

Dorset Council

Police and Crime Panel Complaints

Sub-Committee

Date: Wednesday, 17 April 2019
Time: 10.00 am
Venue: Committee Room 1, County Hall, Dorchester,
DT1 1XJ

Membership:

Iain McVie

Bobbie Dove

Bill Pipe

Chief Executive of Dorset Council: Matt Prosser

For more information about this agenda please telephone Lee Gallagher, Democratic Services Manager 01305 224191 - lee.gallagher@dorsetcouncil.gov.uk

A G E N D A

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1 APOLOGIES

To receive any apologies for absence.

2 CODE OF CONDUCT

To receive any declarations of Disclosable Pecuniary Interests in accordance with the Localism Act 2011.

3 MINUTES

3 - 12

To confirm and sign the minutes of the meeting held on 18 March 2019.

4 EXEMPT BUSINESS

To consider passing the following resolution:

To agree that in accordance with Section 100 A (4) of the Local Government Act 1972 to exclude the public from the meeting in relation to the business specified below it is likely that if members of the public were present, there would be disclosure to them of exempt information as defined in Part 1 of Schedule 12A to the public interest in disclosing the information to the public.

5 CONSIDERATION OF COMPLAINT AGAINST THE POLICE AND CRIME COMMISSIONER

13 - 28

To consider further information requested at the previous meeting held on 18 March 2019.



Dorset Police and Crime Panel Complaints Sub-Committee

Minutes of the meeting held at County Hall, Dorchester
on Monday, 18 March 2019

Present:

Iain McVie (Chairman)
Bobbie Dove and Bill Pipe

Officer Attending: Lucy Staddon-Snell (Solicitor - Litigation and Employment) and Denise Hunt (Senior Democratic Services Officer).

(Notes: These minutes have been prepared by officers as a record of the meeting and of any decisions reached. They are to be considered and confirmed at the next meeting of the Cabinet to be held on **17 April 2019**.)

Election of Chairman

1 That Iain McVie be elected as Chairman for the remainder of the year 2018/19.

Appointment of Vice-Chairman

2 That Councillor Bobbie Dove be elected as Vice-Chairman for the remainder of the year 2018/19.

Apologies

3 An apology for absence was received from Councillor John Adams.

Code of Conduct

4 There were no declarations by members of any disclosable pecuniary interests under the Code of Conduct.

Councillor Bill Pipe declared a general interest as the complainant was a constituent in his ward of Lytchett Minster and Upton.

Terms of Reference

5 The Sub-Committee noted its Terms of Reference.

Minutes

6 The minutes of the meeting held on 20 October 2015 were confirmed and signed.

Complaints Monitoring Protocol

7 The Sub-Committee noted the Complaints Protocol, its provision for 5 members of the Sub-Committee and that the quorum was 3 members.

Noted

Consideration of a Complaint against the Police and Crime Commissioner

8 The Sub-Committee considered a complaint by a member of the public, Mr Hadfield, set out in a letter dated 27 January 2019 and the associated documentation.

Confirmation by panel members of receipt and reading of documentation relating to the complaint under consideration

9 Members confirmed that they had read all of the documentation contained in the agenda pack. Two additional documents were circulated and read by the Sub-Committee.

Remit of Complaints Sub Committee concerning the complaint under consideration

10 The Chairman highlighted the following points in relation to the Sub-Committee meeting:-

- The meeting would conduct a desktop review of paperwork to provide context to the complaint.
- There would be no attendees in addition to the Sub-Committee, Legal Advisor and Clerk.
- The meeting would establish what happened and assess if this aligned with the Complaints Protocol and associated processes.
- On reviewing the complaint, the Chairman would write to the complainant. Possible outcomes might include additional meetings whilst further information was requested from officers or the complainant, to determine whether there had been maladministration or no maladministration, or reference to the Local Government Ombudsman (LGO).
- The Sub-Committee's preference would be to ask for any further information in writing rather than interviewing members of staff
- In the event that the review identified maladministration this would be brought to the attention of DCC or Office of the Police and Crime Commissioner (OPCC) and dealt with this through each organisation's separate procedures as necessary.
- The process for the meeting would follow the steps outlined in agenda item 8 and the standard of proof would be the balance of probability.

The Chairman explained that the standards for the Police and Crime Commissioner (PCC) and Chairman of the Police and Crime Panel (PCP) were based on the 7 Nolan principles of public life (selflessness, integrity, objectivity, accountability, openness, honesty, leadership) which formed the basis of the ethical standards of holders of public office.

The employees mentioned in the complaint were governed by the terms and conditions of employment for employees of either DCC or OPCC and was therefore not a matter for consideration by the Sub-Committee. However, this did not preclude the Sub-Committee from making recommendations concerning the employee terms and conditions of either organisation.

He confirmed that the Sub-Committee would look at the process to ensure that the people involved in the complaint had behaved lawfully, had taken the actions that were necessary and these actions were proportionate.

The Legal Advisor confirmed that it would be in accordance with the Complaints Protocol to request further information in writing as this would be prescriptive and specific and provide an audit trail of information in an open and transparent way.

Consideration of complaint and actions to be taken

11 Members of the Sub-Committee each highlighted areas where they felt that further answers were required, whilst having regard to the Sub-Committee's remit, the balance of proof and any actions that were required.

The following actions were agreed:

1. Following completion of the minutes, letters would be sent to the relevant OPCC and DCC officers containing the actions arising from the meeting;
2. A brief update letter would be sent to Mr Hadfield, thanking him for the additional information received at the meeting and advising that a number of actions were awaited from officers;
3. Convene a further meeting of the Sub-Committee w/c 22 April 2019 to assess the information received and draft any recommendations.
4. That following its deliberations the report of the Sub-Committee is considered by the PCP and that this report is appended to the final letter to Mr Hadfield.

Meeting Duration: 10.00 am - 1.05 pm

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of the Local Government Act 1972.

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