



Making Complaints and Handling Procedures

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Complaints Procedure

1. Preface

The following procedure applies to complaints directly related to services and processes of the Jersey Gambling Commission (the Commission).

- Certain services and processes, which may be provided by the Commission or may relate to the services provided by the Commission.
- Complainants may have a separate right of appeal, statutory remedy or prescribed procedure (see Gambling (Jersey) Law 2012).
- Complaints are reviewed on receipt and complainants are advised if alternate complaint procedures apply.

2. Principles

It is in the interest of all parties that complaints are dealt with promptly and resolved as quickly as possible.

- Staff treat complaints as confidential and protect complainant's privacy.
- Review of complaints is fair, impartial and respectful to parties involved.
- Complainants are advised of their options to escalate their complaint if they are dissatisfied with treatment or outcome.
- Complainants are provided clear and understandable reasons for how decisions on the complaint were made.
- Updates are provided to complainants during review processes.
- Complaints are used to assist in improving services, policies and procedures.

3. Types of Complaint

Definition: A complaint is an expression of dissatisfaction about the service, actions, or lack of action by the Commission or Commission staff. Complaints may relate to the actions of an individual or to a Commission policy, process or procedure.

Examples include, but are not limited to:

- a perceived failure to do something agreed to do;
- a failure to observe policy or procedures;
- an error made by staff;
- unfair or discourteous actions/statements by staff.

Anyone personally affected can submit a complaint and it will be reviewed in accordance with this procedure.

4. How to make a complaint

A complaint may be received verbally, in person or by telephone: 01534 828540 or in writing by hand delivery or mail to:

Jersey Gambling Commission
4th Floor, Osprey House
5-7 Old Street
St Helier
Jersey
JE2 3RG

Or by email: info@jqc.je

Our offices are open 9am to 5pm Monday to Friday (excluding public/bank holidays).

5. Initial Receipt and Handling of Complaint

- The original version of written complaints, including letters, forms, and emails are date-stamped and immediately referred to the relevant manager and the manager contacts the complainant to acknowledge receipt.
- A copy of all written complaints are logged and where appropriate assigned a complaint number.
- Verbal complaints may be dealt with by frontline staff with certain exceptions (see below).
- Frontline staff immediately refer written or verbal complaints about another staff member to that person's supervisor.
- Anonymous written complaints are referred to the manager.
- Complaints received by email are recorded and redirected to the appropriate person/area. If applicable the complaint is logged and assigned a complaint number.

6. Complaint Review and Escalation Process

The Commission's complaint procedure uses a 3-stage escalation process:

- If a member of staff is uncertain about how to interpret or handle an issue raised by a member of the public, licensee or other they should request the assistance of available management staff.
- Complaints may be accelerated through the escalation process depending on the nature of the issue and judgment of staff.
- Upon any escalation, staff inform the complainant of the person handling the complaint and contact information.

First Stage – Informal Review

Effort will be made to solve verbal complaints immediately to the satisfaction of the complainant without need for a formal written complaint.

When receiving a verbal complaint directly, staff will listen and understand the complaint, and may attempt to resolve it.

Frontline staff automatically and immediately refer the verbal complaint to the manager on duty when:

- the complainant requests the complaint to be referred to a manager;
- the verbal complaint is about conduct of a staff person, and/or significant disciplinary action is a possible outcome;
- the complainant is unusually upset, extremely angry or threatening;
- the verbal complaint cannot be resolved by the frontline staff because it is outside their specific delegation or area of expertise; or
- it is of a serious nature such as alleged controversial conduct, illegal conduct, or there is threat of legal action.

All written complaints are referred to the appropriate manager.

Second Stage – Management Review

All written complaints begin at the second stage.

- All complaints about conduct of frontline staff begin at the second stage.
- The manager acknowledges receipt with the complainant in accordance with defined standards.
- See timelines below.
- The manager reviews the complaint, and may attempt to resolve the complaint immediately. If required, the manager conducts a formal review of the complaint to determine its validity and explore a resolution (see Formal Review Process below).

Management may request a verbal complainant to put the complaint in writing, especially if it involves a serious or complex matter. If the complainant declines to do this the manager should record details as described by the complainant.

For all verbal and written complaints requiring formal review, the manager undertakes to contact them with a resolution or update.

Third Stage – Senior Management Review

Where the complainant is dissatisfied with the decision of the manager, the manager refers the complaint to the Deputy Chief Executive (DCEO).

The DCEO may attempt to resolve the complaint immediately or may conduct a formal review (see Formal Review Process below).

If the complainant remains dissatisfied with the decision of the DCEO, they may refer the matter to the Chief Executive.

Where a complainant is dissatisfied at the end of the third stage, they are advised to request the Board of Commissioners to establish an external review.

7. Logging of the Complaint and Record

A Register of Complaints is maintained to ensure a central record of complaints. A designated member of staff is responsible for logging the complaint in a registry and dependent on volume, assign a complaint number.

The designated member of staff scans and/or saves the complaint in a secure folder and ensures the complaint is forwarded to the manager of the relevant area.

If a written complaint is submitted directly to the service area, the manager ensures the complaint is logged and scans and/or saves the complaint in a secure folder.

Designated staff in the Commission will have read/write access to the complaints registry.

8. Monitoring and Reporting on Complaints

Regular monitoring and review of complaints will be conducted to identify issues, trends, areas of concern and opportunities for improvement.

Depending on the seriousness of the complaint, the issue may form an agenda item for discussion at quarterly Board Meetings.

9. Formal Review Process

A formal review process may be conducted during the second and third stages. The formal review may include:

- Discussion(s) with the complainant to clarify the complaint, confirm common understanding, clarify outcome sought, and/or explain complaint procedures.
- Discussion with staff involved.
- Review of background information such as policies and procedures, previous written communications and other documentation.
- Obtain and review other expert opinions or perspectives.
- At each stage of escalation, it should be determined whether the formal review to-date has been adequate.
- Additional formal review may be made by the receiving manager.

Once a formal review is begun, an official record is to be completed.

At the conclusion of the formal review(s), a copy of the official record and any attachments sent in support of the complaint including any e-mail communications relating to the complaint, is sent to the designated member of staff who scans and/or saves the complaint in a secure folder in the complaints registry. The files are labeled with the complaint number.

10. Notice of Decision and Resolution

Written complaints receive a written notice of decision unless otherwise requested by the complainant.

Verbal complaints receive written or verbal notice of decision at manager's discretion or as requested by the complainant.

If formal review determines that the reasons for the complaint are not justified, and no further action is required, the complainant is notified.

If formal review determines that the complaint is justified, the complainant is notified of corrective action to be taken and any remedy proposed.

A copy of all written notifications to the complainant is sent to the designated member of staff who scans and/or saves the complaint in a secure folder.

11. Procedure and Standards for Responding to Complaints

The Commission applies certain standards for responding to complaints.

Depending how the complainant requests to be contacted, the following standards for acknowledging complaint receipt at Second Stage apply:

- Complaints are acknowledged by telephone, email or mail within 1 working day of being received by the relevant service area.
- Where a formal review is required, complainants are contacted within 21 days with either a final response or update. At that time the complainant is advised of when the next contact will be – either for a proposed resolution or for the next progress update.
- Complainants are automatically contacted when their complaint is escalated.

The manager may exercise discretion and contact the complainant more frequently or sooner than the above standards.

NOTE: From time to time, there may arise extraordinary circumstances where the Commission may not be in a position to guarantee these standards can be satisfied.

Document History Log

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