



GREATER MANCHESTER POLICE FIRE AND CRIME PANEL

Date: 22nd July 2021

Subject: Annual record of complaints recorded on behalf of the Greater Manchester Police, Fire and Crime Panel

Report of: Jeanette Staley, Head of Community Safety, Resilience and Neighbourhoods, Salford City Council and Lead support officer to the Greater Manchester Police, Fire and Crime Panel

1 PURPOSE OF REPORT

- 1.1 In line with Panel's forward plan the following report is intended to give panel members a summary of complaints recorded on the Panel complaints record in respect of police and crime matters.
- 1.2. The Panel is required through the Police Reform Act to set out its complaints procedure and the Panels current complaints procedure delegates the responsibility for dealing with complaints to the Lead Greater Manchester Chief Executive for Police, Fire and Crime.
- 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, Fire and Crime Commissioner and or his Deputy (or equivalent).
- 1.4 Finally the current Panel complaints procedure states it will produce an annual report of complaints for consideration by the Greater Manchester Police, Fire and Crime Panel.

2.0 COMPLAINTS

- 2.1 Between the 1st of April 2020 and the 31st of March 2021, 7 complaints were addressed to the Panel regarding the Greater Manchester Mayor or Deputy Mayor in respect of police and crime issues.
- 2.2 3 of these complaints concerned the Greater Manchester Deputy Mayor, 1 of the complaints concerned the Greater Manchester Mayor and 3 complaints concerned both the Greater Manchester Mayor and Greater Manchester Deputy Mayor.
- 2.3 In relation to the 3 complaints concerning the Greater Manchester Deputy Mayor none of the complaints were upheld.

- 2.4 In respect of the complaint concerning the Greater Manchester Mayor, this complainant originally submitted their complaint to the Independent Office for Police Complaints (IOPC) and the IOPC referred it to us for determination. In line with the Greater Manchester Combined Authorities (GMCA) code of conduct this complaint was referred to the GMCA monitoring officer. Upon contacting the complainant outlining the GMCA code of conduct and complaints process, the complainant withdrew their complaint.
- 2.5 In respect of the 3 complaints concerning both the Greater Manchester Mayor and Greater Manchester Deputy Mayor, the position is as follows. 1 of the 3 complaints has not been reviewed as upon receipt of a complaint, it is necessary to gather further information, initially from the complainant, to that end and in line with Police and Crime Panels complaints procedure a complaint form is sent to the complainant requesting that they complete and return this form. This complainant did not return the form and therefore the complaint was closed at this stage but remains on the register as per the Police, Fire and Crime Panels Complaints process.
- 2.6 In respect of the final 2 complaints concerning both the Greater Manchester Mayor and Greater Manchester Deputy Mayor, both of these were initially referred to the IOPC. In line with statutory guidance, the Panels 1st task in relation to any complaint is to determine the nature of the complaint. The determination then dictates a complaint should be handled as follows:
- 1) If it is determined the nature of the complaint is a “serious complaint” or a “conduct matter” it will be referred to the IOPC.
 - 2) If it is determined the nature of the complaint is not a “serious complaint” or a “conduct matter, it will be reviewed by the lead Chief Executive.
- 2.7 In respect of the above for a serious complaint the allegation will constitute or appear to constitute or involve the commission of a criminal offence. For a conduct matter the allegation must contain an indication that the GM Mayor / GM Deputy Mayor may have committed a criminal offence. As further background our legal officer has received guidance from the IOPC which states at the initial stage of determining a complaint and how it should be handled (i.e. referred to IOPC or dealt with locally via the panels complaint procedure), it is not our role to determine whether the allegation should be founded just that there is an allegation which meets the criteria for IOPC referral (i.e. we need to take the allegation on face value.)
- 2.8 In respect of both complaints the IOPC have returned these complaints to be dealt with by the Panel. On both occasions the IOPC commented “*The IOPC has decided that this matter should be returned to you to be dealt with in accordance with Part 4 of the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012. Based on the information provided, we do not feel an investigation by the IOPC is required at this stage. This is because it was not considered that there was any indication that either Mayor Burnham or*

Deputy Mayor Hughes' conduct constituted or involved, or appeared to constitute or involve, the commission of a criminal offence."

- 2.9 Both of these complaints are now being reviewed by officers supporting the Lead Chief Executive for Police, Fire and Crime in order to make recommendations. The outcomes of these complaints will be recorded in the 21/22 annual complaints report submitted to the panel.

3.0 RECOMMENDATIONS

- 3.1 Greater Manchester Police, Fire 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

Contact Officer

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