**FOI Ref: OPCC 13-21**

**Request: Dated 23 February 2021**

**Response:**

I can confirm that the Office of the Police and Crime Commissioner (OPCC) does hold the information requested, as outlined below:

Question:

In accordance with the provisions of the FoI Act please confirm:

1. The person to whom the function of making arrangements for dealing with complaints reported against the Chief Constable has been delegated to,
2. The instrument used to delegate the function of making arrangements for dealing with complaints reported against the Chief Constable, for example whether the delegation has been made in accordance with the Scheme of Corporate Governance or any other instrument
3. The person identified as being the ‘appropriate authority’ as defined under s. 29.1 (a) (i) of the Police Reform Act 2002, in order to meet the obligations prescribed for the appropriate authority within the IOPC Statutory Guidance on the Police Complaints System

Answer:

Questions 1 & 2

In response to Questions 1 & 2, I would advise that in accordance with Section 23 of the Policing and Crime Act 2017, the PCC can delegate any of the functions of the Local Policing Body contained within the Act. A summary of these decisions are:

* Recording of complaints
* Referral to the Independent Office for Police Conduct (IOPC)
* Decisions about how to handle a complaint against the Chief Constable
* Appointment of a person to handle the matter
* Responsibility to provide the complainant with regular updates
* Carrying out severity assessments
* Determinations of a complaint
* Making Review Recommendations

In accordance with the Scheme of Corporate Governance (OPCC website link: <http://www.dyfedpowys-pcc.org.uk/media/9265/corporate-governance-framework-2020-21.pdf>) these decisions are delegated by the PCC for Dyfed Powys to the Chief of Staff & Monitoring Officer for the Office of the Police and Crime Commissioner. The Chief of Staff & Monitoring Officer is supported by the Quality of Service Manager, to ensure the timely and effective management of these processes.

Question 3

I would advise that this information is already published via: <https://policeconduct.gov.uk/sites/default/files/Documents/statutoryguidance/2020_statutory_guidance_english.pdf> - Annex A.

The appropriate authority for a complaint or recordable conduct matter that relates to the conduct of a Chief Constable or acting Chief Constable is the local policing body with responsibility for that police force area. The Police and Crime Commissioner is the Appropriate Authority – please refer to Section 29, Police Reform Act 2002.

The local policing body is also the appropriate authority for a death or serious injury (DSI) matter, where the Chief Constable or acting Chief Constable is the relevant officer – please refer to Section 29, Police Reform Act 2002. The ‘relevant officer’ in relation to a DSI matter, means the person serving with the police: who arrested the person who has died or suffered a serious injury in whose custody that person was at the time of the death or serious injury, or with who the person who has died or suffered a serious injury had contact -  please refer to Section 29, Police Reform Act 2002.