



Derbyshire Constabulary

Ms Lisa Smithson

Telephone: 101
Direct Line: 0300 122 8752
Ask For: Freedom of Information
Our Ref: 001740/14
Your Ref: Complaints Procedure
Date: 7 August 2014

Dear Ms Smithson

FREEDOM OF INFORMATION REQUEST - REFERENCE NO: 001740/14

I write in connection with your request for information which was received by Derbyshire Constabulary on 14/07/2014. I note you seek access to the following information:

Please provide the following documents requested under FOI

- 1) Copy of your procedure for recording a complaint from a member of the public, for clarification this is the procedure your force uses to determine whether to record or disapply the matter being complained.*
- 2) Copy of your procedure to be used for staff performing Local Resolution on a recorded complaint.*
- 3) Copy of your procedure to be used for staff performing Local Investigation on a recorded complaint.*
- 4) In respect of 2) & 3), also provide copies of any other documents (internal only, any IPCC / Legislation documents do not need to be provided) referred to within those procedures. Examples of such documents may be another procedure or a form (in which case a blank sample form should be provided)*

Result of Searches

Following receipt of your request, searches were conducted within Derbyshire Constabulary to locate any relevant information. The searches located some information relevant to your request.

Decision

I have today decided to disclose the located information to you in full.

- 1) The process for determining whether a complaint should be recorded as a complaint against police is governed by statute. The procedure is set out in Schedule 3 to the Police Reform Act 2002. The Constabulary complies with Schedule 3 and statutory guidance issued by the IPCC pursuant to Section 22 of the Police Reform Act 2002.

The following link will take you to the guidance <https://www.ipcc.gov.uk/page/statutory-guidance>

However, for the sake of clarity I need to point out that the Constabulary has no say in initially deciding whether to “record or disapply” a complaint as disapplication can only be used in respect of complaints which are already recorded (Reg 5 of the Police (Complaints and Misconduct) Regulations 2012.

2) Attached

3) Attached

4) Attached

Right to Request a Review (Complaint)

Your attention is drawn to the attached sheet, which details your right of complaint.

I would like to take this opportunity to thank you for your interest in Derbyshire Constabulary.

Should you have any further enquiries concerning this matter, please write or contact the Freedom of Information Officer, on the above telephone number quoting the reference number in the header.

Yours sincerely

Kevin Lea
Freedom of Information Officer

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