

Complaint Review Panel

Terms of Reference

Background

In January 2017, the Policing and Crime Act 2017 achieved Royal Assent which was the vehicle to introduce wide-reaching reforms across the entire complaints and disciplinary system. The British Transport Police Regulations 2020 enable these reforms to be implemented by BTP.

One of the key changes introduced by the regulations is that appeals are replaced by a new system of reviews. Local Policing Bodies will become the review body for locally handled enquiries, where this was previously the responsibility of the Chief Constable, typically delegated to Professional Standards Departments (PSD).

Local appeals currently handled by BTP PSD will be dealt with as complaint reviews by the BTPA from 4 January 2021.

Purpose and Scope

The purpose of the Review Panel is to independently review locally handled complaint investigations received from PSD, following a request from the complainant in accordance with the regulations. Its aim is to determine whether the complaint was dealt with reasonably and proportionately and dependent on the outcome of this its findings in this regard, whether to uphold the review and make recommendations in support of further action being taken.

Reporting

The Panel will report to the wider Authority no less than annually. This report back will focus on high level data such as number of review requests, review outcomes and recommendations.

Responsibilities

The Panel will:

- Review locally handled complaint investigations received from BTP PSD following a request by a member of the public and in accordance with the Regulations. The Panel will determine whether the review is to be upheld, or not, and any recommendations arising for BTP.
- Track Force responses to the review outcomes and recommendations/observations
- Capture any wider organisational learning and trends and report back to the wider Authority

Meetings

Meetings are to be held monthly. Dates and times have been fixed in advance and cases for review will be circulated in advance of the meetings. All case material for reviews will be sent via the Board Intelligence Platform (BI).

Membership, attendees and training

The current membership of the panel is as follows:

- Martin Richards, Member BTPA
- Andy Cooper, Deputy Chair BTPA
- Bev Shears, Member BTPA
- Lucy Yasin/Stephanie Calvert, Head of Governance and Compliance BTPA

The Chair will rotate between Members. All members of the panel will have voting rights. In the event of a split decision, the Chair of that meeting will have a casting vote.

All members of the committee have received training to assist their understanding of their role.

The quorum for decision-making is two panel members.

Chairperson

The role of the Chairperson is to support the selection of cases for review, ensure each panel member has the opportunity and time to provide feedback and views and facilitate the discussion/decision making process.

Review outcomes

The Executive will be responsible for reporting review outcomes (including recommendations/observations) to PSD and sending outcome letters to complainants. The Executive will ensure that any feedback from PSD on the Panel's recommendations are sent to the Panel within five working days.

If the panel identifies an action or decision pursued to be so poor that it may constitute an act of misconduct, the Panel will refer the case back to the relevant agencies' Professional Standards Department to be considered for further action within three working days.

Secretariat

The BTPA Governance Manager will provide secretariat support to the Member Panel.

The Secretariat will be responsible for all arrangements associated with supporting the complaint review process.

Effectiveness and evaluation

The Panel will reflect on its effectiveness at the end of each meeting and these terms of reference will be reviewed annually.