

Complaints Policy

Document Control

Responsible Dept	Performance & Engagement	Author / Reviewer	Independent Review Manager
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1.0	23.4.2025	23.04.2028	SCO Management Meeting	
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1. Introduction

- 1.1 We, at the Staffordshire Commissioner's Office (SCO), are committed to providing an effective and professional service to the public at all times. We aim to be a learning organisation, and will endeavour to improve our practice on receipt of feedback or following a complaint. This policy will outline to you the circumstances in which you can raise a complaint, how you can do so, and how it will be dealt with.

2. What is a complaint?

- 2.1 A complaint is an expression of dissatisfaction by a member of the public with the service they have received. It may be about the conduct of one or more persons and/or about the policies or procedures of the organisation.

3. When can I direct a complaint to the SCO

- 3.1 We deal with the following types of complaint:
- Complaints against the Chief Constable of Staffordshire Police
 - Complaints against the Chief Fire Officer for Staffordshire Fire and Rescue Service and the Principal Officer Team
 - Complaints against SCO staff or volunteers (e.g. Independent Custody Visitors)

We cannot deal with the following matters:

- Complaints against the Police, Fire & Crime Commissioner or the Deputy Police, Fire & Crime Commissioner (See Section 8)
- Complaints against police officers below the rank of Chief Constable, Police Community Support Officers or Police Staff or Police Volunteers
- Complaints about Chief Constables of forces other than Staffordshire
- Complaints about policies or procedures of Staffordshire Police
- Operational policing matters
- Matters under consideration of the Courts Service
- Dissatisfaction with matters in your local area, e.g. inconsiderate parking
- Complaints about PCCs, Deputy PCCs or PCC's staff and policies, other than Staffordshire
- Complaints about the Staffordshire Police, Fire and Crime Panel
- Complaints arising from dissatisfaction with the outcome of a police complaint review
- Any complaint where we are not the appropriate organisation to deal with it
- Complaints from staff members about other staff members, for which the Fairness at Work Policy should be followed.

- 3.1 There may also be occasions where an individual raises a complaint which has already been dealt with through this process, we will not reconsider a repetitious complaint if due process has been followed.

4. How to make a complaint or request a complaint review

- 4.1 You should contact us directly if you wish to make a complaint. We would prefer this to be in writing, so that there is a clear record of the issues you want to raise and what outcome you are seeking, although if you are unable to do this, you can either ask someone else to write it down for you, or you can telephone the office and we will arrange for someone to take down the details of your complaint for you. Therefore, you can make a complaint by email, letter or telephone, and our contact details are given at the bottom of this policy.
- 4.2 Unless stated elsewhere in this policy (such as complaint reviews), there is no time limit on when you can make a complaint, but it is best to do it as quickly as possible after the incident occurred. If you leave it a long time after the incident to make the complaint, we may not be able to deal with it as time will have passed, recollections faded, and records may have been destroyed in line with retention periods for retaining such information. If a long time has passed (e.g. more than 12 months) please explain why you are now raising the issues, which will help us to ascertain whether we can deal with it.
- 4.3 If you would like to request a review of a police complaint where the SCO has been identified as the review body, which has initially been dealt with by Staffordshire Police, there is a specific form to complete, which you will find at [Complaint Reviews - Staffordshire Commissioner](#) . We will also accept a review request which does not

use the form, if you can provide the information asked in another way. You must submit your review request within 28 days of the date which the review is finalised by the force, based on the date on the outcome letter sent to you. (e.g. if the letter is dated 1 April, you must submit by 29 April).

5. What will happen when a complaint is made?

- 5.1 Once we receive your complaint we will acknowledge it in a timely manner. An initial analysis will be carried out, and if the issues you raise do not fall within our remit we will let you know, and signpost you elsewhere if we can. In some circumstances we are required to directly refer your complaint to a specific organisation (such as Staffordshire Police), if this is the case we will let you know.
- 5.2 Where the complaint is rightly directed at us, we will seek to resolve the matter immediately and without delay if possible and appropriate, and if you agree with this. Examples of action we might take could be correcting an action, putting right a wrong, an explanation or an apology; this may bring the matter to a close satisfactorily for you, and be an appropriate and proportionate response.
- 5.3 Otherwise, following initial analysis your complaint will be considered fully, and a decision will be made how to handle it. Some complaints are straightforward to address and others will be more complex, and more information will need to be sought to properly understand the issues raised and other relevant detail. If your complaint is complex and information is needed from external partners or Staffordshire Police, it may take some time to complete but you will be kept informed throughout the process.

6. Complaints against the Chief Constable

- 6.1 The Chief Constable is accountable to the PFCC for the delivery of efficient and effective policing in Staffordshire and the management of resources and expenditure. The PFCC has responsibility for dealing with complaints made about the conduct of the Chief Constable and has delegated the initial handing of such complaints to the SCO Independent Review Manager. The way in which complaints about the Chief Constable are dealt with depends upon the seriousness and nature of the complaint.
- 6.2 In the initial analysis the Independent Review Manager will need to determine whether the complaint is about the personal conduct of the Chief Constable (or acting Chief Constable). If not, your complaint will be logged and you will be advised of the body who should deal with your complaint. We are required by law to refer your complaint to the correct body. If it is about the conduct of the Chief Constable, the complaint will be recorded by the Independent Review Manager. At this point we will contact you to explain the options available to you, including what you can do if you are dissatisfied with the way in which we propose to handle your complaint.

- 6.3 You can also use this approach to make a complaint about a retired Chief Constable, or the Chief Constable's conduct before they were appointed in this role, but bear in mind we may not take the complaint forward if a lot of time has passed.
- 6.4 If appropriate we will endeavour to resolve the complaint at this initial stage. Complaints handled in this way may be ones where we are able to provide an explanation or additional information and you agree that these steps are sufficient to remedy the matter to your satisfaction.
- 6.5 If we are unable to resolve the complaint at the initial stage, or you are dissatisfied with this approach, you can request that the complaint is formally dealt with under the police complaints legislation at which point we will record the complaint. Recording a complaint means that it has formal status under the Police Reform Act 2002 and will be dealt with in accordance with legislation. Some complaints are automatically required to be recorded if they meet certain criteria under the legislation. The decision to record will be notified to the complainant as soon as is practicable following receipt and consideration of the complaint.
- 6.6 We may have to refer some types of complaint to the Independent Office for Police Conduct (IOPC) for their consideration, due to their nature. The IOPC will then decide whether the matter should be investigated. We will advise you if a referral to the IOPC has been made and we will inform you whether the IOPC has decided that it should be investigated by them or referred back to us to address in accordance with this policy.
- 6.7 When we deal with a recorded complaint, we must do so in a reasonable and proportionate way taking into account the matter in hand. As explained in the IOPC Statutory Guidance:
- 'this means doing what is appropriate in the circumstances, taking into account the facts of the matter and the context in which it has been raised within the framework of legislation and guidance, weighing up the matter's seriousness and its potential for learning, against the efficient use of policing resources'.*
- https://www.policeconduct.gov.uk/sites/default/files/Documents/statutoryguidance/2020_statutory_guidance_english.pdf
- 6.8 We will deal with each complaint in an appropriate way and we may carry out an investigation, contacting others to learn more about it. We may inform you that no further action will be taken, and this might be because further action might be disproportionate to the complaint raised. Sometimes, the outcome you want may not be possible, or may not be reasonable or proportionate. If and when it becomes apparent that the outcome of a complaint is unlikely to meet your expectations, we will contact you to explain the reason for this. We will also explain whether we are going to take no further action with your complaint.
- 6.9 Once we have completed our investigations we will inform you in writing of the

outcome of your complaint. This will include an explanation of how the matter has been handled, the actions taken, the findings and the outcome. If appropriate, it will also include the reasons for not taking certain actions.

- 6.10 At the same time, we will provide you with details about your rights to a review, who to address your request for a review to, and what you are required to include in your request. The IOPC is the review body in relation to complaints against the Chief Constable that have been dealt with by the SCO.
- 6.11 We have a duty under the Police Reform Act 2002 to inform the Chief Constable of the details of any complaints made against them and any appropriate steps taken. A record of any complaints either logged or recorded will be maintained by the Independent Review Manager for the SCO.

7. Complaints against the Chief Fire Officer & Principal Officer Team

- 7.1 Complaints against the Chief Fire Officer and Principal Officer Team (Deputy Chief Fire Officer, Assistance Chief Fire Officer or Director of Finance, Assets & Resources) can be submitted by any member of the public and staff. If the complaint is related to an internal grievance matter then this will be dealt with through the grievance policy.
- 7.2 All allegations or complaints against the Chief Fire Officer and Principal Officer Team will be managed, investigated and concluded by the Staffordshire Commissioner's Office. Complaints should be set out in writing and sent to the Independent Review Manager, Office of the Police, Fire and Crime Commissioner, First Floor - Block 9, Weston Road, Stafford ST18 0YY. Where this is not possible please email the Independent Review Manager at review@staffordshire-pfcc.gov.uk
- 7.3 Complaints against the Chief Fire Officer and the Principal Officer Team which are received by the Staffordshire Fire and Rescue Service should be forwarded onto the Independent Review Manager on behalf of the Police, Fire and Crime Commissioner as soon as practical and within 2 working days.
- 7.4 Complaints against the Chief Fire Officer and Principal Officer Team may cover three areas:
- **Professional conduct**
Any allegations in this area will be considered against the Seven Principles of Public Life (Nolan Principles), Gold Book terms and conditions, Principal Officer's contracts and Staffordshire Fire and Rescue Service's Core Code of Ethics.
 - **Direction and control of the service**
Any allegations in this area will be considered against what can reasonably be considered the Chief Officers responsibility for the direction and control of the service. This may include delivery against the responsibilities delegated to

them from the Police, Fire and Crime Commissioner as set out in the Corporate Governance Framework.

- **Criminal allegations**

These will be dealt with by the Police.

Stage One – Informal Concerns (local resolution)

- 7.5 All complaints received will be acknowledged and recorded within 3 working days.
- 7.6 Each complaint will then be assessed on its merits and facts. We will look at risk, statutory processes and availability of information. Where it is determined that the threshold is met for the matter to be informally resolved, contact will then be made with the complainant within 3 working days to discuss the concerns raised.
- 7.7 We will look to resolve the concerns raised within 5 working days and provide the complainant with written confirmation of any outcome or actions which have been taken.
- 7.8 Should the complainant still remain dissatisfied at the end of the process they can request that the matter be escalated to the formal complaints process. This must be done within 10 working days and must outline the unresolved issues.

Stage Two – Formal Complaint

- 7.9 If it is deemed more appropriate for the complaint to be considered at stage 2, due to the severity of the allegation or the request for escalation, the Staffordshire Commissioner's Office Independent Review Manager will be appointed as the Investigator. An initial acknowledgement will be provided to the complainant within 3 working days.
- 7.10 The Independent Review Manager will contact the complainant within 5 working days to discuss the complaint and to make an assessment on the allegations which are to be considered and the complainants expected outcomes, this will also be confirmed in writing along with next steps and the frequency of any updates which at a minimum should be every 28 days.
- 7.11 Upon completion of any investigation the Independent Review Manager will provide the complainant with a final report where possible within 28 days of receipt of the formal complaint. Should additional time be needed to complete the investigation the complainant will be notified and provided with a timeframe for completion.
- 7.12 Any learning identified will be provided directly to Staffordshire Fire and Rescue Service for implementation and will be monitored by the Staffordshire Commissioner's Office.

- 7.13 Should the complainant still remain dissatisfied with the final outcome a request for a review can be submitted to the Chief Executive of the Staffordshire Commissioner's Office. This must be done within 28 days of receipt of the final report and via Review@staffordshire-pfcc.gov.uk

8. Complaints against SCO staff and volunteers

- 8.1 All members of the SCO staff and volunteers are required to comply with the Code of Conduct, which can be found on our website at [Policies and Procedures - Staffordshire Commissioner](#). The Code of Conduct incorporates the seven Nolan Principles to which all members of staff have agreed to adhere.
- 8.2 Complaints about members of SCO staff or volunteers should be submitted to the Chief Executive. Either the Chief Executive or another senior member of staff will conduct the initial analysis and determine whether the complaint is valid as outlined in this policy. A complaint may be determined to be not valid if it is vexatious or repetitious or a complaint for which either another process exists or due process has already been exhausted. For example, dissatisfaction against a decision made by a member of staff acting on behalf of the Commissioner will not be classed as a valid complaint.
- 8.3 If appropriate we will endeavour to resolve the complaint at this initial stage. Complaints handled in this way may be ones where we are able to provide an explanation or additional information and you agree that these steps are sufficient to remedy the matter to your satisfaction.
- 8.4 If an immediate resolution is not possible or appropriate we will consider in detail the complaint matter, speaking to individuals or partners as appropriate. The Chief Executive may ask a senior member of the SCO team who has not been involved in the matter to carry out a fact-finding exercise and report back with recommendations. Any complaint investigation will be conducted in collaboration with relevant bodies, as appropriate. We will keep you updated on progress with investigating your complaint, the likely date of conclusion, and endeavour to resolve the matter promptly as far as possible. While the complaint is being looked into, if the staff member is working on something that is related to the reason you raised the complaint we may need to pause this work while the complaint is looked into.
- 8.5 Once concluded we will write to you with the outcome of the complaint, and we will tell you how we reached such an outcome. We may need to keep some information confidential but we will share what we can. Although complaints may refer to the conduct or behaviour of a particular member of staff, any issues concerning the employer/employee relationship, including disciplinary action, will be addressed under separate internal procedures, and we may not be able to share details of this with you
- 8.6 The Chief Executive's decision is final and there is no route of appeal for this type of complaint.

- 8.7 If your complaint is against the Chief Executive, you should address it to the PFCC directly. They will follow the same steps outlined for other staff members, and may engage assistance to enable them to do so.

9. Complaints about the PFCC and Deputy PFCC

- 9.1 Under the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012, the Staffordshire Police and Crime Panel has responsibility for dealing with complaints about the conduct of the PFCC or Deputy PFCC. This is for non-serious conduct matters. Where the conduct constitutes a serious complaint - where criminal conduct is alleged - this is referred to the Independent Office for Police Conduct (IOPC). As stated in the legislation, the Panel cannot impose sanctions but may choose to use their powers to require the PFCC to attend a meeting to answer questions, request information and documents and publish a report or recommendation.
- 9.2 The PFCC and Deputy PFCC sign up to a Code of Conduct on appointment, which is based on the Nolan Principles, and this applies while acting in or representing the role. The Code does not apply when acting in a purely private capacity, although as with anyone in public office, good standards of behaviour are expected from them in their private affairs.
- 9.3 On receipt of the complaint from the Police Fire and Crime Panel, the Independent Review Manager, on behalf of the Chief Executive, will carry out an initial analysis and gather any evidence that will be provided to the Police, Fire and Crime Panel to help determine their response. The Panel members will be informed of any complaint received or if it is deemed a serious matter, the complaint will be referred to the IOPC. You will be notified of this by the Police Fire and Crime Panel. Timescales for resolution are determined by the organisation dealing with your complaint and further contact should be made with the appropriate organisation. There is no right of appeal against the decision of the Panel for complaints against the PFCC or Deputy PFCC.

10. Review of Police Complaints

- 10.1 As described in the Policing and Crime Act 2017, the PFCC, as the Relevant Review Body has the role of reviewing the handling and outcome of certain types of complaints dealt with by the force. This is limited to complaints which have been dealt with under Schedule 3 of the Police Reform Act 2002, in the instance where criminality or serious misconduct have not been alleged. For complaints where criminality or serious misconduct have been alleged, the review will be undertaken by the IOPC. You should check the letter from the force containing the complaint outcome to identify who is the review body for your complaint.
- 10.2 A complaint review is not a re-investigation, but an opportunity to assess whether the Staffordshire Police has resolved the complaint in a reasonable and

proportionate way and also to identify any opportunities for learning or improvement. We will have regard to IOPC statutory guidance when conducting reviews. The Commissioner has delegated the responsibility for completing reviews to the Independent Review Manager, who will spend time considering the nature of the complaint, the approach to handling the complaint and any specific issues arising. They will spend time going over the complaint documentation to have a thorough look at the case.

10.3 Possible outcomes of a review are:

- A confirmation that the complaint was resolved in a reasonable and proportionate way
- A recommendation to the force for more work to be done to resolve the complaint and may set out what that must include.

10.4 At the conclusion of the review process we will notify you of the outcomes of the review, and whether any recommendations have been made to Staffordshire Police for their consideration. If they have, Professional Standards will write to you to outline what next steps they are taking. If we determine the matters to be sufficiently serious we will bring them to the Chief Constable's attention. There are no fixed timescales for complaint reviews, but we will aim to conduct the review promptly, and let you know estimated timescales for completion. Once a review has been completed there is no further right to appeal on the findings of the review.

11. Managing unacceptable or unreasonable complainant behaviour

- 11.1** Complainants have the right to be heard, understood and respected, and we are committed to ensuring that people are able to access the complaints system.
- 11.2** However, in a small number of cases, people pursue their complaints in a way that is unacceptable. They may behave unacceptably, be unreasonably persistent in their contact, or make unreasonable demands. This can have an impact on the health and safety of complaint handlers. It can also have an impact on the handling and resolution of their complaint.
- 11.3** This policy should be read in conjunction with the Managing Contact policy which will outline how we will deal with unacceptable or unreasonable behaviour.

12. Confidentiality and Support

- 12.1** All complaints are treated confidentially. We will use the information that you provide us for the purpose of complaint handling and resolution or, investigation including sharing information with third parties, if it is necessary to deal with your complaint. As a public authority we process your personal data in the exercise of our official authority and/or in performance of a task in the public interest.

- 12.2 Once the complaint has been looked into, we may take action that we choose not to share with you, in order to maintain the individual's rights within their employment contract. We will store information relating to complaints in accordance with our information management policies, and where appropriate we will record complaint information on an individual's HR file.
- 12.3 For more information on how we collect and use your personal data, please see our Privacy Notice available at: [Privacy Notice - Staffordshire Commissioner](#)
- 12.4 We are unable to accept anonymous complaints under this policy.

13. Support

- 13.1 If you have been a victim of crime then you are entitled to support through to the Staffordshire Victim Gateway and Restorative Justice Service.
[Support for Victims - Staffordshire Commissioner](#)
- 13.2 Those subject to complaints are entitled to support – through their workplace representative, a support organisation or a Union or the Employee Assistance Programme.

14. Contact information

Office of the Police, Fire and Crime Commissioner

Postal address: Independent Review Manager
Office of the Police, Fire and Crime Commissioner
First Floor - Block 9
Weston Road
Stafford
ST18 0YY

Email: Review@staffordshire-pfcc.gov.uk

Telephone: 01785 232457

Police Fire and Crime Panel

Postal address: Staffordshire Police, Fire and Crime Panel Monitoring Officer
c/o Mandy Pattinson
Member and Democratic Services Unit,
Staffordshire Place 2
Staffordshire County Council,

Stafford,
ST16 2LP

Email: mandy.pattinson@staffordshire.gov.uk

Online:
<https://www.staffordshire.gov.uk/Your-council-and-democracy/Staffordshire-PFC-panel/Complaints-Procedure.aspx>

Staffordshire Police Professional Standards Department

Email psd@staffordshire.police.uk

Online <https://www.staffordshire.police.uk/fo/feedback/complaints/complaints/>

15. Signposting

Complaint Type	Where to direct
Where to direct Complaints against police officers below the level of Chief Constable, Police Community Support Officers or Police Staff or Volunteers	Staffordshire Police or another force if not Staffordshire.
Complaints about policies or procedures of the force	
Operational policing matters	
Matters under consideration of the Courts Service	<p>Once legal proceedings have become active e.g. an arrest warrant has been issued, a summons issued or a person has been charged; matters are deemed to be sub-judice. Only on conclusion of the court proceedings could the matter be investigated by the relevant agency.</p> <p>This will also include matters being dealt with under civil proceedings.</p>
Dissatisfaction with matters in your local area	<p>Staffordshire Safer Neighbourhood Teams/Local Policing Teams</p> <p>https://www.staffordshire.police.uk/search?q=safer+neighbourhood+team</p>
Complaints about PCCs, Deputy PCCs or PCC's staff and policies, other than Staffordshire	Use APCC to help you find the force area you need. https://www.apccs.police.uk/
Complaints about the Staffordshire Police, Fire and Crime Panel	<p>Staffordshire Police and Crime Panel Monitoring Officer c/o Mandy Pattinson</p> <p>Mandy.pattinson@staffordshire.gov.uk</p>
Review of a complaint against Staffordshire Police where the SCO is the review body.	<p>Independent Review Manager</p> <p>Office of the Police, Fire and Crime Commissioner</p> <p>First Floor - Block 9</p> <p>Weston Road</p> <p>Stafford ST18 0YY</p> <p>Review@staffordshire-pfcc.gov.uk</p>

16. Monitoring

- 16.1 Compliance with this Policy will be monitored by the SCO Information Assurance Board in consultation with the Independent Review Manager. Independent reviews and dip samples may be considered for external scrutiny by the Ethics, Transparency, and Audit Panel (ETAP).
- 16.2 The Independent Review Manager is responsible for the revision and updating of this document.