

**POLICE AND CRIME
COMMISSIONER FOR
THE WEST MIDLANDS**

NON CONFIDENTIAL

NOTICE OF DECISION

[010/2020]

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Title: **Complaints Review Function – Section 22A Collaboration Agreement**

EXECUTIVE SUMMARY

A decision to sign the collaboration agreement in relation to the Complaints Review Function.

DECISION

To sign the 'Complaints Review Function' S22A collaboration agreement between the Police and Crime Commissioners for West Midlands and Warwickshire.

Police and Crime Commissioner for the West Midlands

I confirm that I do not have any disclosable pecuniary interests in this decision and take the decision in compliance with the Code of Conduct for the Police and Crime Commissioner of the West Midlands. Any interests are indicated below:

Signature.....

Date.....14.2.20.

FACTS AND ADVICE TO THE POLICE AND CRIME COMMISSIONER

INTRODUCTION AND BACKGROUND

1. The Section 22A agreement for the Complaints Review Function will enable West Midlands and Warwickshire PCCs to most effectively and efficiently fulfil their new statutory duties in relation to complaints reviews.
2. The Complaints and Misconduct Regulations 2020 introduced new duties for police and crime commissioners in relation to complaints against police officers. PCCs may choose between three different models, each giving a different degree of involvement in the police complaints process. Model one is the minimal requirement, and gives PCCs responsibility for all reviews (formerly known as appeals) against complaints, in cases where the appeal would have been managed by the Chief Constable under the earlier regulations.
3. The West Midlands Police and Crime Commissioner has opted for Model One and is therefore responsible for reviews following any complaint recorded from 1 February 2020 onwards. A new member of staff has been appointed to the role of Complaints Review Manager. This post holder will undertake all reviews on behalf of the Commissioner. In addition, it has been agreed that the role will be shared with Warwickshire PCC. The collaboration agreement formalises the arrangements for sharing this function.

FINANCIAL IMPLICATIONS

Costs associated with the collaboration are being apportioned between the West Midlands and Warwickshire PCCs in the ratio of 87.2%/12.5% respectively.

LEGAL IMPLICATIONS

The new duty was introduced by the Police Complaints and Conduct Regulations 2020. The agreement enables both PCCs to fulfil their new statutory function in relation to complaints reviews.

EQUALITY IMPLICATIONS

There are no equality implications arising from this agreement.

BACKGROUND PAPERS

Section 22 (A) Collaboration Agreement, in relation to the joint Complaints Review Function