

Reviews of complaints handled under The Police (Complaints and Misconduct) Regulations 2020

What information to include in your request

We provide a complaint review request form for you to complete and post or email to us. We can post you a copy of the form if required or help you to provide the details we need over the telephone. The form asks for the information we need to enable us to review your complaint, and to enable us to understand what the issues and trends are so that we can identify opportunities for learning and improvement.

You can find out more about how we process your information in our associated [Privacy policy – Your voice in policing](#)

Where to send your request for a review

Requests for a review of the outcomes of complaints handled by Devon and Cornwall Police under **The Police (Complaints and Misconduct) Regulations 2020** (Police Reform Act 2002, Schedule 3) should be sent to the Police Complaints Review Team using one of the following contact methods.

- Complete and return the [police complaint review form](#) (by email or post)
- Completing the feedback form at the bottom of this page
- Writing to the Complaints Review Officer, Office of the Police and Crime Commissioner, Andy Hocking House, Alderson Drive, Exeter, EX2 7RP
- Emailing OPCCpolicecomplaintreviews@dc-pcc.gov.uk
- Phoning 01392 497700

What to expect

If you are dissatisfied with the outcome of your complaint about the police, and your complaint has been handled under **The Police (Complaints and Misconduct) Regulations 2020** (the Police Reform Act 2002, Schedule 3), you may request a review.

A review of your complaint is not merely a quality check of what has happened, it offers the opportunity to consider whether the complaint outcome is reasonable and proportionate, and if not, to put things right.

If your complaint relates to the Chief Constable, we will provide you with details about who to address your request for review to, and why, and what you are required to include in your request.



If your complaint relates to any other police officer, or the service provided by the police, Devon and Cornwall Police will provide you with details about who to address your request for review to, and why, and what you are required to include in your request.

There are timescales within which a review must be submitted and these should be included within the complaint outcome letter you receive from Devon and Cornwall Police. If your request is submitted after the deadline advised it may still be considered in exceptional circumstances.

If your complaint has been referred to the Independent Office for Police conduct, or is about the conduct of a senior police officer (including the Chief Constable), or the conduct complained about would justify criminal or disciplinary proceedings, the Independent Office for Police Conduct is the relevant review body. In other cases, the Office of the Police and Crime Commissioner is the relevant review body.

There is no right to apply for a review of the outcome of your complaint, if it has been investigated by, or an investigation has been overseen by, the Independent Office for Police Conduct.

If your request for a review is not valid, the review body in receipt of your review request will write to you and inform you and provide the reasons why it is invalid. If you would prefer this to be communicated to you by other means, as well as in writing, the review body will do its' best to accommodate your needs.

The types of things a review process will consider include:

- Whether any findings, determinations or the outcome of the complaint were reasonable and proportionate to the circumstances of the complaint.
- Whether any actions proposed were reasonable and proportionate
- Whether the process and method used to handle your complaint was reasonable and proportionate
- Whether you were provided with sufficient information during the process, and about the outcome of your complaint

Reviews undertaken by The Office of the Police and Crime Commissioner

What we will do

On receipt of your review, we will acknowledge receipt and inform you what you can expect to happen next, and when you can expect to hear about the review. You will also be provided with the name of the person who will keep you informed.

If we are not the appropriate body to undertake the review, we will forward it to the correct review body as soon as possible.



If your complaint has been subject to an investigation undertaken by Devon and Cornwall Police, and we find that the outcome is not reasonable or proportionate, the review will be Upheld. We may recommend that your complaint is re-investigated, referred to the Independent Office for Police Conduct (if not already referred), or make a recommendation with regards to the action that should be taken such as referring the matter to be dealt with under criminal, disciplinary or performance proceedings, or through reflective practice review processes. *(Reflective practice is the ability to reflect on actions and improve the way an individual works. Reflective practice processes extract value from experiences, enabling a greater appreciation and awareness of development needs).*

We may take other actions as set out in the legislation, or which we consider appropriate to resolve your dissatisfaction, for example requiring that an explanation and / or apology is made.

If your complaint has been handled without the need for an investigation (Other than by investigation), and we find that the outcome of your complaint is not reasonable or proportionate the review is upheld. We may recommend that your complaint is referred to the Independent Office for Police Conduct, recommend that the matter is investigated by the Police Force, or take other actions as set out in the legislation, or which we consider appropriate to resolve your dissatisfaction.

We will notify you of the outcome of our review, and the reasons for our decision. If we recommend an investigation, or re-investigation of the matter, we will provide you with an outline of what we require to be addressed in the investigation.

Where we have recommended action which we consider appropriate to resolve your dissatisfaction, we are required to let you know whether the police force accepts our recommendations, and the steps they propose to take to implement, if the recommendations are not accepted we will provide you with the reasons given by the police force as to why. The police force is required to respond to our recommendations within 28 days (which we may extend if we consider it appropriate). We will therefore provide you with this information as soon as possible after we receive it.

Depending on your wishes, updates can be provided in both writing and by another method. Consideration will be given to whether it is appropriate to offer or grant requests for a meeting if this is the best way to keep you properly informed. As soon as practicable after any such meeting, you will be sent a written record of the meeting with an explanation of how any concerns raised will be addressed.

Reviews undertaken by the Independent Office for Police Conduct

The Independent Office for Police Conduct will inform you of the outcome of a review, and the reasons for their decision as to whether the complaint outcome was reasonable and proportionate.



If your complaint has been subject to an investigation overseen by a police force, and the Independent Office for Police Conduct finds that the outcome is not reasonable or proportionate, it will either make its own findings, direct that the complaint is re-investigated, or make recommendation with regards to the action that should be taken such as referring the matter to be dealt with under criminal, disciplinary or performance proceedings, or through reflective practice review processes.

It may take other actions as set out in the legislation, or which it considers appropriate to resolve your dissatisfaction, for example requiring that an apology is made.

If your complaint has been handled in any other way, and the Independent Office for Police Conduct finds that the outcome is not reasonable or proportionate, it may direct that the matter is investigated, or it may take other actions as set out in the legislation, or which it considers appropriate to resolve your dissatisfaction as appropriate.

The Independent Office for Police Conduct will notify you of the outcome of their review, and the reasons for their decision. If they direct an investigation, or re-investigation of the matter, they will usually provide you with an outline of what they require to be addressed in the investigation.

Where the Independent Office for Police Conduct has recommended action which it considers appropriate to resolve your dissatisfaction, they are required to let you know whether the Officer accepts the recommendation, and the steps they propose to take to give effect to it, and if they do not accept the recommendation, the reasons why.