

Making an appeal to the Independent Police Complaints Commission



## Appealing against the Local Resolution process



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## What can I do if I am unhappy about the way my complaint was handled?

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If you have made a complaint against the police which has been dealt with under Local Resolution and you are unhappy with the way it has been handled, you may be able to appeal to the IPCC.

The IPCC, which stands for Independent Police Complaints Commission, is an independent organisation and our final decisions cannot be overruled except by a court of law.

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

## What does this leaflet tell me?

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This leaflet describes what you can do if you think that the process used in a Local Resolution that you agreed to has not been followed. It sets out:

- The grounds on which you can make an appeal to the IPCC
- What you need to do to make an appeal
- How the IPCC will deal with your appeal
- How to get in touch with us

## What is Local Resolution?

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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

However, if your complaint is about, for example, a police officer or member of police staff who has physically hurt or abused you, then it would not be appropriate to use Local Resolution.

## What should happen during Local Resolution?

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

The police should agree the process for the Local Resolution of your complaint with you. This process could 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 telephone call from the police to explain to you what has been done about your complaint
- A letter from the police to explain to you what has been done about your complaint

The police should also make it 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 (but the officer or police staff concerned cannot be required to apologise)

- 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 the Local Resolution, the police should write to you explaining the outcome and tell you how to get a written copy of the record.

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

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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 or 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 you cannot appeal because you disagree with the findings.**

### How do I make an appeal?

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Complete the form at the end of this leaflet, giving as much information as possible and follow the instructions on the back of the leaflet.

**Please note: You must make your appeal within 28 days of the date on which you think the police did not follow the process you agreed with them.**

**If you do not submit your appeal to the IPCC within 28 days, the IPCC does not have to consider your appeal. The IPCC may be able to extend this time period if you have very special circumstances and you fully explain your reasons for requesting an extension.**

### How will the IPCC deal with my appeal?

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Once your appeal form has been received, the IPCC will send you a letter introducing the casework manager who will be dealing with your appeal and explaining how you can contact them.

We will consider the information you have given on the appeal form and contact the police to get any relevant information or paperwork. We will then make a decision as to whether the appeal can be upheld.

If your appeal is upheld, the IPCC will give instructions to the chief police officer or police authority about what they should do about your complaint. The police must follow these instructions. We will inform you of the instructions we have given to the police and explain what will happen next.

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

### What if I need more advice?

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

If you prefer, you can contact the IPCC for advice about the appeals process. You can also contact the IPCC if you have any difficulties filling in this form.

**Our contact details are on the reverse of this leaflet.**

# Appealing against the Local Resolution process

Please note that the Independent Police Complaints Commission must receive your appeal within 28 days of the date you believe that the process you agreed to was not followed by the police.

You do not have a right of appeal about the *outcome* of a Local Resolution.

If there is anything which makes it difficult for you to use our service, for example if English is not your first language or you have a disability, please contact us on 08453 002 002 or use the space below to tell us how we might help to make things easier for you.

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

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

First Name  (BLOCK CAPITALS)   Surname  (BLOCK CAPITALS)

Your address

  Postcode

Daytime tel no    Evening tel no

Email address

Date you made your complaint    IPCC/police reference number

Did you give your consent to the police for your complaint to be dealt with by Local Resolution? Tick one box only.

Yes    No

Did the police fully explain the Local Resolution process to you (i.e. how they were going to look into your complaint)? Tick one box only.

Yes    No

If your answer is YES please give your reasons why you think that the police did not follow the process you agreed with them during the Local Resolution. If your reasons are detailed please provide as much information as possible now, continuing on a separate sheet if necessary.

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

If you have any documents, for example any correspondence from the police, to support your complaint, please send these to the IPCC together with this form.

Please note that information you supply in relation to an appeal will be supplied to the police force concerned.

Please tick the box if you would like them returned to you. We would advise you to make copies for your own reference.

Signature of the person making the appeal

Date

So that the IPCC can ensure that we are providing all sections of society with the best possible service we would ask you to give us a few details about your ethnicity. Any information given will be treated in the strictest confidence and will in no way have any affect on the way your complaint is treated.

<b>White:</b>	White British	<input type="checkbox"/>	White Irish	<input type="checkbox"/>	Any other White background	<input type="checkbox"/>		
<b>Mixed:</b>	White and Black Caribbean	<input type="checkbox"/>	White and Black African	<input type="checkbox"/>	White and Asian	<input type="checkbox"/>	Any other mixed background	<input type="checkbox"/>
<b>Asian or Asian British:</b>	Indian	<input type="checkbox"/>	Pakistani	<input type="checkbox"/>	Bangladesh	<input type="checkbox"/>	Any other Asian background	<input type="checkbox"/>
<b>Black or Black British:</b>	Caribbean	<input type="checkbox"/>	African	<input type="checkbox"/>	Any other Black background	<input type="checkbox"/>		
<b>Other ethnic groups:</b>	Chinese	<input type="checkbox"/>	Any other ethnic group	<input type="checkbox"/>				
<b>Other:</b>	Prefer not to say	<input type="checkbox"/>						

When you have completed this form please send it to the Independent Police Complaints Commission at one of the addresses on the back of this leaflet.

The IPCC is split into four regions that together cover all police forces across England and Wales. Please send your completed form to the IPCC office which deals with the police force your complaint is about.

The map below will enable you to find out which police force is covered by which IPCC office.

**North**

Independent Police Complaints Commission  
1st Floor, Oaklands House  
Washway Road  
Sale M33 6FS

**Central and Eastern England**

Independent Police Complaints Commission  
Independent House  
Whitwick Business Park  
Stenson Road  
Coalville LE67 4JP

**Wales and South West England**

Independent Police Complaints Commission  
Unit 2, Eastern Business Park  
Wern Fawr Lane  
St Mellons  
Cardiff CF3 5EA

**London and South East England**

Independent Police Complaints Commission  
90 High Holborn  
London WC1V 6BH



If you are unable to establish which IPCC office to send your form to or you have any difficulties filling in this form please contact us using the details below.

Independent Police Complaints Commission  
90 High Holborn  
London  
WC1V 6BH

Tel: 08453 002 002  
Email: [enquiries@ipcc.gsi.gov.uk](mailto:enquiries@ipcc.gsi.gov.uk)  
Web: [www.ipcc.gov.uk](http://www.ipcc.gov.uk)

Please note that information you supply in relation to an appeal will be supplied to the police force concerned.

The IPCC will use the information you have provided only for the purposes of processing your complaint and in performance of its legal functions under the Police Reform Act 2002. The IPCC will not pass on information to third parties except where it is necessary in the proper performance of its functions.

Date: September 2005  
Reference: COM/20