
STATUTORY INSTRUMENTS

2017 No. 521

**The Gangmasters and Labour Abuse Authority
(Complaints and Misconduct) Regulations 2017**

PART 4

HANDLING OF CONDUCT MATTERS

Conduct matters arising in civil proceedings

28.—(1) This regulation applies where—

- (a) the Chief Executive has received notification (whether or not under this regulation) that civil proceedings relating to any matter have been brought by a member of the public against the Authority, or it otherwise appears to the Chief Executive that such proceedings are likely to be so brought; and
- (b) it appears to the Chief Executive (whether at the time of the notification or at any time subsequently) that those proceedings involve or would involve a conduct matter.

(2) The Chief Executive must determine whether the matter is one which the Chief Executive is required to refer to the Commission under regulation 32 or is one which it would be appropriate to so refer.

(3) In a case where the Chief Executive determines that the matter is one which the Chief Executive is required to refer to the Commission under regulation 32 or is one which it would be appropriate to so refer, the Chief Executive must record the matter.

(4) In any other case, the Chief Executive must determine whether the matter is repetitive within the meaning of regulation 30.

(5) In a case where the Chief Executive determines that the matter is not repetitive within the meaning of regulation 30, the Chief Executive must record the matter.

(6) In any other case, the Chief Executive may (but need not) record the matter.

(7) In a case where the Chief Executive—

- (a) records a matter under this regulation; and
- (b) is not required to refer the matter to the Commission under regulation 32 and does not do so,

the Chief Executive may deal with the matter in such other manner (if any) as the Chief Executive may determine.

(8) Nothing in paragraph (3) or (5) requires the Chief Executive to record any conduct matter if the Chief Executive is satisfied that the matter has been, or is already being, dealt with by means of criminal or disciplinary proceedings against the person to whose conduct the matter relates.

(9) For the purposes of this regulation, civil proceedings involve a conduct matter if—

- (a) they relate to such a matter; or

- (b) they are proceedings that relate to a matter in relation to which a conduct matter, or evidence of a conduct matter, is or may be relevant.