

Appendix 1

Standards of Good Regulation for Complaints

NOTE: These Standards are adapted from *The Standards of Good Regulation*, Professional Standards Authority, 2016³³. For the purpose of this review Standard 6 has not been assessed as it is out of scope.

1. Anybody can raise a concern, including the regulator, about the conduct and competence of a licence holder.
2. Information about concerns regarding conduct and competence is shared by the regulator with employers/local arbitrators, and other regulators within the relevant legal frameworks.
3. Where necessary, the regulator will determine if a complaint has merit and if so, whether the conduct or competence of the licence holder is impaired or, where appropriate, direct the complainant to another relevant organisation.
4. All conduct and competence complaints are reviewed on receipt and serious cases are prioritised and where appropriate referred to an interim orders panel (or equivalent).
5. The complaints, discipline and enforcement processes are transparent, fair, proportionate and focused on serving and protecting the public interest.
6. Risk of harm to the public and of damage to public confidence in the profession related to non-holders using a protected title or undertaking a protected act is managed in a proportionate and risk-based manner.
7. Conduct and competence cases are dealt with as quickly as possible taking into account the complexity and type of case and the conduct of both sides. Delays do not result in harm or potential harm to clients or the public. Where necessary the regulator protects the public by means of interim orders (or equivalent).
8. All parties to a case (including the complainant) are kept updated on the progress of their case and supported to participate effectively in the process.
9. All decisions made at the initial and final stages of the complaints and discipline process are well reasoned, consistent, and protect the public interest.
10. All final decisions of the Complaints and Discipline Committees, apart from matters relating to the health of a licence holder, are published and communicated to relevant stakeholders, within the relevant legal frameworks.
11. Information about complaints and discipline cases is securely retained.

³³ https://www.professionalstandards.org.uk/docs/default-source/publications/standards/standards-of-good-regulation.pdf?sfvrsn=e3577e20_6