

Making a Complaint to the Police, Fire and Crime Panel about the Mayor for York and North Yorkshire (or Deputy Mayor for Policing, Fire and Crime, where applicable)

This leaflet explains what type of complaints the North Yorkshire Police, Fire and Crime Panel (“the Panel”) can consider and the process that will be followed in handling and resolving these complaints.

We aim to:

- Handle complaints in a fair and independent way.
- Deal with complaints as quickly and effectively as we can.
- Keep all parties informed of progress until the complaint reaches a conclusion.

What complaints can we look at?

The Panel has responsibility for recording all complaints about the Mayor when acting in relation to their policing, fire and crime functions and similarly for any Deputy Mayor for Policing, Fire and Crime that they may choose to appoint.

Where a Deputy Mayor is appointed, the Mayor may choose to delegate some powers in relation to fire functions, or they may alternatively create a Fire Committee to discharge those functions.

However, this does not mean that the Panel will necessarily handle all such complaints as it does not have the power to do so in all cases and some complaints may need to be diverted to other offices or bodies to look at. This is explained further below and also under “What we can’t do”.

Complaints about the Deputy Mayor for Policing and Crime

Where the Mayor for York and North Yorkshire appoints a Deputy Mayor for Policing and Crime, then **the Panel is responsible for dealing with non-criminal complaints about the conduct of the Deputy Mayor for Policing and Crime.**

“Conduct” means the way things are done or not done, statements are made and the way decisions are taken.

All complaints received about the Deputy Mayor for Policing and Crime will first be reviewed to determine if they should be recorded by the Panel (see also “How we deal with your complaint”, below).

For complaints which allege that the Deputy Mayor has committed a criminal offence, we will also consider whether to pass the complaint on to the Independent Office for Police Conduct (IOPC) for investigation. Where the IOPC decides that a complaint does not need to be investigated, it will refer the matter back to the Panel to consider further.

Other complaints about the conduct of the Deputy Mayor for Policing and Crime recorded are then handled by the Panel, sometimes through a process called Informal Resolution (see below).

If what you raise is already the subject of a complaint, for example with the Mayor/Deputy Mayor for Policing and Crime or Police, we would normally require that complaint process to be completed before we look into the matter.

What we can't do

There are certain types of complaint that the Panel cannot handle, these are outlined below:

- [Complaints about the Mayor for York and North Yorkshire – Police, Fire and Crime Functions](#)

The Panel has no legal remit to consider complaints made regarding the conduct of the Mayor in relation to their police, fire and crime functions.

Complaints regarding the Mayor in respect of their police, fire and crime functions are handled by the **Monitoring Officer of the York and North Yorkshire Combined Authority** although the Panel will record any such complaint received and will receive notification of the outcome.

Similarly, any other complaints regarding the Mayor, which are not about their policing, fire and crime functions must be sent to the Monitoring Officer. See contact details on page 7.

- [Complaints regarding North Yorkshire Police and North Yorkshire Fire and Rescue Service](#)

Complaints about operational policing matters, the performance of North Yorkshire Police, North Yorkshire Fire and Rescue Service or any of their officers, are dealt with by the Complaints Team based under the Mayor's office. See contact details on page 8.

- [Complaints regarding the Chief Constable or Chief Fire Officer](#)

Complaints about the Chief Constable or Chief Fire Officer are dealt with by the Mayor at the details given on page 7.

- [Complaints about staff from the Policing, Fire and Crime Directorate of the Mayoral Combined Authority](#)

Complaints about staff working in the Policing, Fire and Crime Team of the York and North Yorkshire Mayoral Combined Authority are dealt with by the Chief Executive of the Combined Authority, via the details given on page 8.

- [Complaints regarding the Police, Fire and Crime Panel](#)

Complaints about the administration of the Panel are dealt with by North Yorkshire Council and should be sent to <https://www.northyorks.gov.uk/your-council/get-touch/complaints-comments-or-compliments> (see address on page 8).

For complaints about the conduct of elected Members of the Panel, where that individual represents a local authority, please consult the website of the authority that appointed them.

For complaints against the Panel's co-opted members – whether community or elected – please contact the Panel Secretariat for further information (see address on page 9).

Some general principles

If we decide your complaint should be directed to another body because it falls beyond our remit, we will explain why and offer to pass it on.

We cannot consider complaints about the merits of a decision made, for example where someone disagrees with a policy the Mayor/Deputy Mayor for Policing and Crime has introduced, although we could consider whether a decision was made properly and in accordance with the Mayor's/Deputy Mayor for Policing and Crime's rules and procedures.

If you have a concern about a particular policy, this is something the Panel might wish to reflect upon as it scrutinises the Mayor's/Deputy Mayor for Policing and Crime's policies. However, these concerns cannot be taken up through this complaints procedure.

Similarly, the complaints procedure cannot be used to bring about a quicker response to correspondence which has been sent to the Mayor or Deputy Mayor for Policing and Crime, or the Combined Authority (including the Policing, Fire and Crime Directorate); particularly where the recipient of the complaint is still working within their notified timeframes for responding and have acknowledged your correspondence. The Panel does not get involved on behalf of individuals to expedite correspondence or complaints processes.

We have no power to investigate complaints in any way, but we can ask the Mayor or Deputy Mayor for Policing and Crime to provide information or invite him/her to answer questions.

Our remit in relation to the handling of police complaints by the Mayor

The Mayor has responsibility for carrying out complaint reviews for complaints against North Yorkshire Police that are handled under the Police Reform Act 2002.

The Panel does not have the power to review individual decisions reached by the Mayor/Deputy Mayor for Policing and Crime and/or the Complaints Team in respect of applications made to review the outcome of complaints, and we are not the correct body of recourse to challenge such decisions made by the Mayor/Deputy Mayor for Policing and Crime and/or the Complaints Teams. For further information about the complaint review process please see <https://www.northyorkshire-pfcc.gov.uk/how-can-we-help/complaints/procedures/>

When to complain

If you have a concern about something the Mayor or Deputy Mayor for Policing and Crime has said or done in relation to their police, fire and crime functions, the first step is to raise it with them. Their contact details are set out below.

If you are still not satisfied, you can make a complaint to us, the Police, Fire and Crime Panel. You can make a complaint if:

- the conduct you are concerned about has been directed at you;
- you have been adversely affected by the conduct, even if it wasn't directed at you;
- you have witnessed the conduct.

Submitting a complaint

Complaints should be sent in writing

to: nypfcp@northyorks.gov.uk

North Yorkshire Police, Fire and Crime Panel Secretariat

c/o Legal and Democratic Services

North Yorkshire Council

County Hall

Northallerton

North Yorkshire

DL7 8AD

We cannot accept complaints via X (formerly Twitter), Facebook, or telephone.

However, in line with the requirements of the Equality Act 2010 we can make reasonable adjustments to assist you if you have a disability that prevents you from making your complaint in writing. Please contact us on 01609 532750 or email: nypfcp@northyorks.gov.uk

You can arrange for someone to act on your behalf, such as a friend or relative. However, you must write to tell us you have given your consent before we can discuss your case with them.

How we will deal with your complaint

When we receive a complaint we take the following three steps:

Step 1- Redirecting out of scope complaints

We will first check your complaint is about the conduct of the Mayor or Deputy Mayor for Policing and Crime in York and North Yorkshire.

If the complaint is about operational policing matters, the performance of North Yorkshire Police or any of its officers, we will explain why the Panel can't handle such a complaint and offer to pass it to the Complaints Team within the Policing, Fire and Crime Directorate of the Mayoral Combined Authority (see address on page 8).

If the complaint is about the Chief Constable, we will offer to pass it to the Mayor (see address on page 7). Similarly, if the complaint is about a member of staff of the Policing, Fire and Crime Directorate then we will offer to pass this to the Chief Executive of the Combined Authority.

If the complaint relates to a Mayoral policy or the merits of a Mayoral/Deputy Mayoral decision, we will explain why this can't be taken through our complaints procedure – though we would, ordinarily, advise the Mayor/Deputy Mayor for Policing and Crime of the circumstances. The Panel might also feel something that has been raised is a matter in which it should take an interest as part of its programme of work.

Step 2 - Recording your complaint

If your complaint relates to the conduct of the Mayor or Deputy Mayor for Policing and Crime (where applicable) in relation to their policing, fire and crime functions, we will first consider whether to record it. If we record your complaint, we will notify you of this. We will also notify the Mayor/Deputy Mayor for Policing and Crime (where applicable) as appropriate and provide them with a copy of your complaint. (In certain circumstances your

complaint will be kept anonymous or confidential).

The duty to record a complaint does not apply where the complaint has been, or is already being, dealt with by criminal proceedings. Additionally, we may decide not to record your complaint if it falls within one of the following categories:

- the complaint is entirely about the conduct of the Mayor or Deputy Mayor for Policing and Crime in relation to their policing, fire and crime functions towards someone who was a member of their staff at the time the conduct took place;
- more than 12 months have passed from the incident occurring to the complaint being made;
- the matter is already the subject of a complaint;
- the complaint is anonymous;
- the complaint is vexatious, oppressive or an abuse of the complaints process;
- the complaint is repetitive (it is substantially the same as a previous complaint made).

If we decide not to record your complaint we will let you know and explain why.

Step 3 – Deciding how your recorded complaint will be handled

If we have recorded your complaint at Step 2, we will then decide how to deal with your complaint. This will be one of the following three options below:

Option A – A Serious Complaint regarding the conduct of the Mayor or Deputy Mayor for Policing and Crime (policing, fire and crime functions)

If your complaint alleges criminal conduct against the Mayor or Deputy Mayor for Policing and Crime in relation to their Policing, Fire and Crime functions, (or which appears to involve a criminal offence that can be triable in England and Wales) we will consider whether to pass the complaint to the IOPC. It is possible that we will need to request further detail from you to help us determine how to proceed. We will tell you if we have passed your complaint to the IOPC.

It is possible for the IOPC to refer any complaint back to us for a resolution. The IOPC will let you know if it does this. If the Panel has decided not to record your complaint, the IOPC can also require the Panel to do this if it thinks this is necessary.

Option B – A complaint that has already been satisfactorily dealt with

If it appears your complaint has already been satisfactorily dealt with by the time it comes to the Panel's attention, we may decide to take no further action.

Option C - Any other (non-criminal) complaint regarding the Mayor or Deputy Mayor for Policing and Crime (policing, fire and crime functions)

If your complaint has not been passed to the IOPC, rejected, or already been dealt with, the Panel will consider how best to handle your complaint. Where the complaint has regard to the Mayor in relation to their policing, fire and crime functions then the Panel cannot legally deal with this and it will be directed to the Monitoring Officer for the York and North Yorkshire Combined Authority to deal with. The Panel is notified of the outcome of the complaint.

For non-serious (non-criminal) complaints regarding the Deputy Mayor for Policing and Crime, the Panel's Lead officer will consider how best to handle the complaint, which may

involve further consideration through a Panel Complaints Sub-Committee (see below).

We may not be able to deal with your complaint

Under certain circumstances we may decide no action should be taken, for example because the matter is already the subject of a complaint or because the matter referred to occurred more than 12 months ago (see also Step 2 – Recording your complaint).

If we decide to take no action regarding your complaint, we will notify you and give you the reason for the decision.

What is Informal Resolution of Complaints?

Informal resolution is a way of dealing with a complaint by solving, explaining, clearing up or settling the matter directly with the complainant, without investigation or formal proceedings.

This will sometimes be done by the Panel's Complaints Sub-Committee. It is a flexible process that may be adapted to the circumstances.

In advance of the sub-committee meeting, both parties will be invited to make a statement to support their position and answer questions.

In attempting to secure a resolution we will consider whether further information, clarification or explanation is required and/or whether any actions are required and can be agreed with all parties.

We cannot tender an apology on behalf of the Mayor or Deputy Mayor for Policing and Crime (where applicable).

The Panel has no powers to investigate complaints but is allowed to ask the Mayor or Deputy Mayor for Policing and Crime (where applicable) to provide information and documents and answer questions.

We cannot impose formal sanctions on the Deputy Mayor for Policing and Crime (where applicable) because we do not have the power to do so. However, we may publish a report or make recommendations to them.

Potential outcome of Informal Resolution

(These are not specified in the regulations)

- No fault by the Deputy Mayor for Policing and Crime (for example - the Deputy Mayor has followed the correct procedure in reaching a decision even though the complainant disagrees with it).
- Insufficient injustice (for example - even if the Deputy Mayor for Policing and Crime is at fault, the effect on the complainant is not serious enough to justify continuing to look into the complaint).
- The Deputy Mayor for Policing and Crime is asked to consider giving an apology and/or to reflect upon current procedures and practices within their office.

- Accept that something went wrong, but no other action is appropriate.

A record of the outcome of your complaint will be sent to you and the Deputy Mayor for Policing and Crime (where applicable). If it is deemed in the public interest, and usually after you and the Deputy Mayor for Policing, Fire and Crime (where applicable) have been given the chance to comment, a report may be published.

Timescales for Handling Your Complaint

Wherever possible we will acknowledge receipt of your complaint within 5 working days.

We aim to conclude a complaint within 12 weeks if it is dealt with through informal resolution. However, each case is different and the time taken to reach a conclusion will depend on the nature of the complaint.

We will keep you and the Deputy Mayor for Policing and Crime (where applicable) regularly updated of progress until the complaint reaches a conclusion.

Withdrawing a Complaint

If you wish to withdraw your complaint, you (or someone authorised to act on your behalf) must tell us in writing via post or email.

If we believe that any matter raised by the complaint constitutes and/or would result in a criminal offence, then we will pass this matter to the IOPC to look into. We will tell you if we do this.

Appeals

There is no right of appeal regarding the outcome of the complaint, although the Local Government and Social Care Ombudsman has the power to investigate the administration of Police, Fire and Crime Panels.

If you are unhappy with the way your complaint was handled, you can refer the matter to the Local Government and Social Care Ombudsman (see address on page 8). The Panel's complaints procedure will need to be followed to its conclusion before the Local Government Ombudsman will become involved.

How to obtain this information in other formats

Please contact us on 01609 532750 or email: nypfcp@northyorks.gov.uk if you need this document in a different format. Other contact details:

Mayor for York and North Yorkshire

Website: www.yorknorthyorks-ca.gov.uk

Email: General Enquiries - enquiries@yorknorthyorks-ca.gov.uk

Email: Monitoring Officer – monitoring.officer@yorknorthyorks-ca.gov.uk

Email: Chief Executive – governance@yorknorthyorks-ca.gov.uk

York and North Yorkshire Combined Authority
County Hall
Northallerton

DL7 8AD

Policing, Fire and Crime Directorate (Mayoral Combined Authority)

Website: <https://yorknorthyorks-ca.gov.uk/pfcc/>

Email: info@northyorkshire-pfcc.gov.uk

 : 01423 569562

Harrogate Police Station
Beckwith Head Road
Harrogate
HG3 1FR

Complaints regarding North Yorkshire Police and North Yorkshire Fire and Rescue Service

Website: <https://www.northyorkshire-pfcc.gov.uk/how-can-we-help/complaints/>

Email : info@northyorkshire-pfcc.gov.uk

 : 01423 642700

Complaints Team
York and North Yorkshire Office for Policing, Fire and Crime Commissioning
Harrogate Police Station
Beckwith Head Road
Harrogate
HG3 1FR

Independent Office for Police Conduct (IOPC)

Website: www.policeconduct.gov.uk/complaints-and-appeals/make-complaint

Email: enquiries@policeconduct.gov.uk

 : 0300 020 0096

Independent Office for Police Conduct
PO Box 473
Sale
M33 0BW

Local Government and Social Care Ombudsman

Website: www.lgo.org.uk/contact-us

 : 0300 061 0614

The Local Government and Social Care Ombudsman
PO Box 4771
COVENTRY
CV4 0EH

North Yorkshire Council

Website: www.northyorks.gov.uk/your-council/get-touch/complaints-comments-or-compliments

 : 0300 131 2 131

North Yorkshire Council

County Hall
Northallerton
DL7 8AD

North Yorkshire Police, Fire and Crime Panel

Further information about the North Yorkshire Police, Fire and Crime Panel and details of our complaints handling process can be found www.nypartnerships.gov.uk/pfcp or by calling ☎: 01609 532750.

Send details of your complaint, along with any supporting documents, to:
nypfcp@northyorks.gov.uk or by post to:

North Yorkshire Police, Fire and Crime Panel Secretariat
c/o Democratic Services
North Yorkshire Council
County Hall
Northallerton
North Yorkshire
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