Devon & Severn IFCA
Inshore Fisheries and Conservation Authority

Complaints Policy

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October 2026

Version Control

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1. Overview

D&S IFCA (the Authority) aims to operate in a fair, proportionate and transparent manner and provide a professional service. We acknowledge that, despite our best intentions, sometimes things do go wrong. When this happens, we want to the opportunity to learn and improve our service.

2. Complaints that do not relate to our Handling of Your Personal Data

2.1 General

If you think we have got something wrong, then please let us know as soon as possible. Please note that unless there are good reasons to do so, we will not deal with complaints received by us after 12 months from the date the problem occurred, or you became aware of it.

We will publish, on our website, details about our complaints policy and the Local Government and Social Care Ombudsman (**the Local Government Ombudsman**), which may investigate complaints about the services that the Inshore Fisheries and Conservation Authorities provide.

2.2 What is a Complaint

A complaint is an expression of dissatisfaction, however made, about an action or lack of action or the standard of service we, or those acting on our behalf provide, which affects an individual or group of individuals.

Examples could include situations where there has been an unreasonable delay, you have not been kept adequately informed, you have a concern about how you have been treated, we have not provided information or replied to you when we should have done, or a mistake has been made.

If you do not wish to make a formal complaint and you simply wish to make a request that we provide or improve a service, fix a problem or provide an explanation for an action that we have taken, or if you wish to make a general request for information, then please contact us (please see section 6: **How to Contact us**). We will not treat such requests as a complaint.

2.3 What is not covered by this Policy

We will not investigate complaints:

1. about policy and law, including the Authority's byelaws;
2. about an elected member of the Authority – these will be referred to the monitoring officer for the relevant council who will be responsible for dealing with your complaint;
3. about Statutory Members of the Authority – these will be referred to the relevant appointing authority i.e. Natural England or Environment Agency;
4. that are, or have been, subject to legal proceedings;
5. if the specific complaint, from the same complainant, has previously been considered under this policy; and
6. that have already been investigated, or are currently being investigated, by the Local Government Ombudsman.

This is not an exhaustive list, and we will look at the specific circumstances of each complaint when deciding whether to accept the basis of the complaint. In relation to the list above, if we decide not to accept your complaint as we are not the appropriate body to adjudicate the complaint, we will let you know why your matter is not suitable for our complaints process and who we have passed your complaint to.

We will also keep a record of complaints we have decided not to accept, and the reason for doing so. We will retain these records for the period set out in the D&S IFCA's Data Protection Register.

2.4 How to make a Complaint

If you are unhappy with our service, please contact us as soon as possible (please see section 6: **How to Contact us**).

To help us deal with your complaint, please let us have as much information as possible, including:

1. your full name, address, email address and telephone number;
2. whether you would like to be contacted by telephone, letter or email;
3. whether you would like to receive our response by letter or email;
4. full details about your complaint, including the issue/event/occurrence which you wish to complain about, any relevant background, the names of any individuals involved, how it has affected you and what you want to happen to put things right; and
5. where applicable, the details of any third party that you have asked to act on your behalf and your authority for us to deal with them. To protect you, we will not deal with your complaint until we have the appropriate authorisation from you.

Stage 1

We will investigate your complaint and do our best to resolve any issues at this stage. We will aim to acknowledge your complaint in writing within **5 working days** of receiving it. If appropriate, our acknowledgment will include confirmation of our understanding of the nature of your complaint and a statement that you should contact us if you disagree with this. If anything about your complaint is unclear, we will ask you for further information.

We will then aim to provide a full response in writing within **10 working days** of the complaint being acknowledged.

However, if the matter is complex and we need more time to investigate your complaint; we will write to you explaining why we need more time and when we expect to send our response.

[The Local Government Ombudsman Complaint Handling Code (good practice) says that any extension should be no more than **10 working days** without good reason, and that details of the Local Government Ombudsman should also be provided to the complainant]

Complaints against D&S IFCA's Officers will be investigated and adjudicated by the Chief Officer. Complaints about D&S IFCA processes and procedures will be investigated and adjudicated by the Chief Officer. Other complaints will be addressed under Stage 2.

For complaints that can be investigated and adjudicated by the Chief Officer, our response will confirm:

1. the complaint stage;
2. our understanding of your complaint;
3. the information reviewed in our investigation (including policy, law and guidance/good practice, where relevant);
4. whether your complaint is upheld, partially upheld or not upheld and the reasons for our decision;
5. where your complaint is upheld, if appropriate, the details of any remedies offered to try and put things right;
6. what action, if any, the Chief Officer has taken or will take as a result of the complaint;
7. details of any outstanding actions to resolve your complaint; and
8. how you can escalate your complaint to Stage 2 if you are unhappy with the Chief Officer's decision.

The Chief Officer will keep you informed of progress made in relation to any outstanding actions.

Stage 2

If you are not happy with all or part of the response in Stage 1 by the Chief Officer, you can notify us that you wish to escalate your complaint to Stage 2.

We will not normally deal with a request received after **20 working days** from the date of our Stage 1 response, although we may allow more time, depending on the circumstances. We may also refuse to escalate the complaint to Stage 2 for the reasons set out in **section 2.3** of this policy.

Stage 2 clarifies the next steps in the complaint's procedure:

1. Complaints about how the investigation was conducted, and/or the outcome of the investigation undertaken by the Chief Officer under Stage 1, will be investigated and adjudicated by the Chair of the Authority.
2. Complaints against the Chief Officer (individually or with other Officers) will be investigated and adjudicated by the Chair of the Authority.
3. Complaints against any General Member will be investigated and adjudicated by the Chair of the Authority.
4. Complaints about how the investigation was conducted, and/or the outcome of the investigation undertaken by the Chair under Stage 2, will be passed to either the Marine Management Organisation or the relevant Local Authority's Monitoring Officer (whichever is appropriate) to enable them to investigate and adjudicate.
5. Complaints against the Chair will be passed to either the Marine Management Organisation or the relevant Local Authority's Monitoring Officer (whichever is appropriate) to enable them to investigate and adjudicate.
6. Complaints against any Elected Member will be passed to the relevant Local Authority's Monitoring Officer to enable them to investigate and adjudicate.
7. Complaints about the conduct of Statutory Members will be passed to either the Environment Agency or Natural England (whichever is appropriate) to enable them to investigate and adjudicate.
8. Complaints made about our services and the Authority's decisions, including the conduct of the Chief Officer, the Chair, and Member(s) (as a collective), will be referred to the Local Government Ombudsman.
9. Defra will be notified about any complaints referred to the Local Government Ombudsman.

We will aim to acknowledge your request in writing within **5 working days** of receiving it. In our acknowledgement, we will set out our understanding of any outstanding issues and the outcomes you are seeking. If any aspect of your complaint is unclear, we will ask you for more information.

If the complaint is being investigated and adjudicated by the Chief Officer, or the Chair of the Authority, the aim will be to provide a final response in writing within **20 working days** of the complaint being acknowledged.

However, if the matter is complex and involves investigation and adjudication by an external organisation, or a combination or organisations, the Chief Officer or Chair of the Authority will write to you explaining that the time needed to address your complaint is outside of D&S IFCA's control.

For other complaints about a D&S IFCA Officer, or the Chief Officer, our final response, provided by either the Chief Officer, or the Chair of the Authority, respectively, will confirm:

1. our understanding of your complaint;
2. the information reviewed in the investigation (including policy, law and guidance/good practice, where relevant);
3. whether your complaint is upheld, partially upheld or not upheld and the reasons for the decision;
4. where your complaint is upheld, if appropriate, the details of any remedies offered to try and put things right;
5. what action, if any, have been taken or will be taken as a result of the complaint;
6. details of any outstanding actions to resolve your complaint; and
7. how to escalate the matter to the Local Government Ombudsman if you remain dissatisfied with the response.

The Chief Officer, or the Chair of the Authority, will keep you informed of progress made in relation to any outstanding actions.

2.5 Complaint to the Local Government Ombudsman

We hope that we can resolve your complaint. However, if you have been through the stages of our complaints procedure and are still unhappy, you can ask the Local Government Ombudsman to consider your complaint. The Local Government Ombudsman is responsible for investigating maladministration and service failure in public bodies including Inshore Fisheries and Conservation Authorities and provides a free service. The Local Government Ombudsman will not normally consider your complaint until it has been through our complaints process first and in most cases, it will only investigate your complaint if you have contacted them within 12 months of when you knew, or ought to have known, about the problem. There are also some limits on what the Local Government Ombudsman can look at. You can contact the Local Government Ombudsman at:

Local Government and Social Care Ombudsman
PO Box 4771
Coventry, CV4 0EH
Telephone: 0300 061 064
www.lgo.org.uk

2.6 Unacceptable Behaviour

There may be occasions when we consider that a complaint is unreasonable, inappropriate, or vexatious or that a complainant is being unreasonably persistent with their complaint.

In deciding whether a complaint is vexatious, D&S IFCA will take into account the context and history of the complaint and consider whether the complaint is likely to cause a disproportionate, or unjustified, level of distress, disruption or irritation.

D&S IFCA does not have to comply with repeated complaints about the same matter form the same person. Repeated complaints can be defined as substantially similar complaints from the same person other than at reasonable intervals.

3. Data Protection Complaints

3.1 General

If you are unhappy about how we have handled your personal information, please contact us as soon as possible (please see section 6: **How to Contact us**).

3.2 What is a Complaint

A complaint is an expression of dissatisfaction, however made, about how we have handled an individual's personal information.

Examples could include where you are unhappy about our response to your subject access request, where you have been affected by a data breach or you are unhappy about how we have used your personal information.

3.3 How to make a Complaint

To help us deal with your complaint, please let us have as much information as possible. Please note that if your complaint is about the Chief Officer, it should be sent directly to the Chair, with contact details set out in Section 6. Providing the following information will help to address your complaint:

1. your full name, address, email address and telephone number;
2. whether you would like to be contacted by telephone, letter or email;

3. whether you would like to receive our response by letter or email;
4. full details about your complaint, including the issue/event/occurrence which you wish to complain about, any relevant background, the names of any individuals involved and how it has affected you; and
5. where applicable, the details of any third party that you have asked to act on your behalf and your authority for us to deal with them. To protect you, we will not deal with your complaint until we have the appropriate authorisation from you.

We will acknowledge your complaint **within 5 working days** of receiving it. If appropriate, our acknowledgment will include confirmation of our understanding of the nature of your complaint and a statement that you should contact us if you disagree with this.

We will then aim to provide a full response in writing within **10 working days** of the complaint being acknowledged.

However, if the matter is complex and we need more time to investigate your complaint; we will write to you explaining why we need more time and when we expect to send our response.

We will take reasonable steps to verify the identity of the person making the complaint. This may involve requesting further information or documentation from you. If, having requested additional information, we are not in a position to identify the person making the complaint, we may be unable to deal with it.

We will take appropriate steps to investigate your complaint without undue delay. This will usually involve:

1. **reviewing your complaint;**
2. **locating and reviewing the records we hold about you;**
3. **establishing the relevant facts; and**
4. **liaising with individuals who you may have dealt with.**

We may also need to ask you for further information or documents. If so, we will ask you to provide the information within a specified period of time. We will update you on the progress of your complaint at appropriate times.

Once our investigation is complete, we will inform you in writing of the outcome without undue delay. Our response will explain what we have done to resolve your complaint and, where appropriate, any actions we have taken as a result.

3.4 Complaint to the Information Commissioner's Office

If we are not able to resolve your complaint to your satisfaction, you can complain to the UK's data protection authority, the Information Commissioner's Office (ICO).

The ICO's contact details are:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Telephone: 0303 123 1113

Further information about how to make a complaint to the ICO can be found on the ICO's website www.ico.org.uk. You should usually submit your complaint to the ICO within three months of your last contact with us.

4. Withdrawing a Complaint

You may withdraw your complaint at any time. We will confirm the withdrawal of the complaint with you by letter or email.

5. Anonymous Complaints and Data Protection

We understand that it can be difficult to make a complaint. However, we will not ordinarily consider an anonymous complaint unless there are good reasons to do so. Please note that if you make a complaint anonymously, we may not be able to investigate the complaint fully and we will not be able to contact you to confirm the outcome of your complaint.

Any personal information that we collect and hold in connection with your complaint will be handled in accordance with our privacy notice and Data Protection Register: https://www.devonandsevernifca.gov.uk/wp-content/uploads/2023/09/DSIFCADataProtectionPrinciples240518.pdf

6. How to Contact Us

Chief Officer

Devon and Severn IFCA

Brixham Laboratory, Freshwater Quarry, Brixham, Devon, TQ5 8BA

01803 854648

m.mander@devonandsevernifca.gov.uk

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The Chair of the Authority

Letters should be in a sealed envelope and marked “confidential”.

Brixham Laboratory, Freshwater Quarry, Brixham, Devon, TQ5 8BA

01803 854648

m.williams@devonandsevernifca.gov.uk

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7. Do you need extra help?

We will consider adapting this policy to meet your needs if you request a reasonable adjustment (please see section 6: **How to Contact us**).

End.