

**West Yorkshire**

**Police and Crime Panel**

**Making a Complaint**

This leaflet tells you how to complain about the Mayor for West Yorkshire or Deputy Mayor for Police and Crime

**Who we are**

The **West Yorkshire Police and Crime Panel** works on behalf of the residents of Bradford, Calderdale, Kirklees, Leeds and Wakefield to ensure that the Mayor for West Yorkshire meets the needs of all the communities they have been elected to serve in relation to police and crime matters.

The **Mayor** **for West Yorkshire** has responsibility for the totality of policing across West Yorkshire. This includes setting policing priorities through a Police and Crime Plan and then spending the police budget in a way that addresses these priorities.

The Panel has certain duties in relation to the recording and handling of complaints about the Mayor and any Deputy Mayor for Police and Crime (DMPC) that they may appoint.

We handle complaints in a fair and independent way – we do not take sides. If you have a concern about something the Mayor or their DMPC has said or done, you should first raise it with them. But if you are still not satisfied, we may be able to help.

This leaflet sets out what we can and can’t do. It explains what we have to do in certain circumstances. If we can handle your complaint, it explains the process that will be followed and there is a form that you can fill in which will help us deal with your complaint.

**What we can do**

Complaints about the behaviour of the Mayor or their DMPC are dealt with either by the Independent Office for Police Complaints (IOPC) or by us[[1]](#footnote-1).

We have to record any complaints alleging criminal conduct (or which indicate criminal conduct may have occurred) by the Mayor or the DMPC. We then have to refer these complaints to the IOPC for investigation.

Any other complaints are handled by us, usually through Informal Resolution.

Informal Resolution means encouraging, helping and bringing about the resolution of a complaint without going through legal or formal proceedings.

We can consider complaints about the way a decision has been made or the behaviour of the Mayor or their DMPC, if this has caused problems for you. For example, you may want to complain about the Mayor or their DMPC not following their own rules.

If we find the Mayor or their DMPC has done something wrong, we will try to get them to put the matter right. What we ask the Mayor or their DMPC to do will depend on the particular complaint, how serious the fault was and how you have been affected by it.

**What we can’t do**

We can’t just question what the Mayor or their DMPC has done simply because you don’t agree with it. There must be some alleged fault by the Mayor their DMPC. For example, you may think that they have not followed the proper process for taking a decision.

There are some things we can’t look into because there is a more appropriate body to deal with your complaint, or because we don’t have the legal power to do so. If we can’t help, we will tell you about other organisations that may be able to help.

In particular, we are not able to deal directly with complaints about the performance of West Yorkshire Police or any of their officers. How such complaints are to be dealt with can be found at [www.westyorkshire.police.uk](http://www.westyorkshire.police.uk). If you are unsure about whether your complaint is appropriate for the Panel to look into, please contact the Panel Officer on 07920 833358 in the first instance, who will be able to advise you.

**When to complain**

If you have a concern about something the Mayor or their DMPC has said or done, the first step is to raise it with them. Their contact details are set out below.

If you are still not satisfied, you can make a complaint to us, the Police and Crime Panel. There is a Complaints Form you can download to help you.

You can make a complaint if;

* the conduct you are concerned about has been directed at you
* you have been adversely affected by the conduct, even if it wasn’t directed at you
* you have witnessed the conduct

Someone can act on your behalf (perhaps a friend or relative) if you give your written permission for them to do so.

**How we deal with your complaint**

Set out below is a description of how we deal with your complaint. A flowchart setting out the process can also be downloaded from the website.

When we receive a complaint we take the following steps:

**Stage 1 – Recording the Complaint**

1.1 We check that the complaint is about the Mayor for West Yorkshire or their DMPC – if it isn’t we send it to the right Police and Crime Panel and let you know or we advise you of the right person or organisation to send it to;

 If it does relate to the Mayor or their DMPC:

1.2 We record the complaint – unless it is already being dealt with through criminal proceedings

1.3 If we don’t record your complaint we have to tell you that we have made that decision and explain why

* + you can appeal to the Standards and Complaints Sub Panel against a decision not to record your complaint
	+ if your appeal is successful your complaint will be referred back to officers to be recorded
	+ if your appeal is unsuccessful – the Sub Panel decision is final and your case closed

**Stage 2 – Is it a Complaint that Should be Dealt with by Us?**

2.1 A We decide whether a complaint alleges criminal conduct (or indicates criminal conduct may have occurred). If it does we immediately refer it to the Independent Office for Police Conduct (IOPC). The IOPC will then decide how to deal with your complaint

or

2.1B We decide that a complaint can be dealt with by us

 or

2.1C We may decide no action should be taken because, for example, it is an employment issue, it is more than 12 months old, the matter is already the subject of a complaint, it is anonymous, vexatious, oppressive or an abuse of the procedures or repetitious

* + you can appeal to the Standards and Complaints Sub Panel against a decision to take no action
	+ if your appeal is successful your complaint will be referred back to officers to be dealt with in accordance with the procedures set out below
	+ if your appeal is unsuccessful – the Sub Panel decision is final and your case closed

Whatever we decide you will be kept informed.

**Stage 3 – Your Complaint is to be looked Into by Us**

3.1 A copy of the record of the complaint will be sent to you within 5 working days of it being recorded and you will be informed who will be handling your complaint

3.2 A copy of your complaint will normally be sent to the person you have complained about for their comments (in certain circumstances your complaint may be kept anonymous or confidential)

3.3 You will normally get a response within 15 working days of the record of your complaint being sent to you. If more time is needed you will be told the reason why and given a new date

* If the person you have complained about accepts the recommended decision and any recommended actions to be taken you will receive a copy of the decision and the reasons for it
* If you accept the decision – it will be implemented and your case closed
* If you don’t accept the decision – your case will be referred to the Standards and Complaints Sub Panel for consideration – its decision is final – it will be implemented and your case closed unless
* the decision is not accepted by the person you have complained about - in which case the matter will be referred to the full Police and Crime Panel – its decision will be final - it will be implemented and your case closed
* If the person you have complained about does not accept the recommended decision and any recommended actions to be taken the matter will be referred to the Standards and Complaints Sub Panel for consideration
* you will receive a copy of the recommended decision and any recommended actions
* if the person you have complained about accepts the Sub Panel’s decision – it will be implemented and your case closed
* if the Sub Panels decision is not accepted by the person you have complained about, the matter will be referred to the full Police and Crime Panel – its decision will be final - it will be implemented and your case closed
* The Mayor or DMPC could be called to a meeting to answer questions and make representations.
* If the Sub Panel or the full Panel is to consider your case, you will be informed of the date and time of the meeting and you could be invited to attend

**Outcome**

* A record of the outcome of your complaint will be sent to the person complained about as well as to you
* Details of the record may be published but only after you have been given a chance to comment
* Possible outcomes could include an;
	+ apology
	+ improvement or change in procedures
	+ acceptance that something went wrong but that no other action is appropriate

 Further details on the possible outcomes can be found on our website.

**Withdrawing or discontinuing a complaint**

* If you want to withdraw or discontinue your complaint you must give us signed notice in writing. If your complaint involves (or may involve) criminal conduct then it might still have to be investigated. If this is the case, you will be told.

**How to contact us**

There are a number of ways you can make a complaint:
• E mail: pcpofficer@wakefield.gov.uk

• Telephone: 07920 833358
• Post: West Yorkshire Police and Crime Panel

Town Hall

Wakefield

WF1 2HQ

**Other contact details**

**Policing and Crime issues under the Mayor for West Yorkshire:**

Website: <https://www.westyorks-ca.gov.uk/policing-and-crime/>

E mail: policingandcrime@westyorks-ca.gov.uk

Telephone: 0113 348 1740

Address: West Yorkshire Combined Authority

Policing and Crime

Wellington House

 50-60 Wellington Street

 Leeds

 LS1 2DE

**West Yorkshire Police Professional Standards Department (for complaints about police officers or police staff):**

Website: [www.westyorkshire.police.uk](http://www.westyorkshire.police.uk)

E mail: psd.genenq@westyorkshire.pnn.police.uk

Telephone: 101

Address: Professional Standards Department

 West Yorkshire Police

 Laburnum Road

 Wakefield

 WF1 3QP

**Independent Office for Police Conduct (IOPC) (for complaints about alleged or potential criminal matters):**

Website: [www.policeconduct.gov.uk](http://www.policeconduct.gov.uk)

E mail: enquiries@policeconduct.gov.uk

Telephone: 0300 020 0096 (9.00am to 5.00pm Monday - Friday)

Address: Independent Office for Police Conduct

 PO Box 473

 Sale

 M33 0BW

If you want any general information about the **Police and Crime Panel** please visit our website at: [www.westyorkshire-pcp.gov.uk](http://www.westyorkshire-pcp.gov.uk)

If you want to complain about the **Police and Crime Panel** or a **member of the Panel you should write to:**

The Monitoring Officer

Room 109

County Hall

Bond Street

Wakefield WF1 2QW

**How To Obtain This Information In Other Formats**

Please let us know if you have difficulty using our service: for example if you have a disability or if English is not your first language. If you need a copy of this information and form in another language, we can arrange this. We can also produce information in large print, in Braille or on CD. For further information, telephone 07920 833358.

**Still Not Satisfied?**

If you are still not satisfied with the final outcome, you can ask the Local Ombudsman to look into your case. The Local Ombudsman will:

* look into the actions of the Police and Crime Panel
* investigate further if they feel the Panel has not acted correctly
* provide you with a decision on your complaint
* provide the service free of charge

You can contact the Ombudsman directly at:

Website: *www.lgo.org.uk*

Call the LGO Advice Team on **0300 061 0614** or **0845 602 1983**

Email: **advice@lgo.org.uk**

Write to:

The Local Government Ombudsman,

PO Box 4771

Coventry CV4 0EH

1. Except in the case where the DMPC is a member of the Combined Authority at the time the complaint is recorded, in which case the Panel will pass the complaint to the Combined Authority’s Monitoring Officer [↑](#footnote-ref-1)