

# Handling complaints

## – a guide for police officers and staff

Complaints can provide valuable feedback to help forces improve the service they provide.

It is the responsibility of all police officers and police staff to respond to someone who wishes to make a complaint – even if the matter is then passed on to someone else to resolve.

People make complaints because they are unhappy with the way they have been treated or with the service they have received. The primary focus of the initial handling of a complaint should be to resolve it (with the exception of certain serious complaints or incidents, which must be referred to the IPCC – see information on the following pages).

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## What to do when you receive a complaint

Establish exactly what the complaint is about and what the complainant would see as a satisfactory outcome. A personal approach to this is more likely to be successful than sending a letter – a conversation will allow you to discuss issues in more detail.

### Why is it important to record complaints?

It is very important that complaints are recorded where this is necessary. Recording a complaint means that it is given formal status as a complaint under the Police Reform Act 2002. The vast majority of complaints will need to be recorded. This should happen as quickly as possible after a complaint is received and certainly within ten working days. You should liaise with your force's Professional Standards Department (PSD) to ensure that complaints are recorded.

- See paragraphs 3.17-3.25 of the IPCC's Statutory Guidance for more information about recording complaints.

→ Dealing with a complaint

→ Communicating with the complainant

If you need advice about dealing with a complaint, contact your PSD.

Full Statutory Guidance for forces on dealing with complaints is available on our website at [www.ipcc.gov.uk/statutoryguidance](http://www.ipcc.gov.uk/statutoryguidance)

## Dealing with a complaint

### Can the complaint be dealt with straight away to the complainant's satisfaction?

Most complaints will be dealt with by local resolution or local investigation (see information below). However, if you can deal with a complaint there and then, to the satisfaction of the person making it, you should do so. For example, if someone complains that the police have closed a road, they may be satisfied with an explanation about why the road was closed. In such circumstances, you should keep a note of the complaint, but it does not need to be formally recorded.

### What happens if further work is needed to deal with the complaint?

If the complaint cannot be dealt with immediately it should usually be recorded. You should then deal with it using either local resolution or a local investigation unless it needs to be referred to the IPCC.

Local resolution is a way of dealing with complaints at a local level – for example, through the involvement of an inspector at a police station or a police staff manager.

If a complaint is not suitable for local resolution, a local investigation should be carried out. Some complaints must be dealt with by a local investigation.

### A local investigation must take place when:

- the conduct complained about (if proved) could justify bringing criminal or disciplinary proceedings against the person complained about; or
- the conduct complained about (if proved) could involve the infringement of a person's rights under Article 2 or 3 of the European Convention on Human Rights.

- **See paragraphs 5.10-5.12 and section nine of the IPCC's Statutory Guidance for more information about these categories and about carrying out a local investigation. You may need some support or advice from your PSD to carry out a local investigation.**

### Should the complaint be referred to the IPCC?

Police forces must refer certain complaints and incidents to the IPCC – for example, an allegation that an officer has seriously assaulted someone or committed a serious sexual offence, or if someone has died or been seriously injured following direct or indirect contact with the police.

If you think that a complaint or incident should be referred, make sure that your PSD is aware of it. Section eight of the IPCC's Statutory Guidance contains more information about referrals.

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## Communicating with the complainant

### How should I communicate with the complainant when dealing with their complaint?

You should by now have established what the complainant would like to happen as a result of their complaint. If their initial expectations are unrealistic, explain why that is and what the likely outcomes are.

You should discuss with the complainant what actions you will take to deal with their complaint. Aim to establish an effective relationship with them from the outset – this should help you to handle the complaint successfully and reduce the likelihood of an appeal. When you speak to the complainant, explain the actions that will be taken to achieve a satisfactory outcome rather than just telling them about the process that will be followed.

#### You could take the following actions to locally resolve a complaint:

- provide information and explanation
- give an apology on behalf of the force
- explain the circumstances of the case and any action taken
- meet with the person complained about
- organise a change to policy or procedures
- take some investigative steps to find out more information.

If a complaint is being investigated you should explain to the complainant what they can expect during the investigation process.

### What do I do when I have finished dealing with the complaint?

You must tell the complainant about the outcome of their complaint and that they have a right of appeal. You may tell them this verbally, but you should also send them written confirmation.

#### The written confirmation should include:

- a copy of the record of the outcome of the complaint (if you carried out local resolution)
  - the findings of any investigation, including the conclusion and what action will be taken – you could give the complainant a copy of the investigation report
  - the fact that there is a right of appeal and who the complainant should appeal to. Explain why the appeal is to that person/organisation – you may need to seek advice from your PSD
  - if the right of appeal is to the chief officer of the force, you should explain that there is no right of appeal to the IPCC
  - the timescale for making the appeal.
- See section 13 of the IPCC's Statutory Guidance for more information about appeals.

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