

FREEDOM OF INFORMATION REQUEST REFERENCE NO:4/21

You seek access to the following information:

How many complaints about West Yorkshire Police were sent to the IOPC in years 2017/2018/2019/2020.

This information can be found on the IOPC website and is therefore exempt from disclosure under Section 21 of the Freedom of Information Act which covers information accessible by other means. Please see the links below to the relevant pages of our website.

<https://policeconduct.gov.uk/research-and-learning/statistics>

How many were upheld

This information can be found on the IOPC website and is therefore exempt from disclosure under Section 21 of the Freedom of Information Act which covers information accessible by other means. Please see the links below to the relevant pages of our website.

<https://policeconduct.gov.uk/research-and-learning/statistics>

After a complaint has been upheld by the IOPC what is the average time in which to rectify the complaint

The OPCC does not hold this information.

Given the professional standards team tasked with dealing with the IOPC do not investigate crimes what is the rule of thumb for improving your failures with regards to failure to investigate when the case brought is a vulnerable person. Who takes over from professional standards if at all any one

The Police Reform Act was amended on 1 February 2020 and the answer to part 2 of this question is different depending on whether the Professional Standards Department (PSD) received a complaint from someone before or after that date.

- Pre-1 February 2020, a complainant would have a right of appeal if they were dissatisfied with the complaint outcome. Depending upon the wording of the complaint, the right of appeal would be to the Chief Constable of the Force or the IOPC. The PSD would conduct the appeal under delegated responsibility from the Chief Constable. If an appeal was upheld, the complainant would be given a further right of appeal against the subsequent work determined to be appropriate to resolve the complaint. There can be multiple rights of appeal in extreme cases.
- Post-February 2020, complaints can either be handled outside or inside Schedule 3 of the Police Reform Act 2002. Complaints handled outside Schedule 3 would not attract a right of review (new name for appeal). Complaints handled inside Schedule 3 would attract a right of review. Depending upon the wording of the complaint, the right of review would be to the Police and Crime Commissioner for the Force that dealt with the complaint or the IOPC. If a review is upheld, a complainant is not always entitled to a further right of review, depending upon the decision taken about the most appropriate remedy. Paragraph 18.41 of the IOPC Statutory Guidance refers.

At the conclusion of either the final appeal or review stage of a complaint the complaint is considered to be finalised.

If you consider that your request for information has not been handled properly, you can ask for an internal review of our decision. I have attached a copy of our appeals policy which explains how to submit an appeal and who will consider it. You can also complain to the Information Commissioner's Office via their website <https://ico.org.uk/make-a-complaint/official-information-concerns-report/official-information-concern/> or by telephone

on 0303 123 1113, although please note they would usually expect you to have gone through our internal review procedure before contacting them.