



Department
for Environment
Food & Rural Affairs

Interim Environmental
Governance Secretariat



Department of
**Agriculture, Environment
and Rural Affairs**

www.daera-ni.gov.uk

Interim Environmental
Governance Secretariat

Complaint Report

Interim Environmental Governance Secretariat
1 January – 30 June 2021

From 1 January 2021, the Interim Environmental Governance Secretariat (IEGS) received complaints about suspected failures, by public authorities, to comply with environmental law. This was to help uphold environmental governance standards in preparation for the arrival of the Office for Environmental Protection (OEP).

The IEGS covered England, Northern Ireland and UK-wide reserved matters. There are separate arrangements for devolved matters in Wales and Scotland. Please visit our FAQ page on www.theoep.org.uk/faqs for more details and contact information.

We reviewed each complaint received against the criteria for complaining to the OEP, as set out in the [Environment Bill](#), and made an initial assessment.

The IEGS transitioned into the Interim OEP on 1 July.

Regardless of whether they meet the criteria, we have passed all the complaints we received to the Interim OEP, which was established on 1 July 2021 and will become an independent legal body, the OEP, after the Bill is enacted.



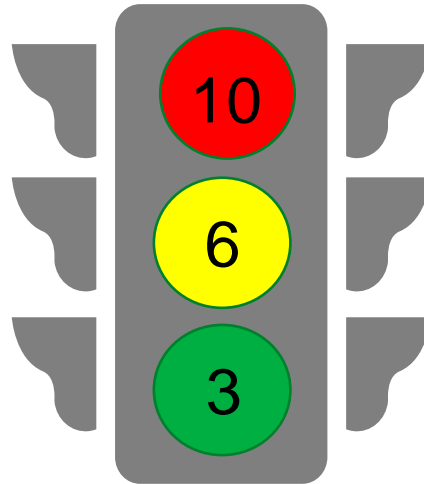
Complaint Summary

When we receive a complaint, we send a receipt to the complainant and validate the complaint against the criteria in the Environment Bill. If the complaint meets the criteria, we check with the public authority that their complaint procedure has been completed and invite them to share any relevant information. We record our assessment of each complaint ready for the OEP to consider.



19

Total number of complaints received January – June 2021



Closed

Waiting

Open



0

No cases have been escalated for the attention of Defra Ministers

Closed: Does not meet the criteria

Waiting: We are seeking further information from the complainant or public authority

Open: Meets the criteria and is an open case

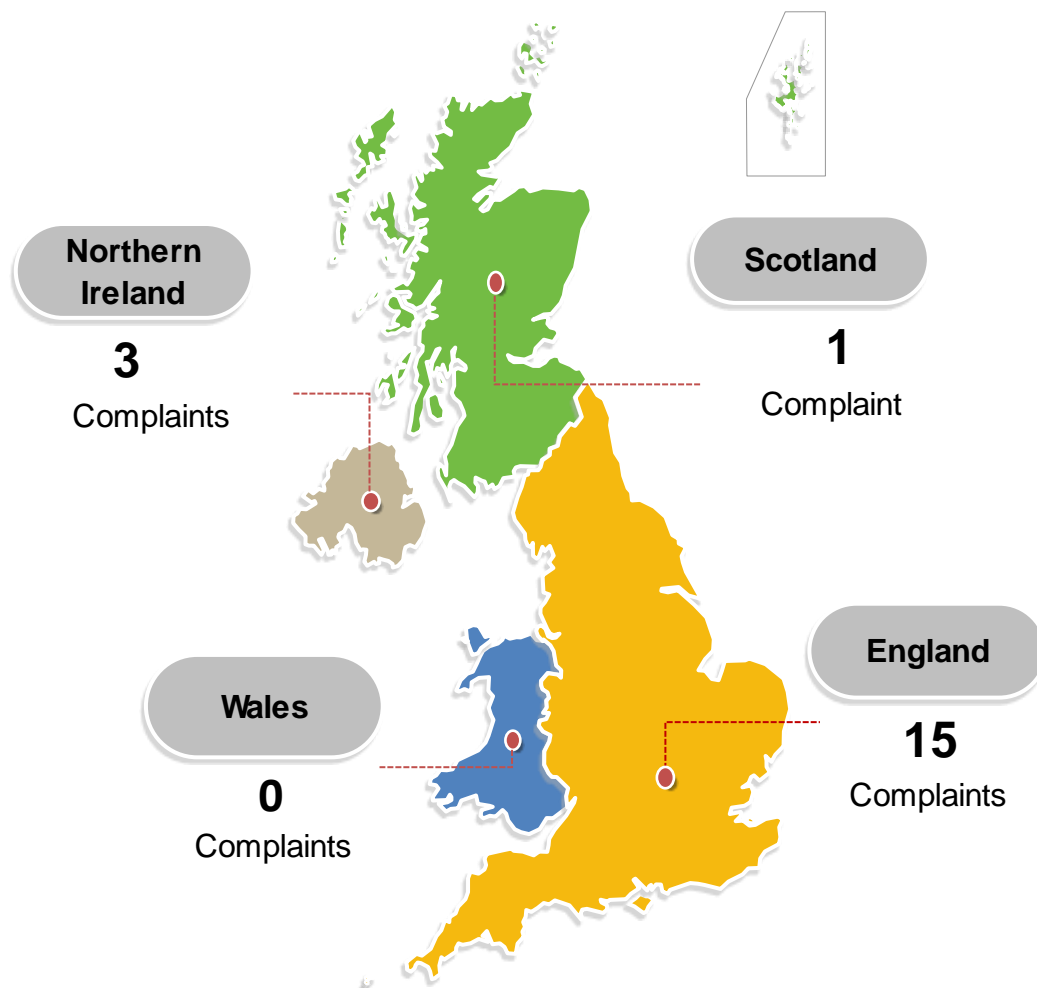
Method of complaint submission



Complainants can submit complaints to us via our online complaint portal, by post, and where necessary by email or phone.

From 1 January up to 30 June 2021 most of our complainants chose to submit their complaint via our [online complaint portal](#). Three complaints were submitted by email.

Geographic breakdown



We cover breaches of environmental law by public authorities in Northern Ireland and England.

We received one complaint about a devolved matter in Scotland. We signposted the complainant to [Environmental Standards Scotland](#) before closing the complaint on our system.

We have not received any cross-border complaints.

From 1 April to 30 June 2021 the complaints received named 7 **different public authorities** in Northern Ireland and England.

From 1 January to 30 June 2021 6 complaints named 1 public authority whilst 13 named more than one public authority.

Environmental Breakdown

Environmental Category	Number of complaints where category mentioned
Nature conservation	10
Pollution control	5
Environmental monitoring and assessment	4
Waste and resources	2
Climate change	0
Environmental governance	1
Not environmental law	1

Following discussion with stakeholders, we have adopted an initial approach to categorising complaints under six broad categories of environmental law as shown above. "Environmental governance" covers the institutional framework for environmental protection as well as cross-cutting measures such as environmental reporting that do not fit in one of the other, more specific categories. We received complaints in all categories except climate change. Some complaints named more than one category.

Hot topics

Assessment

CleanNeighbourhoods&EnvironmentAct2005

ConservationOfHabitats&SpeciesRegulations2017 Cross-Cutting
EnvironmentalAssessmentOfPlans&ProgrammesRegs2004

EnvironmentalImpactAssessment

EnvironmentalPermittingRegs2016 EnvironmentalProtectionAct1990 ForestryAct1967
Governance HedgerowsRegulations1997 IndustrialPollution Landscape-Wide

Monitoring&Assessment

ListedBuildings

Litter

NaturalEnvironment&RuralCommunitiesAct2006

NatureConservation

NotEnvironmentalLaw

Planning(EIA)Regulations(NI)2017 Planning(ListedBuildings&ConservationAreas)Act1990

PollutionControl

ProtectedSites ProtectedSpecies

ProtectedSpecies-General Regulation Regulator SSSI Sewage
StrategicEnvironmentalAssessment Waste Waste&ResourceUse

WaterEnvironment(WaterFrameworkDirective)Regs2017 WaterPollution
Wildlife&CountrysideAct1981 WildlifeCorridors

Our word cloud shows the environmental areas most complained about. The more often a topic was mentioned the larger it appears on the word cloud.

Our Approach

Complainants often identify a public authority that is not responsible for the matter being complained about or have not first gone through the relevant complaint procedure. We had adopted a signposting approach to help complainants identify the relevant public authority.

Sometimes it is not clear whether the public authority internal complaint procedure will apply to the complaint we have received. In these instances, to be more helpful to the complainant, we first contact the public authority to check with them, before signposting the complainant to them, where appropriate. This also provides the public authority with the opportunity to engage with the complaint before it is validated for possible consideration by the OEP.

We will not close a complaint where the points above are still under consideration. Of the 10 complaints we have closed, one was not about environmental law, one was about the activity of a private company rather than a public authority, and one was about a devolved matter in Scotland. In the other seven cases the public authority complaints procedure had not been exhausted.



More information

For more information about the complaints process and definitions, please go to our website at www.theoep.org.uk.

If you cannot find your answer there or in our FAQs on the website please email us at:

TheOEPEnquiries@defra.gov.uk,

or for Northern Ireland enquiries:

TheOEPEnquiries@daera-ni.gov.uk

For media enquiries, please contact:

newsdesk@defra.gov.uk

