
STATUTORY INSTRUMENTS

2017 No. 521

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

PART 7

REPORTS AND RECOMMENDATIONS

Final reports on investigations: complaints and conduct matters

- 68.**—(1) This regulation applies on the completion of an investigation of—
- (a) a complaint; or
 - (b) a conduct matter (including a matter that was formerly a DSI matter but has been recorded as a conduct matter in pursuance of regulation 67(5)).
- (2) A person appointed under regulation 41 (investigations by the Chief Executive on the Chief Executive's own behalf) must submit a report on that person's investigation to the Chief Executive.
- (3) A person appointed under regulation 42 (investigations supervised by the Commission) or 43 (investigations managed by the Commission) must—
- (a) submit a report on that investigation to the Commission; and
 - (b) send a copy of that report to the Chief Executive.
- (4) A person designated under regulation 44 (investigations by the Commission itself) as the person in charge of an investigation by the Commission itself must submit a report on it to the Commission.
- (5) A person submitting a report under this regulation is not prevented by any obligation of secrecy imposed by any rule of law or otherwise from including all such matters in that person's report as that person thinks fit.
- (6) For the purposes of a report on an investigation to which regulation 54 (special procedure cases) applies, on completion of the investigation the report must—
- (a) provide an accurate summary of the evidence;
 - (b) attach or refer to any relevant documents; and
 - (c) indicate the opinion of the person investigating as to whether there is a case to answer in respect of misconduct or gross misconduct or whether there is no case to answer.
- (7) A person who has submitted a report under this regulation on an investigation to which regulation 54 applies must supply the Chief Executive with such copies of further documents or other items in that person's possession as the Chief Executive may request.
- (8) The Chief Executive may only make a request in respect of a copy of a document or other item if the Chief Executive—
- (a) considers that the document or item is of relevance to the investigation; and
 - (b) requires a copy of the document or the item for either or both of the purposes mentioned in paragraph (9).

(9) Those purposes are—

- (a) complying with any obligation which the Chief Executive has in respect of any disciplinary proceedings in relation to any person to whose conduct the investigation related;
- (b) ensuring that any such person receives a fair hearing at any disciplinary proceedings in respect of any such conduct of that person.