

**PANEL HEDDLU A THROSEDDU DYFED-POWYS
16EG TACHWEDD 2017**

CWYN YN ERBYN Y COMISIYNYDD HEDDLU A THROSEDDU

Yr argymhellion / penderfyniadau allweddol sydd eu hangen:

Peidio â chymryd unrhyw gamau mewn perthynas â'r gŵyn

Y rhesymau:

Nid oes gan y Panel bŵer i ymchwilio'n ffurfiol i'r mater y cyflwynwyd cwyn yn ei gylch

Awdur yr Adroddiad:

Robert Edgecombe

Swydd:

Swyddog Arweiniol y Panel

Rhif ffôn

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EXECUTIVE SUMMARY
DYFED – POWYS POLICE AND CRIME PANEL
16TH NOVEMBER 2017

**COMPLAINT AGAINST THE POLICE AND CRIME
COMMISSIONER**

On the 4th September 2017 a complaint was received against the Police and Crime Commissioner from a Pembrokeshire resident “AM”.

The complaint related to the Commissioner’s handling of a complaint against the Chief Constable and in particular a letter sent by the Commissioner to the complainant in which he set out his response to that complaint.

In accordance with the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 the complaint was recorded in the following terms;

“The Commissioner has failed to thoroughly investigate a complaint regarding the Chief Constable after recording and upholding it.”

In accordance with the Complaints Protocol previously established by the Panel, the complaint was considered by the Panel Chairman who recommends that the Panel should take no action in relation to it on the grounds set out in regulation 15(3) (e) of the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 i.e. that to do otherwise would be an abuse of the complaints procedures set out in those regulations.

This is because;

1. The Commissioner performed his statutory duty by considering the complaint.
2. The Commissioner upheld one element of the complaint and set out what he intended to do as a result. Therefore there is nothing more for him to investigate in respect of that part of the complaint.
3. The Commissioner rejected another element of the complaint and informed the complainant of her right of appeal to the IPCC in respect of that decision.
4. The Panel has no power to look in to the merits of the Commissioner’s decisions and cannot act as a venue of appeal against them. The issues that the complainant has complained about are not matters which can reasonably be dealt with via the informal resolution procedures in Part 4 of the 2012 regulations.

It is therefore recommended that the Panel resolve to formally close the complaint for these reasons.

DETAILED REPORT ATTACHED ?

NO

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Host authority file	LS-0511/19	County Hall, Carmarthen.