



Office for
Environmental
Protection

Complaints Report

Office for Environmental Protection

1 January 2025 - 31 March 2025

Our approach

Our complaints process

We process complaints through a staged procedure - **receipt**, **eligibility check**, and **assessment**. This method and any decisions we make, are based on the Strategy and Enforcement Policy of the Office for Environmental Protection, the latest version was published in November 2024.

Complaint eligibility

The OEP can only legally consider complaints that meet the six criteria stated in the Environment Act 2021, unless there is an exceptional reason to waive them. We refer to these criteria as our eligibility criteria. If any of these six criteria are not met in a complaint that we receive, we will communicate with the complainant to explain why we cannot progress their complaint.

Signposting

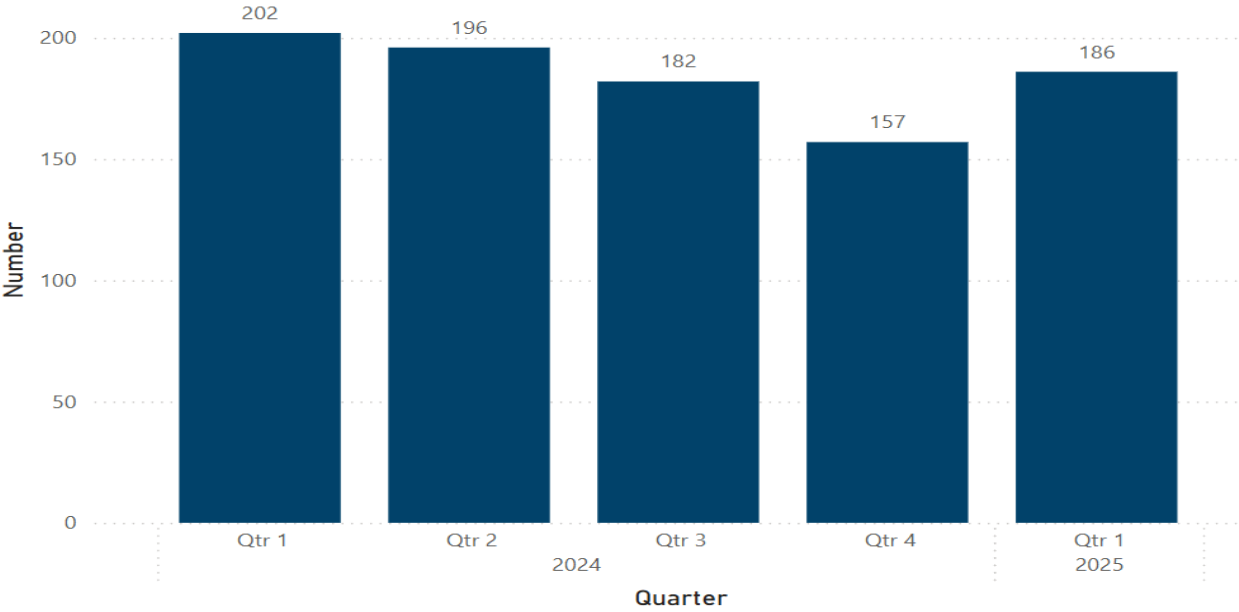
In many instances we signpost members of the public to the most appropriate public authority to either raise an initial complaint or exhaust the complaints procedure. We do this to ensure the relevant public authority is provided with the opportunity to assess and respond to matters initially. We also signpost to other organisations if the matter raised would be more appropriately dealt with elsewhere. To assist with this process, we provide a list of useful contacts on our website.

Working with others

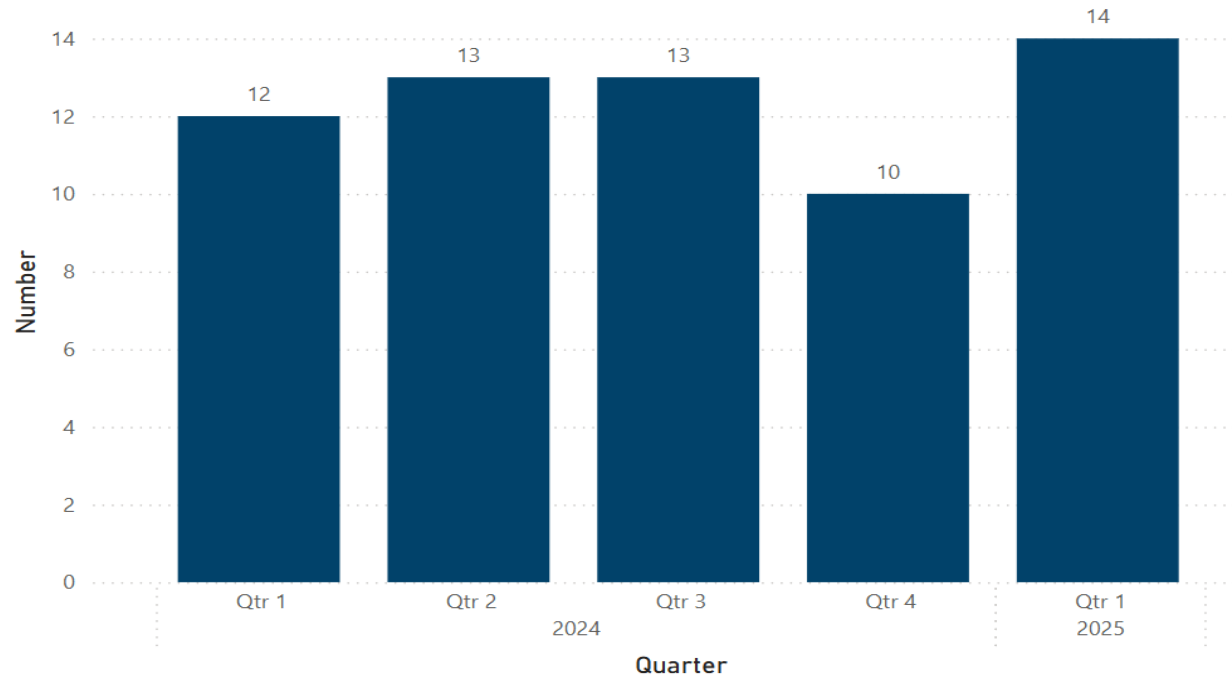
We recognise the importance of engaging with a variety of stakeholders. These include government bodies and non-departmental bodies. We also communicate with Non-governmental Organisations, community groups, and industry practitioners. We have Memorandums of Understanding (MOUs) with the Climate Change Committee, the Local Government and Social Care Ombudsman, the Parliamentary and Health Service Ombudsman, Environmental Standards Scotland and the Interim Environmental Protection Assessor for Wales.

Enquiry and complaint volumes

Enquiries received per quarter since January 2024



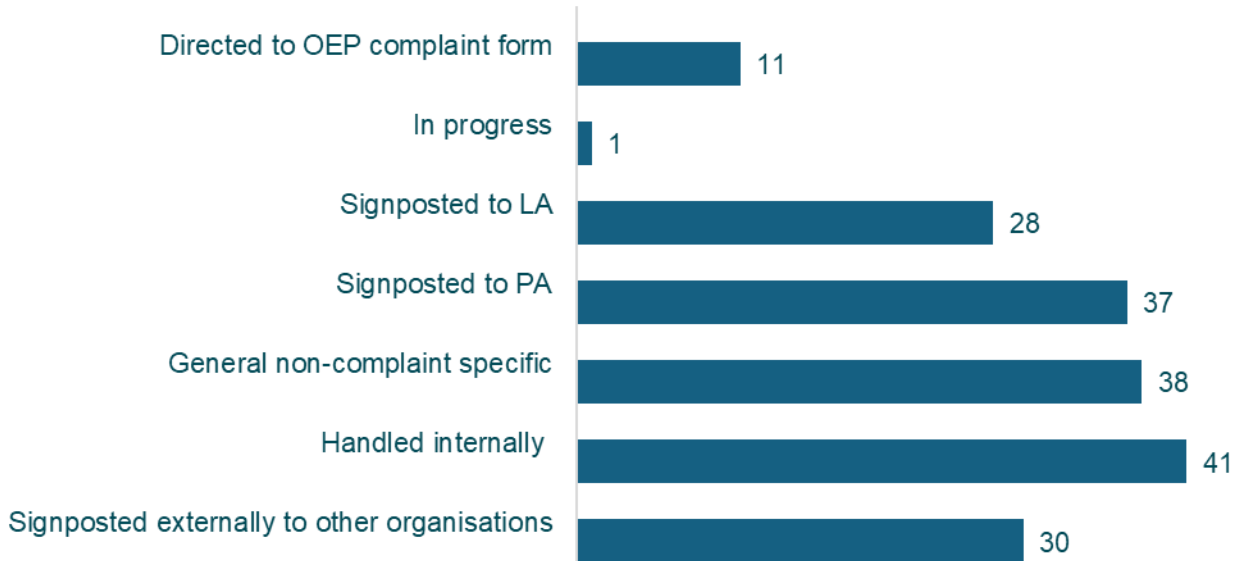
Complaints received per quarter since January 2024



Enquiries key statistics

We received 66 enquiries in January 2025, 65 in February 2025, and 55 in March 2025. There was a slight decline comparing quarter one 2024 with quarter one 2025.

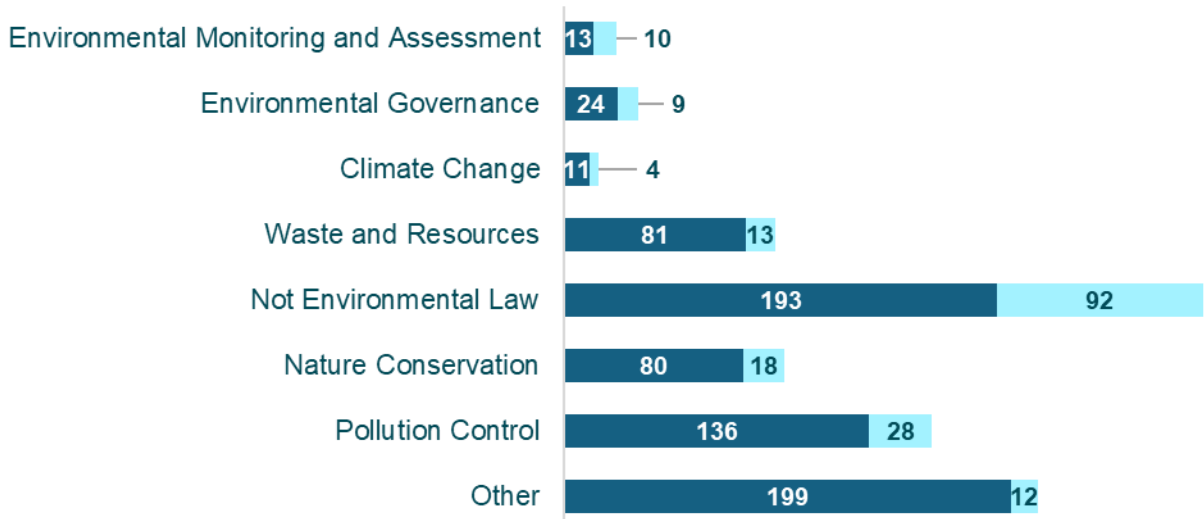
Enquiry Outcomes in Quarter One



During quarter one the highest proportion of enquiries were handled internally, 41 in total. We also signposted 95 customers in total to local and public authorities and other organisations, as their queries were not covered by our remit.

Enquiries by Topic

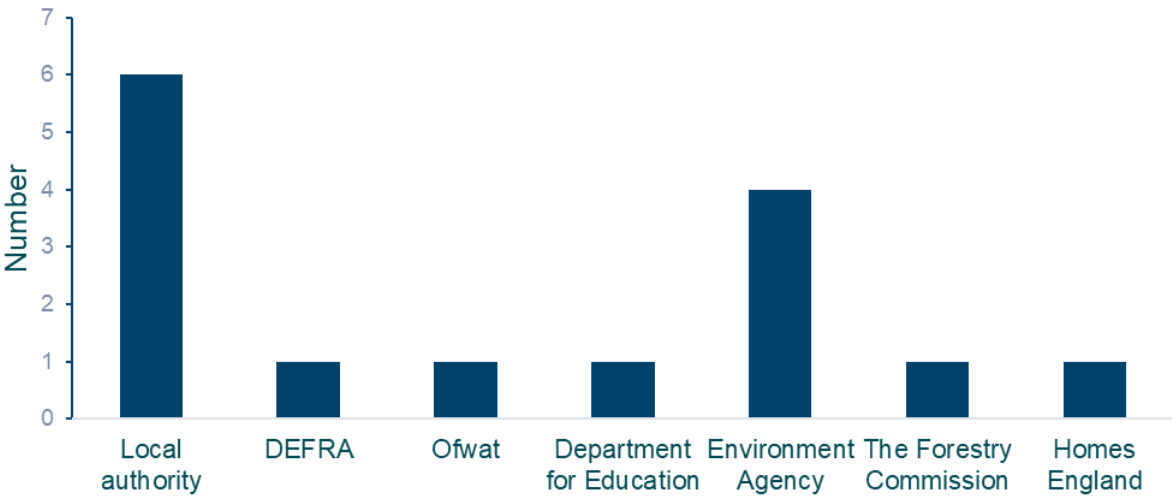
- Enquiries received between January 2024 to December 2024
- Enquiries received between January to March 2025 Q1



Complaints key statistics

During quarter one of 2025 we received a total of 14 complaints with two complaints received in January, three complaints received in February and nine complaints received in March. Comparing with previous quarters this is one of the highest volumes in any quarter to date.

Authorities mentioned in January- March 2025



Public Authorities

Of the complaints received in quarter one of 2025 we received six about local authorities. We had four about the Environment Agency, including one which mentioned Ofwat also. We had one each about the Department for Education, The Forestry Commission, Homes England and Defra.

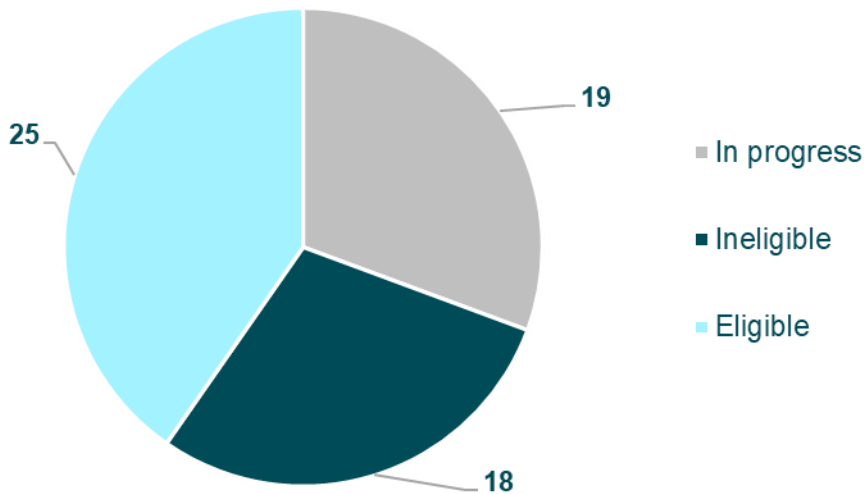
Category of complaints submitted since January 2024

Environmental Category	% of complaints where category mentioned
Nature conservation	32%
Pollution control	29%
Waste and resources	21%
Not environmental law	8%
Environmental monitoring and assessment	3%
Other	3%
Climate Change	2%
Environmental governance	1%

Complaint eligibility and outcomes

By 31 March 2025, we determined that 18 of the 62 complaints received by the OEP since January 2024 did not meet the eligibility criteria outlined in the Environment Act 2021. The primary reason (in over 44% of cases) for ineligibility was failure to complete the public authority complaints process. We concluded 20 assessments in relation to eligible complaints since January 2024.

Eligibility statuses of complaints since January 2024



Assessment outcomes for eligible complaints since January 2024



New enforcement activity and outcomes

Between 1 January and 31 March 2025, the OEP launched two new investigations.

New Investigations

Investigation into Defra's duty to achieve Good Environmental Status in the marine environment

An investigation into Marine strategy regulations and the Department for Environment, Food and Rural Affairs in relation to a suspected failure to take the necessary measures to achieve or maintain Good Environmental Status (GES) of marine waters by the statutory deadline of 31 December 2020.

Investigation into possible failures by Defra and the Environment Agency to comply with key laws to protect and improve water quality

An investigation into the Department for Environment, Food and Rural Affairs and Environment Agency in relation to suspected failures to comply with the Water Framework Directive (WFD) Regulations. This follows a report by the OEP into the implementation of the WFD Regulations, published in May 2024.

Ongoing Investigations

- **Lawfulness of government guidance on water pollution from agriculture**
- **Emergency Authorisations for neonicotinoid pesticide use**
- **Classification and adaptation of Special Protection Areas (Northern Ireland)**
- **Classification and adaptation of Special Protection Areas (England)**
- **Regulation of combined sewer overflows (CSOs)**

Intervention/early resolutions

As a small organisation with a wide remit, it would not be possible or appropriate for us to investigate every eligible complaint that we receive. Furthermore, while the OEP has formal investigation and enforcement powers, these measures may not always represent the most effective means of resolving non-compliance.

Our assessment process is designed to prioritise formal investigation and enforcement action according to how large an effect our action could have, how likely we are to have that affect, whether it is a strategic fit for the organisation and our capacity and capability to deliver.

As part of the assessment process, we will evaluate the substance of a complaint to determine whether there is scope to resolve instances of non-compliance through alternative means such as co-operation, dialogue and agreement with public authorities.

In certain cases, resolving non-compliance through alternative means may achieve many of the same outcomes associated with formal investigation or enforcement but in a much shorter time frame.

If evidence suggests that we can achieve compliance through alternative means and without formal enforcement, we will consider that approach where appropriate. This could involve us pursuing what we would describe as an intervention, where we may ask the relevant public authority to take certain actions with us monitoring their compliance.

Where we take this approach, we endeavour to publish our activity on our website, which can be found here: [Investigations | Office for Environmental Protection \(theoep.org.uk\)](https://theoep.org.uk/investigations)

Intervention/early resolutions – January to March 2025

We did not launch any new interventions during this period.

Horizon scanning

The Complaints and Investigation team service a wide range of enquiries and complaints. We have identified the following topics that are currently undergoing further consideration:

Summary

Northern Ireland – Nutrient Action Programme

We are considering any potential failures to comply in relation to the regulation of nitrogen/phosphorus inputs into freshwater/coastal protected sites along with wider regulations relating to nutrients.

Northern Ireland- Water

We are undertaking an assessment of legal duties and compliance with the Urban Wastewater Treatment Directive and related domestic legislation.

Necessary Conservation Measures

We are considering the legal duties under the Conservation of Habitats and Species Regulations 2017 (Habitats Regulations) to establish “necessary conservation measures” for the features of Special Areas of Conservation (SACs) once they have been designated.

Assessment of our water report compliance

We are continuing to review the potential compliance issues identified in the OEP’s Northern Ireland water report, and the subsequent responses received. We will assess these issues in accordance with our seriousness and prioritisation matrix set out in the OEP strategy and enforcement policy to determine next steps.

Monitoring of compliance with statutory deadlines

We are continuing to monitor and review our approach in relation to a number of missed statutory deadlines, including requirements under the Climate Change Act 2022.

More Information

For more information about our complaint procedure and definitions, please visit our website: www.theoep.org.uk

To follow us on social media, please visit: <https://x.com/OfficeforEP>