



Metropolitan Police Authority

MAKING A COMPLAINT ABOUT A MEMBER OF THE MPA

This guidance has been produced to help you decide how to make your complaint against a member of the MPA.

You should speak to the Monitoring Officer if you are not clear if the Standards Committee can consider your complaint.

Your complaint must be about conduct that occurred while the Member(s) complained about were in office. Conduct of an individual before they were appointed to the Authority, or after they have resigned or otherwise ceased to be a Member, cannot be considered.

The Code of Conduct came into effect on 5 May 2002, although some authorities adopted the Code of Conduct earlier. If your complaint concerns matters that occurred before 5 May 2002 you should contact the Monitoring Officer before making your complaint to check whether it is within the jurisdiction of the Standards Committee to consider.

Your complaint can only be about one or more named Members of the Metropolitan Police Authority.

Your complaint must be that the Member(s) has, or may have, breached the MPA's Code of Conduct. A copy of the Code of Conduct is available on the Authority's website (www.mpa.gov.uk) and frequently asked questions about the Code of Conduct can be found on the Standards Board for England's website (www.standardsboard.gov.uk). You may also contact the Monitoring Officer if you require further information.

Complaints about dissatisfaction with a decision or action of the Authority or one of its committees, a service provided by the Authority or the Authority's procedures do not fall within the jurisdiction of the Standards Committee. Complaints about the actions of people employed by the Authority also do not fall within the jurisdiction of the Standards Committee. Details of how to make complaints in respect of those areas can be found on the Authority's website.

Your complaint must be in writing (letter, fax or email). If a disability prevents you from making your complaint in writing you may contact the Monitoring Officer for assistance.

Please use the MPA Member Complaints form accompanying this note and available on line on our website.

It is important to note that not every complaint that falls within the jurisdiction of the Standards Committee will be referred for investigation or other action. The Assessment Sub-committee of the Standards Committee must decide whether this is appropriate. It will make this decision using the following initial

tests. If the complaint fails one or more of the following tests, it cannot be investigated as a breach of the Code, and the complainant will be informed that no further action will be taken in respect of the complaint:-

- Is it a complaint against one or more named Members of the Authority?
- Was the named Member in office at the time of the alleged breach and was the Code of Conduct in force at the time?
- If the complaint was proven, would it be a breach of the Code under which the member was operating at the time of the alleged misconduct

If the Assessment Sub-committee decides not to refer your complaint for investigation or other action it will give you the reasons for this decision. It will also explain any right that you may have to ask for the decision to be reviewed.

What happens once you submit your complaint?

When you submit your complaint, we will write to you to let you know we have received it. We will also tell the Member that you are complaining about that we have received your complaint, who made the complaint and the relevant paragraphs of the Code of Conduct that it is alleged may have been breached.

The Assessment Sub-committee will then meet to consider your complaint and decide whether it should be referred for investigation or other action. This will happen within an average of 20 working days of the date we receive your complaint. Meetings of the Assessment Sub-committee are 'closed', which means that you will not be able to attend. It is therefore very important that you set your complaint out clearly and provide at the outset all the information you wish the Assessment Sub-committee to consider.

The criteria that will be used to assess your complaint and decide whether it should be investigated are as follows:-

- Has the complainant submitted enough information to satisfy the Assessment Sub-committee that the complaint should be referred for investigation or other action?
- Is the complaint about someone who is no longer a member of the Authority, but is a Member of another authority? If so, the Assessment Sub-committee may decide to refer the complaint to the monitoring officer of that other authority.
- Is the complaint about a member of the Authority but relating to his /her conduct as Mayor or as a member of the London Assembly? If so, the Assessment Sub-committee may decide to refer the complaint to the monitoring officer of the Greater London Authority.

- Has the complaint already been the subject of an investigation or other action relating to the Code of Conduct? Similarly, has the complaint been the subject of an investigation by other regulatory authorities?
- Is the complaint about something that happened so long ago that there would be little benefit in taking action now?
- Is the complaint too trivial to warrant further action?
- Does the complaint appear to be simply malicious, politically motivated or tit-for-tat?

When the Assessment Sub-committee has reached its decision you will be notified in writing whether your complaint has been referred for investigation or other action. At the same time, the Member(s) you have complained about will also be notified of the decision. The decision letters will be sent within five working days of the Assessment Sub-committee reaching its decision. The decision of the Assessment Sub-committee is made available for public inspection once the Member the complaint is about has been given a summary of the complaint. In very limited situations the Member may not be given this summary immediately and if so any public inspection will not happen until the Member does get the summary.

What is meant by ‘other action’?

The Assessment Sub-committee may decide to refer your complaint for ‘other action’ instead of referring it for investigation. Other action is a deliberately broad term that may include options such as requiring the person you have complained about to apologise or undergo training or mediation. The Assessment Sub-committee will carefully consider the circumstances surrounding your complaint when deciding whether other action is appropriate. If the Assessment Sub-committee decides to refer your complaint for other action, what this involves will be explained to you.

How should I set out my complaint?

It is very important that you set your complaint out fully and clearly, and provide all the information at the outset. You should also provide any documents or other material that you wish the Assessment Sub-committee to consider, where possible. Unless the Authority advises you otherwise, you will not be able to attend the meeting of the Assessment Sub-committee.

You are recommended to use the Authority’s complaint form or provide a covering note summarising what you are complaining about, especially if your complaint includes a lot of supporting documentation. In the summary you should tell us exactly what each person you are complaining about said or did that has caused you to complain. If you are sending supporting documentation please cross-reference it against the summary of your complaint.

You should be as detailed as possible and substantiate your complaint where you can. Although you are not required to prove your complaint at this stage of

proceedings, you do have to demonstrate that you have reasonable grounds for believing that the Member(s) complained about has breached the Code of Conduct.

Further Information

For further information about this process:-

**Monitoring Officer
Metropolitan Police Authority
10 Dean Farrar Street
London
SW1H 0NY**

Tel: 020 7202 0212

or by Fax to 020 7202 0246

or by Email: professionalstandards@mpa.gov.uk



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COMPLAINT FORM

Your details

Please provide us with your name and contact details

Title:	
First name:	
Last name:	
Address:	
Daytime telephone:	
Evening telephone:	
Mobile telephone:	
Email address:	

Your address and contact details will not usually be released unless necessary or to deal with your complaint.

However, we will tell the following people that you have made this complaint:

- the member(s) you are complaining about
- the monitoring officer of the authority

We will tell them your name and give them a summary of your complaint. We will give them full details of your complaint where necessary or appropriate to be able to deal with it. If you have serious concerns about your name and a summary, or details of your complaint being released, please complete section 6 of this form.

Please tell us which complainant type best describes you:

- Member of the public
- A member of the authority
- An independent member of the standards committee
- Member of Parliament
- Monitoring officer
- Other authority officer, police officer or authority employee
- Other ()

Making your complaint

Please provide us with the name of the member(s) you believe have breached the Code of Conduct:

Title	First name	Last name

Please explain in this section (or on separate sheets) what the member has done that you believe breaches the Code of Conduct. If you are complaining about more than one member you should clearly explain what each individual person has done that you believe breaches the Code of Conduct.

It is important that you provide all the information you wish to have taken into account by the assessment Sub-committee when it decides whether to take any action on your complaint. For example:

- You should be specific, wherever possible, about exactly what you are alleging the member said or did. For instance, instead of writing that the member insulted you, you should state what it was they said.
- You should provide the dates of the alleged incidents wherever possible. If you cannot provide exact dates it is important to give a general timeframe.

- You should confirm whether there are any witnesses to the alleged conduct and provide their names and contact details if possible.
- You should provide any relevant background information
- You should indicate what part of the Code of Conduct you think the Member has breached

Please provide us with the details of your complaint. Continue on a separate sheet if there is not enough space on this form.

Only complete this next section if you are requesting that your identity is kept confidential

In the interests of fairness and natural justice, we believe members who are complained about have a right to know who has made the complaint. We also believe they have a right to be provided with a summary of the complaint. We are unlikely to withhold your identity or the details of your complaint unless you have good reason to believe that:

- You will be at risk of physical harm if your identity is disclosed;
- You work closely with the Member you are complaining about and the complaint could have consequences for your future employment; or
- You suffer from a serious health condition and there are medical risks associated with your identity being disclosed.

Please note that requests for confidentiality or requests for suppression of complaint details will not automatically be granted. The Assessment Sub-committee will consider the request alongside the substance of your complaint. We will then contact you with the decision. If your request for confidentiality is not granted, we will usually allow you the option of withdrawing your complaint.

However, it is important to understand that in certain exceptional circumstances where the matter complained about is very serious, we can proceed with an investigation or other action and disclose your name even if you have expressly asked us not to.

Please provide us with details of why you believe we should withhold your name and/or the details of your complaint:

Informal Resolution

It is often possible to resolve complaints without recourse to formal investigation and hearing. In such cases it is important that appropriate action to seek to achieve resolution of the matter is undertaken without delay.

Please advise if you are NOT willing for attempts to be made to seek early informal resolution of your complaint. If you do not so indicate, we will endeavour to seek resolution of your complaint prior to it being submitted to the Assessment Sub-committee of the Standards Committee. To assist us in doing this it would be helpful if you could describe what remedy you are seeking / what action you think would be appropriate to resolve your complaint.

Please provide us with details of what remedy you are seeking / what action you think might provide a satisfactory resolution to your complaint (*continue on a separate sheet of paper if necessary*):

Additional Help

Complaints must be submitted in writing. This includes fax and electronic submissions. However, in line with the requirements of the Disability Discrimination Act 2000, we can make reasonable adjustments to assist you if you have a disability that prevents you from making your complaint in writing.

We can also help if English is not your first language.

The Authority can provide this document in a variety of other languages, in large print and in Braille. We are also happy to talk to you to provide further assistance and information on how to make your complaint.

If you need any support in completing this form, please let us know as soon as possible.

For further details of the assistance we can provide please telephone: 020 7202 0202 or Minicom: 020 7202 0173 Email: enquiries@mpa.gov.uk.

You should send your complaint form to

Metropolitan Police Authority
10 Dean Farrar Street
London
SW1H 0NY

or by Email: enquiries@mpa.gov.uk