
STATUTORY INSTRUMENTS

2015 No. 431

**The Independent Police Complaints Commission
(Complaints and Misconduct) (Contractors) Regulations 2015**

PART 8

General

Relevant appeal body

- 91.**—(1) The relevant appeal body in relation to an appeal is—
- (a) the Commission, in a case where the relevant complaint falls within a description of a complaint specified in paragraph (2);
 - (b) the chief officer in any other case.
- (2) Complaints to which this paragraph applies are any complaint—
- (a) about the conduct of a senior officer;
 - (b) in the case of which the appropriate authority is unable to satisfy itself, from the complaint alone, that the conduct complained of (if it were proved)—
 - (i) would not justify the bringing of criminal or disciplinary proceedings against a contractor; or
 - (ii) would not involve the infringement of a person's rights under Article 2 or 3 of the Convention (within the meaning of the Human Rights Act 1998⁽¹⁾);
 - (c) that has been, or must be, referred to the Commission under regulation 22;
 - (d) arising from the same incident as a complaint to which sub-paragraph (a), (b) or (c) applies;
 - (e) to any part of which sub-paragraph (a), (b), (c) or (d) applies.
- (3) Where an appeal is made to the Commission and the appropriate authority is the relevant appeal body in relation to the appeal, the Commission must—
- (a) forward the appeal to the appropriate authority; and
 - (b) notify the person who made the appeal that—
 - (i) the appropriate authority is the relevant appeal body; and
 - (ii) the appeal has been forwarded.
- (4) In an appeal to which paragraph (3) applies, the appeal is taken to have been—
- (a) made to the appropriate authority; and
 - (b) so made at the time when it is forwarded to the appropriate authority.
- (5) Where an appeal is made to the appropriate authority and the Commission is the relevant appeal body in relation to the appeal, the appropriate authority must—

- (a) forward the appeal to the Commission; and
- (b) notify the person who made the appeal that—
 - (i) the Commission is the relevant appeal body; and
 - (ii) the appeal has been forwarded.
- (6) In an appeal to which paragraph (5) applies, the appeal is taken to have been—
 - (a) made to the Commission; and
 - (b) so made at the time when it is forwarded to the Commission.
- (7) In this regulation—
 - “appeal” mean an appeal under regulation 21(3), 26(6), 28(1), 70(9) or 77(2);
 - “relevant complaint”, in relation to an appeal, means the complaint to which the appeal relates.