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### Overview

This unit is about assessing and processing applications to cease the progression of complaints relating to the conduct or activities of public servants. It includes determining the grounds for applications, assessing the information provided and processing the applications accordingly.

Within the IPCC, such applications can include those for dispensations and discontinuances of complaints/investigations.

#### **There are two elements:**

- 1 Receive and determine the grounds for applications
- 2 Assess and process the applications

#### **Target Group**

This unit is for caseworkers whose responsibilities include processing applications for dispensations and discontinuances.

### Performance criteria

#### Receive and determine the grounds for applications

*You must be able to:*

- P1 set up a case file correctly for all new applications
- P2 create records correctly entering all relevant details accurately, in line with organisational requirements, ensuring that details of the same case have not been recorded already
- P3 determine correctly the grounds upon which applications are made
- P4 identify correctly where further information is required and request this promptly from the relevant person(s)
- P5 confirm, in cases where there is an application to cease progress, that relevant documentation has been issued to the necessary parties, taking the necessary actions where this has not occurred

#### Assess and process the applications

*You must be able to:*

- P6 review the information and make an assessment of the merits of the application
- P7 write promptly to the relevant person(s) complaining, where necessary, or their relevant representative, to determine their views in line with organisational requirements
- P8 confirm the timescale within which the relevant person(s) should respond, and allow the appropriate time before taking further action
- P9 review all available information, taking into account the proportionality of the investigation to any allegations made, and the interests of all parties
- P10 make a reasoned recommendation to the relevant person(s) regarding whether an application should be granted or not, setting out the associated rationale in support of your recommendation
- P11 take into account all relevant factors when making recommendations
- P12 record correctly the decision regarding the application, and communicate this promptly and accurately to the relevant person(s), and other interested parties, in line with organisational requirements
- P13 maintain accurate and up to date records

### Knowledge and understanding

*You need to know and understand:*

#### Receive and determine the grounds for applications

- K1 current organisational requirements and procedures relating to the processing of applications to cease the progression of complaints relating to conduct in the public sector
- K2 levels of responsibility of all parties in processing applications to cease the progression of complaints
- K3 the requirements of relevant legislation and guidelines affecting applications to cease the progression of complaints relating to the public sector
- K4 what is a dispensation and the grounds upon which an application for a dispensation can be made

#### Assess and process applications

*You need to know and understand:*

- K5 the criteria to consider when assessing applications to cease the progression of complaints
- K6 the documents, including the different forms, standard letters and minutes relating to processing applications to cease the progression of complaints, and when each is appropriate
- K7 the circumstances under which it may be appropriate to approve an application to cease the progress of a complaint, according to each of the grounds upon which applications can be made
- K8 the circumstances under which a copy of the application should be issued to the complainant, and the relevant authority whose duty it is to do this
- K9 what directions can be given to an appropriate authority when approving the cessation of a complaint
- K10 the circumstances under which it may be appropriate to seek local resolution of the cessation of the complaint
- K11 the circumstances that might make a complaint vexatious, oppressive, or an abuse of procedure
- K12 those parties to be notified of the different outcomes of applications, and how to do this

## SFJNHH3

### Progress applications to cease the progression of complaints

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