



Our Ref: 264.2018-19

Your Ref:

Date: 28 June 2018

Civil Disclosure
Joint Corporate Legal Services

Ge off Pickering

request-488294-2b6834dc@whatdotheyknow.com

Dear Geoff,

FREEDOM OF INFORMATION REQUEST REFERENCE NO: 264.2018-19

I write in connection with your request for information which was received by the Office of the Police and Crime Commissioner on 31 June 2018. I note you seek access to the following information:

I have been informed that North Yorkshire Police operate a policy / practice only to investigate complaints against Councillors or Council Officers at the formal request of the Council's Monitoring Officer.

Is it the case that NYP have, do operate or have operated such a policy / practice?

If so

This policy/practice removes a citizens right to report potential criminal activity and have it investigated

Gives a council officer a veto over the citizen watchdog checks and balances necessary to prevent crime and corruption and their rights to redress.

Could amount to de-facto collusion between NYP and a council to pervert the course of justice.

Therefore if such a policy/practice is operated I wish to request the following additional information;

What is the justification and rationale for the policy?

Has the policy / practice been approved by the Home Office and has NYP benchmarked similar policy/practice adopted by other Police forces.

Is the Police and Crime Commissioner aware of the policy/practice?

Who adopted approved the policy / practice and when?

What is the procedure where the complaint is against the Councils Monitoring Officer or person in a position to influence the Monitoring Officer?

What is the procedure for the Monitoring Officer acting corruptly or under coercion?

Jane Wintermeyer BSc (Hons) Force Solicitor & Head of Legal Services
Police Headquarters | Alverton Court | Crosby Road | Northallerton | North Yorkshire | DL6 1BF
DX No 68810 NORTHALLERTON 2 | Telephone 01609 643542 | Fax 01609 789987

Non-emergency
Number



How do members of the public make complaints that are vetoed by the Monitoring Officer

Extent and Result of Searches to Locate Information

To locate the information relevant to your request searches were conducted within the Office of the Police and Crime Commissioner.

I wish to advise you there is no information held within the Office of the Police and Crime Commissioner to answer your request. This is because there is no such policy within North Yorkshire Police, and therefore the Police and Crime Commissioner cannot be aware of it.

Complaint Rights

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

If you have any queries concerning this request, please contact me quoting the reference number above.

Yours sincerely

Liz Fryar
Legal Officer (Civil Disclosure)
Joint Corporate Legal Services

COMPLAINT RIGHTS

Are you unhappy with how your request has been handled or do you think the decision is incorrect?

You have the right to require the Office of the Police and Crime Commissioner to review their decision. Prior to lodging a formal complaint you are welcome and encouraged to discuss the decision with the case officer that dealt with your request.

Ask to have the decision looked at again –

The quickest and easiest way to have the decision looked at again is to telephone the case officer that is nominated at the end of your decision letter.

That person will be able to discuss the decision, explain any issues and assist with any problems.

Complaint

If you are dissatisfied with the handling procedures or the decision the Office of the Police and Crime Commissioner made under the Freedom of Information Act 2000 (the Act) regarding access to information you can lodge a complaint with the Office of the Police and Crime Commissioner to have the decision reviewed. The Office of the Police and Crime Commissioner must be notified of your intention to complain within 2 months of the date of its response to your Freedom of Information request. Complaints should be made in writing and addressed to:

Force Solicitor and Head of Legal Services
North Yorkshire Police
Alverton Court
Crosby Road
Northallerton
North Yorkshire
DL6 1BF

In all possible circumstances the Office of the Police and Crime Commissioner will aim to respond to your complaint as soon as practicable but within 20 working days.

The Information Commissioner

After lodging a complaint with the Office of the Police and Crime Commissioner if you are still dissatisfied with the decision you may make application to the Information Commissioner for a decision on whether the request for information has been dealt with in accordance with the requirements of the Act.

For information on how to make application to the Information Commissioner please visit their website at <https://ico.org.uk> Alternatively, phone: 0303 123 1113 or write to:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF