

Appealing against the Local Resolution process

Making an appeal to the Independent Police Complaints Commission



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➔ Appealing against the Local Resolution process

➔ Introduction

This leaflet explains what you can do if you think the Local Resolution process used in relation to your complaint was not what you had agreed to. It includes:

- an explanation of the Local Resolution process
- under what circumstances you can make an appeal to the Independent Police Complaints Commission (IPCC)
- how to make an appeal and by when
- how the IPCC will deal with your appeal
- how to contact the IPCC.

This leaflet includes an appeals application form.

➔ What can I do if I am not happy with the way my complaint was handled?

You may be able to appeal to the IPCC if you have made a complaint against the police which was dealt with using the Local Resolution process and you are not happy with the way it was handled.

The IPCC is responsible for the way complaints about the police are handled. It is also responsible for considering appeals made by members of the public about their complaints and can, if appropriate, direct forces to change their decision or to take further action.

The IPCC is an independent organisation and its final decisions cannot be overruled except by a court of law.



⇒ What is Local Resolution?

The IPCC believes that Local Resolution can be the simplest and most flexible way of:

- telling the police what happened
- finding out why it happened
- allowing someone to say sorry, if appropriate
- making sure action is taken to deal with the problem or to stop the same thing happening to someone else in the future.

⇒ What should happen during Local Resolution?

Your complaint can only be dealt with by Local Resolution if you agree to it. The police will explain this to you at the start and should also tell you about your right to appeal. You should not feel under any pressure to agree to have your complaint dealt with by Local Resolution.

The police should agree with you what the process will be to locally resolve your complaint. This process may include:

- a face-to-face meeting with the police manager who is working on your complaint to discuss what happened
- a face-to-face meeting with the person you have made the complaint about to talk things through
- a phone call from the police to explain what has been done about your complaint
- a letter from the police to explain what has been done about your complaint.

The police should also make clear to you what is likely to happen as a result of your complaint. This could include:

- an explanation or information to clear up a misunderstanding
- an apology on behalf of the police force
- accepting that something could have been handled better and telling you what has been done to stop it happening to someone else
- action by the appropriate manager to change the way a police officer or member of staff behaves.

At the end of this process, the police should write to tell you the outcome. They should also tell you how to obtain a written copy of the records they have made about locally resolving your complaint.

⇒ Can I appeal about the way the Local Resolution of my complaint was handled?

You can appeal to the IPCC if:

- the police did not properly explain to you that you must agree for your complaint to be dealt with by Local Resolution
- you did not agree to Local Resolution
- you think that the police did not follow the process they agreed with you for the Local Resolution of your complaint.

You cannot appeal against the outcome of the Local Resolution process. This means that you cannot appeal because you disagree with the findings.

➔ How do I make an appeal and by when?

Appeals can be made online. Please visit www.ipcc.gov.uk/index/complaints/forms.htm to access the relevant online appeal form.

Alternatively, use the attached form and send it to the address shown on the map on page 7.

The IPCC must receive your appeal within 28 days of the date on which you think the police did not follow the process you agreed with them.

This includes the time your appeal spends in the post. Completing the online appeal form can speed up the process.

If you do not send your appeal to the IPCC within 28 days, we do not have to consider your appeal.

The IPCC may be able to extend this time period if you have very special circumstances and you can fully explain your reasons for asking for an extension.

➔ How will the IPCC deal with my appeal?

The IPCC will send you a letter to tell you we have received your appeal form.

We will also contact the police to tell them about your appeal, give them a copy of your appeal and ask them for any information they have about your complaint.

Once we have received all the information from the police, we will assess your appeal and make a decision about it.

Please note that during the appeals process, the IPCC will not investigate your original complaint; we will review how your complaint was dealt with by the Local Resolution process.

➔ If your appeal is upheld

If your appeal is upheld, the IPCC will instruct the chief police officer or police authority about what it should do about your complaint. The police must follow these instructions. We will tell you in writing about the instructions we give to the police and explain what happens next.

➔ If your appeal is not upheld

If your appeal is not upheld, the IPCC will write to you explaining how and why it made its decision.

➔ What should I do if I need more advice?

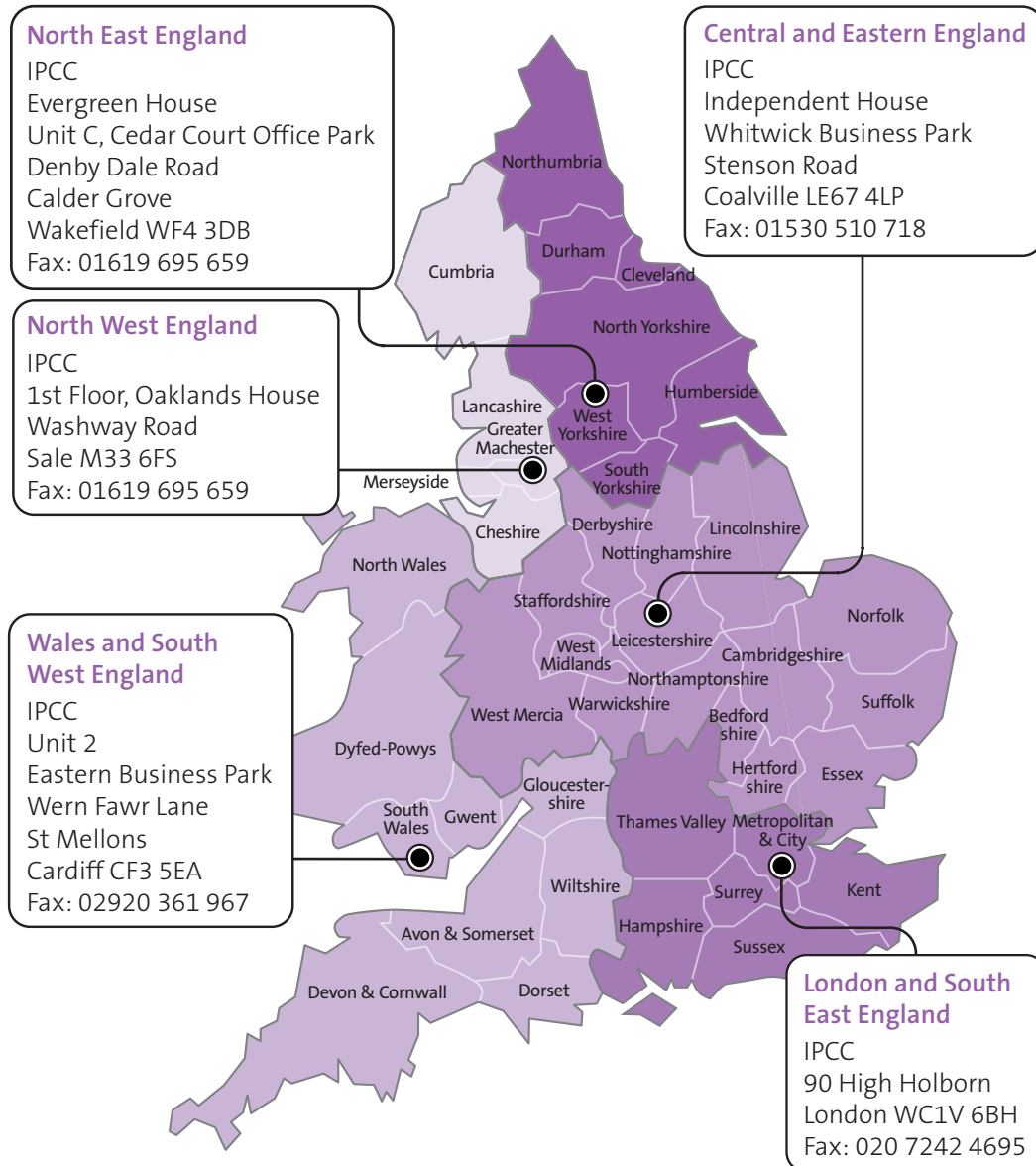
If you are still not sure what to do next or you need more information, you can contact an organisation such as your local Citizens Advice Bureau for advice. You can also talk to a legal advisor.

You can contact the IPCC for advice about the appeals process, if you have difficulty filling in the online or paper form, or if you require this leaflet or form in another language or format.

Independent Police Complaints Commission

Tel: 08453 002 002 Email: enquiries@ipcc.gsi.gov.uk
 Fax: 020 7404 0430 Website: www.ipcc.gov.uk
 Minicom: 020 7404 0431 Text Relay: 18001 0207 166 3000

The appeal form can be completed online at www.ipcc.gov.uk/index/complaints/forms.htm If you are completing a paper-based appeal form, please return it to the appropriate IPCC office. The map below shows which police force is covered by which IPCC office.



Please note that the Serious Organised Crime Agency (SOCA) is covered by the London and South East IPCC office.

The IPCC will deal with your appeal more quickly if it is completed online or sent to the correct IPCC office. If you are still not sure which office to send your form to, please contact the IPCC using the details below.

To obtain this leaflet in another language or format please contact the IPCC using the details below.

Tel: **08453 002 002**
Fax: **020 7404 0430**
Minicom: **020 7404 0431**
Email: **enquiries@ipcc.gsi.gov.uk**
Website: **www.ipcc.gov.uk**

If you are a deaf or hard of hearing customer you can contact the IPCC using Text Relay. Please use the following number.

Text Relay: **18001 0207 166 3000**

The IPCC will use the information you provide for the purposes of processing your complaint and to carry out its legal responsibilities under the Police Reform Act 2002. The IPCC will not pass on information to anyone else except where it is necessary to carry out its work.

Appealing against the Local Resolution process

This form can be completed online. Please visit www.ipcc.gov.uk/index/complaints/forms.htm

The IPCC must receive your appeal within 28 days of the date on which you think the police did not follow the process you agreed with it. Completing the online form will speed up this process.

Alternatively, please fill in and return this form as instructed on the inside back cover of this leaflet.

If there is anything which makes it difficult for you to use this service, for example if English is not your first language or you have a disability, please contact the IPCC using the contact details on the back of this leaflet. Alternatively, please use the space below to tell us how we might help to make things easier for you.

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Please give the name of the police force your complaint was about.

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If you have received a letter from the police telling you about the outcome of your Local Resolution, please give the date of that letter.

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Please tick the appropriate box: Mr Mrs Miss Ms Other (please specify)

First name: (Please write clearly)

.....

Surname: (Please write clearly)

.....

Your address:

.....

.....

Postcode:

Daytime telephone number:

.....

Evening telephone number:

.....

Email address:

.....

Date you made your complaint:

.....

IPCC or police reference number:

.....

Did you give the police permission to locally resolve your complaint? Tick one box only.

Yes No

Did the police explain the Local Resolution process to you? Tick one box only.

Yes No

If your answer is **no**, please explain what the police told you – if anything – about how they were going to look into your complaint. Please provide as much information as possible, continuing on a separate sheet if necessary.

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Did the police follow the process you agreed with them for the Local Resolution of your complaint?
Tick one box only.

Yes No

If your answer is **no**, please explain why you think that the police did not follow the process you agreed with them for Local Resolution. Please provide as much information as possible, continuing on a separate sheet if necessary.

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If you have any evidence or information to support your complaint, for example photos or letters, please list below.

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Please note that the information you provide relating to an appeal will be passed to the police force involved.

Signature of the person making this appeal:

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Date:

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The IPCC, like all public bodies, is obliged to record the ethnicity of people using its service. Being able to identify the ethnicity of complainants helps us to check it is reaching all sections of society. Please describe your ethnicity using the boxes below.

WHITE

- White British
- White Irish
- Any other White background

MIXED

- White and Black Caribbean
- White and Black African
- White and Asian
- Any other mixed background

ASIAN OR ASIAN BRITISH

- Indian
- Pakistani
- Bangladeshi
- Any other Asian background

BLACK OR BLACK BRITISH

- Caribbean
- African
- Any other Black background

OTHER ETHNIC GROUPS

- Chinese
- Any other ethnic groups

OTHER

- Prefer not to say

 **Where to send your appeal**

This form can be completed online at www.ipcc.gov.uk/index/complaints/forms.htm if you have completed the paper-based version of the form, details of where you should send it are listed on the inside back cover of this leaflet.