



Department  
for Environment  
Food & Rural Affairs

Interim Environmental  
Governance Secretariat



Department of  
Agriculture, Environment  
and Rural Affairs  
[www.daera-ni.gov.uk](http://www.daera-ni.gov.uk)

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# Our Complaints Procedure (IEGS)

January 2021

## Thinking of complaining to us?

This is the procedure you must follow to make a complaint to the Interim Environmental Governance Secretariat (IEGS).

The IEGS provides environmental governance until the Office for Environmental Protection (OEP) is established. The OEP is being established under the Environment Bill 2020 to, amongst other things, investigate failures to comply with environmental law by public authorities.

The Bill is expected to become law in 2021 whereupon the OEP can investigate relevant complaints. Before then the IEGS will receive complaints about public authorities who people believe are not complying with environmental law.

Anyone, except another public authority, can complain to us. Our service is free.

You should only complain about a public authority where they have failed to comply with environmental law and your complaint meets **all** the criteria in section 2 below.

Once the OEP is established we will pass on your complaint. We will do this even if we don't think your complaint meets the criteria. This is so the OEP can decide itself whether to investigate your complaint.

We cannot guarantee the OEP will investigate all complaints we pass on, even if they do meet the criteria. The OEP will have to decide this, following its own enforcement policy and priorities.

## Does your complaint meet the criteria?

To complain to the OEP, all the following must apply:

1. You suspect that an **“environmental law”** has been **broken**.
2. The “environmental law” in question relates to **England, Northern Ireland** or a **“reserved matter.”**
3. The complaint is **about a “public authority”**
4. You are **not complaining on behalf of a “public authority”**; a “public authority” cannot complain about another “public authority” (however, if you work for a “public authority” you can still complain in a personal capacity).
5. If the public authority in question has an applicable internal complaints procedure, you have **already complained to the public authority** and finished that procedure.
6. You must normally complain within the **specified time limit**, the later of either:
  - a. **a year after the environmental law** was last broken, OR:
  - b. if the public authority you are complaining about has an internal complaints procedure, **three months since you finished that procedure**.

You can find definitions of the above criteria in our Frequently Asked Questions.

### **Before making a complaint**

- First talk to the public authority about which you are complaining. This gives them a chance to consider your complaint and, if they agree that they have not properly implemented the law, to put things right before you complain to us.
- Where a public authority has an applicable complaints procedure, we will want to see that you have been through all stages of that procedure. We will ask for information that shows you have finished the public authority’s complaints procedure. This is normally a letter advising you that you have completed the complaints procedure and should be part of your received final response from the public authority.
- Check that your complaint meets all the above criteria and be aware that there are some things that fall outside our and the OEP’s remit.
- Read the guidance paragraphs at the beginning of each section on the complaint form.
- Consider what information is relevant to the possible failure to comply with environmental law about which you are complaining and collect any evidence you may have.
- Carefully consider the questions in the complaint form. You may not need to answer all the questions, but you must answer the mandatory questions, indicated with \* on the form.

### **How to make a complaint**

You must submit your complaints using our complaints form. You can [complete the form online](#) or contact us to send you a copy of the form, which you can then fill out and post or email back to us at:

## England

**Email:** [IEGSEnquiries@defra.gov.uk](mailto:IEGSEnquiries@defra.gov.uk)

**Postal Address:**

Interim Environmental Governance Secretariat, Defra  
Seacole Building  
2 Marsham Street  
London  
SW1P 4DF

**Telephone: 03300 416 581**

## Northern Ireland

**Email:** [IEGSEnquiries@daera-ni.gov.uk](mailto:IEGSEnquiries@daera-ni.gov.uk)

**Postal Address:**

Interim Environmental Governance Secretariat  
c/o Environment Bill Team  
Department of Agriculture, Environment & Rural Affairs  
Environmental Policy Division  
2nd Floor Klondyke Building  
Cromac Avenue  
Gasworks Business Park  
Belfast  
BT7 2JA

**Telephone: 03300 416 581**

Please note that we will not accept complaints where postage is due.

You must submit your complaint in writing and complete all mandatory fields in the complaint form. This is to make sure that you provide all the information we need to understand your complaint. If you don't do this, we may ask you to resubmit your complaint or provide additional information.

Please be polite and respectful to our staff when making your complaint.

## **How we will deal with your complaint**

When you submit a complaint to us it will go through the following steps.

We will consider your complaint against the essential criteria (Section 2) to make sure it meets them all. We may need to ask for additional information to determine this.

We will record an initial assessment as to whether your complaint meets all the essential criteria. Irrespective of the outcome of this assessment, we will pass your complaint on to the OEP.

The OEP will then consider your complaint to decide whether it is something it ought to investigate. The OEP may take a different view to our initial assessment. Even if it agrees with our assessment and your complaint meets all essential criteria, such that it falls within its remit, there is no guarantee it will investigate your complaint. The OEP will have to decide this, following its own enforcement policy and priorities. As part of this, the OEP will need to determine whether it considers a matter “serious” before it can choose to investigate.

We aim to be objective, impartial, proportionate and transparent when handling complaints. Our Customer Charter provides more details about what you can expect from us.

### **Step 1- Submit your complaint**

We will acknowledge that we have received your complaint. If you submit your complaint online, you will receive confirmation by email. If you submit your complaint by post, your acknowledgment will be sent to you upon receipt by IEGS.

Your complaint will be allocated a Unique ID number which will be referenced in your acknowledgment and you should use this number in all further correspondence with us about that complaint.

If you don't receive a Unique ID number within ten working days of submitting your complaint form, please contact us so we can put this right.

### **Step 2- First look at your complaint**

Once we receive your complaint, we will conduct an initial check that it has been submitted in accordance with this procedure and meets the criteria in Section 2.

If we don't think it meets all the criteria, we will let you know and explain why. We may contact you to clarify details or to ask for more information. For this reason, we will require an email or postal address as a minimum, otherwise we and, in due course, the OEP, won't be able to contact you or keep you informed about the progress of your complaint.

### **Step 3- Assess your complaint**

If after an initial check it looks like your complaint meets, or may meet, all the criteria for complaining to the OEP we will assess the complaint in more detail to confirm this. During this step we will review the evidence to understand which environmental law(s) you think may have been broken.

Where necessary we will contact the public authority to confirm that their complaint procedure has been finished. We may also invite the public authority to comment on the substance of the complaint. The IEGS will not be able to carry out an investigation or reach any conclusion about whether the law has been complied with or not, since these will be matters for the OEP to determine. The IEGS will therefore pass any such information received to the OEP.

If after assessing it in more detail we think your complaint does not meet the criteria and there is no further evidence you can provide to change that, we will still pass your complaint to the OEP.

### **Step 4- Pass your complaint to the OEP**

Once the OEP is established we will pass on **ALL** complaints. We will pass on complaints even if we don't think they meet the criteria for complaining to the OEP.

The OEP will let you know whether they will investigate your complaint or not.

### **Confidentiality**

Ordinarily we require your name and contact details when you submit a complaint. This is so we, and later the OEP, can keep you informed as to the progress of your complaint.

We will not share your contact details (for example your email or postal address) with the public authority ourselves, although it is likely they will have them if you have been through their complaints process. We will, however, let the public authority know your name, so that the authority can check its records to confirm that you have completed its internal complaints process.

We cannot accept anonymous complaints. Exceptionally, however, we can agree to keep your identity confidential where there is a good reason to do so. If you wish to submit a complaint to us where you would like us to keep your identity confidential, please contact us so that we can discuss your needs and agree the best approach.

### **Data Protection**

We are committed to keeping any personal data you submit to us secure. Our Data Privacy Notice details how we will handle your personal data in line with Data Protection Legislation.

