



Gangmasters &  
Labour Abuse Authority

# GLAA Complaints Procedure - External

**11 July 2019**

## GLAA Complaints Procedure - External

1. The GLAA is committed to being open and responsive to complaints from the public regarding its policies, procedures, and potentially the conduct of its staff. Complaints can be made in any format, but preferably in writing, and being sent to [complaints@gla.gov.uk](mailto:complaints@gla.gov.uk).
2. This process does not cover:
  - appeals against licence decisions – see [Appeals process](#).
  - other policy decisions that we are empowered to make as part of our regulatory activities, such as setting licence fee levels;
  - complaints about how we have handled requests for information under the [Freedom of Information Act 2000 or Data Protection Act 2018, including the General Data Protection Regulations](#) (GDPR);
  - matters which are the responsibility of other bodies such as the Home Office;
  - complaints against licensed organisations (such information should be submitted as potential intelligence and we will deal with it accordingly as set out in our intelligence procedures);
  - our relationship with our employees and between employees;
  - contractual or commercial disputes involving us;
  - matters that have become the subject of legal proceedings or are under police investigation, or where sanctions have been imposed to which an alternative appeal mechanism applies;
  - dissatisfaction with a policy the GLAA has adopted, including the complaints policy;
  - an attempt to reopen a previously concluded complaint or to have a complaint reconsidered where the GLAA has already given a final decision.
3. The GLAA will aim to respond to complaints within the following target timescales (working days):

	Informal/formal complaint – maximum period to reply from the date of receipt
Initial response (acknowledgement where further investigations are required)	5
Full response within	20

4. If you wish to make a complaint you should make it normally within six months of the date of the incident(s) in question, or the conclusion of any legal process that has been undertaken by the GLAA.
5. Where more than six months have passed since the incident you have complained of you should include an explanation for the delay in making the complaint. We will then decide whether your complaint is considered to be 'out of time' or whether exceptionally it will be considered.
6. If you make a complaint that requires an investigation (for example into a complex matter involving officer conduct) it is possible that the enquiry may take longer than 20 days to complete. In such circumstances you will be notified that the original deadline of 20 working days will not be met and you will be provided with an indication of when a reply or further communication may be issued. Where this is required it should be sent to you as soon as the situation is identified, and before 20 working days have elapsed.
7. If you contact the GLAA by telephone and make a complaint you will be asked if you wish to make a formal complaint. If so, you should be advised to put your complaint in writing, preferably by email to [complaints@gla.gov.uk](mailto:complaints@gla.gov.uk).
8. If you do not wish to put your complaint in writing, but want the complaint to be considered you will be asked to supply details of the complaint to enable it to be fully examined. You will be asked to supply your address, email and telephone contact details. If you do not provide this information it may not be possible to properly consider the complaint. Nor will we be able to notify you of the outcome of the review of your complaint. Your complaint will be considered independently of the area or activity of the GLAA you are complaining about.

### **Complaints against GLAA Officers**

9. If your complaint concerns the GLAA's use of investigation powers you can find more information on those powers, conduct of GLAA officers, and details of how to complain on our website in the [Code of Practice](#) on the use of powers. This Code also explains where complaints should be directed if they concern the use of the GLAA's wider enforcement powers, which are under the oversight of the Independent Office of Police Conduct (IOPC).
10. We treat all complaints equally seriously. However, complaints concerning the conduct of GLAA staff receive careful consideration. This is essential because in some situations allegations of misconduct have been made to attempt to undermine GLAA decisions in licensing and criminal procedures. Additionally, we will need to advise any Officer complained about of the complaint. We may also need to interview you to obtain more details about the complaint in order to investigate it thoroughly.

### **At the conclusion of the complaint investigation**

11. Once your complaint has been fully examined you will receive a response. The response will tell you whether we consider the complaint to be upheld. We will also tell you what action we have taken. If the complaint was about a particular GLAA Officer they will be advised of the response we have issued to you. Our letter will also

advise you what to do if you are not satisfied with the decision reached. If you are not satisfied with the outcome you may write to the Chief Executive within 10 working days of the date on the letter we send to you.

### **Complaints to the Parliamentary and Health Service Ombudsman (The Ombudsman)**

12. If you remain dissatisfied after the GLAA's complaints procedure has been exhausted, you may wish to make a complaint to 'the Ombudsman'. The Ombudsman deals with complaints about maladministration by public bodies. Any complaint must be made via your Member of Parliament.
13. The Ombudsman seeks to establish whether a public body has acted correctly and fairly in carrying out its interpretation of the law. Cases for investigation may include those where a public authority:
  - is alleged to have done something in the wrong way
  - has done something they should not have done or
  - has failed to do something which they should have done.
14. The Ombudsman can recommend a variety of remedies, including the payment of compensation to complainants and the revision, adherence to, or clarification of administrative procedures. Further information is available from:

The Parliamentary and Health Service Ombudsman  
Millbank Tower  
Millbank  
London  
SW1P 4QP

Tel: 0345 015 4033  
Email: [phso.enquiries@ombudsman.org.uk](mailto:phso.enquiries@ombudsman.org.uk)  
Website: <https://www.ombudsman.org.uk/>

### **Complaints concerning authorised investigators using PACE powers**

15. If your complaint concerns the conduct, and use of our wider enforcement powers, you should address your complaint to the Independent Office for Police Conduct (IOPC). The IOPC has the authority to investigate such complaints.
16. If you complain to the IOPC they will decide whether the complaint requires investigation, or if it should be referred to the GLAA to investigate. In all circumstances you will be kept informed of the decision on how the complaint will be handled.
17. You can find out more about how to make a complaint to the IOPC at: <https://policeconduct.gov.uk/complaints-and-appeals/make-complaint>.

18. Further detail on the legislation that provides the IOPC with oversight and investigation of complaints against authorised investigators when undertaking investigations using its powers is available on the UK legislation website<sup>1</sup>.
19. You can contact the IOPC at:

Independent Office for Police Conduct  
PO Box 473  
Sale  
M33 0BW

Telephone: 0300 020 0096 (press 2 at prompt)  
Email: enquiries@policeconduct.gov.uk

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<sup>1</sup> <http://www.legislation.gov.uk/ukxi/2017/520/contents/made>  
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