.gov.uk\)](#)

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.

12.0 Human Resources

The OPCC does not have its own human resources policies and procedures but utilises those of Dyfed Powys Police and will be supported by the Professional Standards Department if a complaint leads to disciplinary or performance proceedings.

13.0 Training

All line managers will be provided with training on how to deal with complaints

17.0 Accessibility

If it is difficult for you to use this service, for example, if English is not your first language, you have a disability or you would like to make a complaint in Welsh then please contact us on the contact details provided below:

Telephone: 01267 226440

Email: opcc@dyfed-powys.police.uk

If you require any adjustments to support you through the review system, please outline these below. For example, if you have a visual impairment, you may require a written responses in larger text.

If you have any concerns about your information being passed to the police or you require further information about how your data will be handled, please call us on 01267 226440.

For information about how we handle your personal information, please read our privacy notice at: <http://www.dyfedpowys-pcc.org.uk/en/contact-us/access-to-information-we-hold/>.

14.0 Monitoring

The monitoring of this document will be undertaken by the Quality of Service Caseworker who works regularly with police complaints and will keep up to date with any legislative requirements that may require changes to be made.

14.0 IOPC

In some circumstances, complaints and some other issues have to be "*referred*" to the Independent Office for Police Conduct to decide how they should be investigated. If the IOPC decides that the matter must be investigated, it will

decide whether the mode of investigation will be either Local Investigation (carried out by Dyfed Powys Police), Directed Investigation (carried out by Dyfed Powys Wales Police under the control of the IOPC) or an Independent Investigation (carried out by the IOPC itself).

Postal Address: Independent Office for Police Conduct, PO Box 473, Sale, M33 0BW

Telephone: 0300 020 0096

Email: enquiries@policeconduct.gov.uk

16.0 Review Period

This document will be reviewed every 4 years, when changes are identified or required by legislation. The next review date is September 2028.

17.0 Human Rights and Equality

In implementing this policy, the OPCC will ensure that its actions are in accordance with the requirements of the Human Rights Act 1998 and the Convention Rights embodied within it, in order to protect the human rights of complainants, other users of the police services and the OPCC.

18.0 GDPR Assessment

The OPCC will only forward, hold or retain personal information where it is appropriate for it to do so, in line with the OPCC GDPR Policy, Privacy Statement and Retention Policy.

Freedom of Information Act Assessment

This policy is suitable for access by the General Public.