



**POLICE HEADQUARTERS**  
PROFESSIONAL STANDARDS DEPARTMENT  
Lloyd House  
Colmore Circus Queensway  
BIRMINGHAM  
West Midlands  
B4 6NQ

Mr Neil Wilby

External Tel: 101  
Email: [psd@west-midlands.pnn.police.uk](mailto:psd@west-midlands.pnn.police.uk)  
Crimestoppers: 0800 555 111  
Our Reference: MI/01567/17  
Your Reference:  
Date: 09 August 2017

Dear Mr Wilby

I refer to your recent correspondence regarding your dissatisfaction with the West Midlands Police response to your freedom of information request.

Having considered the content of your correspondence and the documentation available to me, I have NOT recorded this matter as a complaint against the police because the complaint is vexatious, oppressive or otherwise an abuse of the procedures for dealing with complaints.

The reason for this decision is because the established process for dealing with dissatisfaction about the response to applications made under the Freedom of Information Act is firstly to request a review of how your application was dealt with, which I am aware you have already done. Secondly if following that review you remain unhappy, you should direct your complaint to the Information Commissioner who has powers to issue directions to the organisation to whom you have applied. It is therefore an abuse of the procedures for making complaints against the police to seek to raise this complaint when there already exists another process for dealing more appropriately with the concerns you have raised. For clarity it is the 'abuse of procedures' element of the grounds for non-recording this complaint which is applied in your case, but the process requires that I quote the whole sentence in this letter, otherwise my decision is likely fail upon appeal, irrespective of the merits of the decision.

**You do have a right of appeal against the non-recording of a complaint. Please note that any appeal must be made to the Independent Police Complaints Commission within 28 days of the date of this letter.**

Information about the appeal process, including access to an online appeal form, can be found on the website of the Independent Police Complaints Commission (IPCC) at [www.ipcc.gov.uk](http://www.ipcc.gov.uk) . If you do not have access to the internet, then you can get further information about appeals by calling the IPCC on 0300 020 0096

Yours sincerely

53026 Poulton  
Appropriate Authority  
Professional Standards Department

