
STATUTORY INSTRUMENTS

2012 No. 62

**The Elected Local Policing Bodies (Complaints
and Misconduct) Regulations 2012**

PART 5

Provision and recording of information

Duty to keep complainant and any interested person informed

- 32.**—(1) This regulation applies—
- (a) in the case of a complaint which is being or has been investigated in accordance with these Regulations, to—
 - (i) the complainant; and
 - (ii) any interested person; and
 - (b) in the case of a conduct matter which is being or has been investigated in accordance with these Regulations, to any interested person.
- (2) For the purposes of these Regulations a person is an interested person in relation to a complaint or conduct matter if—
- (a) the Commission considers that he has an interest in the handling of the complaint or conduct matter which is sufficient to make it appropriate for information to be provided to him in accordance with this regulation, and
 - (b) he has indicated that he consents to the provision of information to him in accordance with this regulation.
- (3) It shall be the duty of the Commission to provide a person to whom this regulation applies with all such information as will keep him properly informed, while the investigation is being carried out and subsequently, of all the matters mentioned in paragraph (4), and the Commission shall perform this duty in accordance with paragraphs (5) to (10).
- (4) The matters of which a person to whom this regulation applies must be kept properly informed are—
- (a) the progress of the investigation;
 - (b) any provisional findings of the person carrying out the investigation;
 - (c) whether any report has been submitted under regulation 25 (final reports on investigations).
- (5) The Commission shall notify a person to whom this regulation applies of—
- (a) the progress of the investigation promptly and in any event—
 - (i) if there has been no previous notification, within four weeks of the start of the investigation; and
 - (ii) in any other case, within four weeks of the previous notification;

Changes to legislation: There are outstanding changes not yet made by the [legislation.gov.uk](https://www.legislation.gov.uk) editorial team to *The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

(b) any provisional findings of the person carrying out the investigation as frequently as the Commission determines to be appropriate in order for the person to be kept properly informed.

(6) When an investigation has been completed, each person to whom this regulation applies shall be notified—

(a) of the date on which the report under regulation 25 is likely to be submitted;

(b) of the date on which the notification under regulation 26(2)(c) (action in response to an investigation report) is likely to be given.

(7) In performing the duties imposed by paragraph (3) and by regulation 26(2)(c), the Commission shall determine whether it is appropriate to offer, or to accede to a request for, a meeting with a person to whom this regulation applies.

(8) As soon as practicable after any such meeting the Commission shall send to the person concerned a written record of the meeting and an account of how any concerns of that person will be addressed.

(9) If the Commission considers that an investigation has made minimal or no progress since the previous notification, then the next notification may be made by any means that in the opinion of the Commission is suitable.

(10) Any notification under this regulation shall be given in writing, except in a case where the Commission gives the notification at a meeting held in consequence of a determination under paragraph (7), or where the Commission gives the notification by means other than writing in accordance with paragraph (9).

Commencement Information

II Reg. 32 in force at 16.1.2012, see [reg. 1](#)

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Regulations applied (with modifications) by [S.I. 2017/863 art. 28Sch. 1](#)
- Regulations applied (with modifications) by [S.I. 2021/112 art. 35\(1\)\(2\)Sch. 5 para. 52](#)
- Regulations words substituted by [S.I. 2017/1250 reg. 21\(2\)\(a\)](#)
- Regulations words substituted by [S.I. 2017/1250 reg. 21\(2\)\(b\)](#)
- Regulations words substituted by [S.I. 2017/1250 reg. 21\(2\)\(c\)](#)
- Regulations words substituted by [S.I. 2017/1250 reg. 21\(2\)\(d\)](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 3(4A) inserted by [S.I. 2017/1250 reg. 21\(5\)\(a\)](#)
- reg. 3A3B inserted by [S.I. 2017/1250 reg. 21\(6\)](#)
- reg. 20(2)(2A) substituted for reg. 20(2) by [S.I. 2017/1250 reg. 21\(10\)\(b\)](#)