

Report to the Thames Valley Police & Crime Panel

Title: Report of the Thames Valley
Police & Crime Panel
Complaints Sub-Committee

Date: 26 March 2021

Author: Khalid Ahmed, Scrutiny
Officer, Thames Valley Police
& Crime Panel



Background

1. As set out in the Police Reform and Social Responsibility (PRSR) Act 2011, and further explained in the Policing Protocol Order 2011, Police and Crime Panels (PCPs) perform a scrutiny function for PCCs, providing challenge and support, and acting as a critical friend. PCPs are currently responsible for handling non-serious complaints made about a PCC and a Deputy PCC and resolving these through the process for “informal resolution”, as set out in the PRSR Act 2011 and the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012.

2. A Sub-Committee of the Panel discharges this duty on its behalf. The Chairman of the Sub-Committee was Councillor Bill Bendyshe-Brown, who sadly recently passed away on 14 February 2021 and Councillor Andrew McHugh became Chairman on 19 February 2021.

3. It was agreed that the Sub-Committee should submit its report to the Panel on a quarterly basis, when complaints had been considered.

4. It should be noted that the proceedings of meetings where complaints are heard are confidential.

Complaints Received

5. Two complaints made against the Police and Crime Commissioner were considered at a meeting of the Complaints Sub-Committee on 4 December 2020.

6. One of the complaints, after consideration of submissions from the complainant and from the PCC, the Sub-Committee agreed that the complaint did not have any merit.

7. The second complaint, the Sub-Committee after considering the written submissions of the PCC and the complainant, together with the correspondence between the complainant and the PCC, agreed that the complaint be upheld. The Sub-Committee as part of the informal resolution process, requested that the PCC asked to attend a meeting of the Complaints Sub-Committee to explain his actions in relation to this complaint.

8. On 18 December 2020, a meeting of the Complaints Sub-Committee took place in which the PCC was asked a number of questions for clarification for his actions in relation to the upheld complaint of 4 December 2020.

9. The Complaints Sub-Committee, after hearing the explanation given by the PCC, agreed to reaffirm its decision to uphold the complaint.

10. In accordance with the regulations for non- criminal complaints made against the Police and Crime Commissioner contained in the PCP's complaints handling procedure the Sub-Committee agreed the following:

(1) To issue a press release outlining the decision of the Complaints Sub-Committee to uphold a complaint against the Police and Crime Commissioner. In addition a press release will be issued (subject to the wording being agreed by the complainant and the Police and Crime Commissioner), expressing the concerns of the Police and Crime Panel at the Police and Crime Commissioner's continual involvement in matters which fall outside his remit as Police and Crime Commissioner for Thames Valley, and the embarrassment this is bringing to Thames Valley's Police and Crime Panel.

(2) To write to the Association of Police and Crime Commissioners (copying in the relevant Home Office Minister) outlining the concerns the Police and Crime Panel have at the continual involvement of Thames Valley's Police and Crime Commissioner in matters outside his jurisdiction and the failure of him in not utilising the secretarial and officer support at his disposal at the Association when involved in matters which fall within his "non-statutory" role as national PCC lead for Fraud and Cyber Crime.

(3) To write to the Independent Office for Police Conduct, informing them of the decision of the Police and Crime Panel Sub-Committee and the background to the complaint.

11. A Complaints Sub-Committee took place on 29 January 2021 in relation to the upheld complaint of 4 December 2020 to consider comments made by the PCC and the complainant on the draft press release to be issued. At this meeting, the Monitoring Officer for the Police and Crime Panel attended the meeting and advised Members on the press release.

12. After discussion it was agreed that the following press release would be fair and in the public interest to be published:

"A complaint against the Thames Valley's Police and Crime Commissioner has been upheld after a Complaints Sub-Committee hearing.

Thames Valley's Police and Crime Panel's (PCP) Complaints Sub-Committee invited the PCC Anthony Stansfeld to a meeting to explain his actions in relation to an upheld complaint made against him from David Standish and Blair Nimmo of KPMG and their legal advisors DLA Piper UK LLP, in respect of an insolvency matter where Mr Standish and Mr Nimmo are the office holders.

The complaint related to the personal involvement of the PCC in civil matters outside his remit and jurisdiction as PCC for Thames Valley.

The PCP Complaints Sub-Committee noted the robust explanation from the PCC as to why he became involved in the matter, particularly the claim he was acting in his national “non- statutory” role as the Association of PCC (APCC) lead for Fraud and Cyber Crime.

However, the Sub-Committee reaffirmed its decision to uphold the complaint against the PCC as it was found that the he did not have the authority of the APCC to become involved in this matter.

The PCP will be informing the Independent Office for Police Conduct of the PCC’s actions and will also write to the APCC (copying in the relevant Home Office Minister) informing them of his actions.”

13. A Complaints Sub-Committee was held on 19 February 2021 to consider two complaints made against the PCC. After separate consideration of both submissions from the complainants and from the PCC, the Sub-Committee agreed that both complaints did not have any merit.

Recommendation

It is recommended that the Thames Valley Police & Crime Panel note the report which summarised the confidential complaints heard by the Complaints Sub-Committee.