



POLICY	Issue: 3.0
Complaints against Police Policy	Date: 01/06/2009

Policy Statement

The Civil Nuclear Constabulary (the Constabulary) aspires to the highest professional standards at all times, particularly when dealing with the public. It is recognised, however, that the diversity of policing and the nature of some duties will, on occasions, result in public dissatisfaction and a complaint being made about our actions or behaviour.

People making complaints are registering dissatisfaction with the service they have received from the Constabulary. Our primary aim is to provide the public with the best possible service and it follows that any complaint is a serious matter. The restoration of confidence to the complainant is the fundamental purpose of ensuing Police action. This policy and its implementing procedures are developed with this intention.

Such complaints are a valuable source of feedback that enable us to learn more about the expectations of those we serve while informing our training and development processes. Mistakes and errors of judgement, made in good faith with the interests of the public at heart, will not generally be considered as misconduct. The lessons learned present opportunities to improve our organisational and personal performance in a culture of continuous learning.

It is the policy of the Constabulary that, when a complaint is made by or on behalf of any person against one or more on duty officers or members of staff, from which it may be reasonably inferred that any act or omission which was committed or made by any of the individuals concerned amounts, or may amount, to a criminal offence or professional misconduct, it will be recorded as a Complaint Against the Police and dealt with in a fair, equitable and timely manner. Where appropriate, we will seek to deal with complaints at a local supervisory level (Local Resolution), so that quick and effective outcomes are reached. However, it will sometimes be necessary for a more extensive investigation to be carried out by the Professional Standards Department.

England and Wales

In England and Wales, the Police Reform Act 2002 provides the framework, which allows complaints to be made against the Police. The Independent Police Complaints Commission (IPCC) provides independent oversight and aims to establish and maintain public confidence in the complaints system. The IPCC has the power to conduct investigations itself or to manage and supervise Police investigations into complaints or allegations of misconduct.

Complainants have a right of appeal to the IPCC if they are dissatisfied with the process or outcome. The IPCC also has the wider responsibility to monitor and to work to improve the way that complaints are handled by Police Forces.

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A mandatory referral to the IPCC will take place in respect of complaints received relating to allegations of:

- serious assaults (sections(s) 18, 20 and 47 assaults, as defined by Crown Prosecution charging standards);
- hate crime;
- corruption;
- cases involving serious injury;
- complaints alleging serious arrestable offences against individuals;
- death in custody or the shooting of a person by the Police.

Additionally any incident involving death or serious injury following police contact will also be referred to the IPCC, irrespective of whether a complaint has been made.

Scotland

In Scotland the oversight body is the Police Complaints Commissioner for Scotland (PCCS). The PCCS is able to review handling of complaints, if the complainant is dissatisfied with the process or outcome. It has no powers of independent investigation of complaint allegations. The Procurator Fiscal has responsibility for criminal allegations.

Direction and Control

A complaint where there is no issue of individual conduct of a member of the Constabulary, but is wholly about force policy, management, operational tactics, deployment of resources, or quality of service will be dealt with under the Policy on Complaints Relating to Direction and Control CNC/POL/2.4.2.

Aims of the Policy

The main aims of this Policy are:

- To ensure that Civil Nuclear Constabulary (CNC) deal properly and effectively with all forms of complaints.
- That the lessons from such complaints are considered and assessed to inform the development of practice and procedure and the effectiveness of policing.
- To promote an open and responsive complaints system.

This policy is enacted by the following management system documents:

CNC/PP/0031 Complaints against Police Officers and Staff

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