

Investigation, Disciplinary and Appeals Rules Consultation: Analysis of Responses

Introduction

1. On 9 June 2017 we issued a consultation on proposals to amend the Investigation, Disciplinary and Appeals Rules (Rules) to make operational adjustments to provide clarity to consumers and our regulated community, and to extend their application to licensed bodies. This analysis focusses on the responses relating to the operation changes only as we recognise the changes regarding licensing will be considered with our application for designation to become a licensing authority. The consultation closed on 20 July 2017 and received 107 responses of which all were anonymous apart from one.
2. The consultation was emailed to all members of our regulated community for online response to enable ease of engagement. The consultation was also published on our website. This report summarises the key points emerging from the responses together with our response.

Overview of responses

3. We were pleased to note broad support for the proposals. The analysis below sets out in more detail the issues raised and our response. Though all submissions have been considered carefully our responses below focus upon more in-depth feedback provided by key stakeholders during the consultation where available.
4. Questions one to four are specific to licensing and as such we have not included details of those responses here.

Question 5 - Do you have any further comments regarding the changes proposed to the Rules?

5. Most respondents had no comments to make to the proposals with just fewer than 8% providing further information. One comment suggested that we should provide further guidance to our regulated community. Although CILEx the membership body provides advice and support we recognise that as a regulator we also need to provide guidance. Our new online information platform *Regulation Matters* is one way in which we are increasing our engagement and information provision with its regulated community. We will also be updating guidance around enforcement after LSB approval of our Rules and will be looking at ways to simplify and clarify information in this area.
6. We have taken on board all comments and consider that some can be resolved by way of guidance prior to implementation of the Rules. Other comments have been considered and as a result we have reflected these amendments in the Rules post consultation, which is submitted for consideration at Annex 1.

Summary of responses

Question 5

7. There were seven further comments out of 107 reflecting 7.5% of responses, of which three related to our licensing application which we have not been asked to address at this juncture, and four related to the operational rule changes. All these four comments were broadly supportive of the changes.
8. CILEx the professional body responded to our consultation and largely supported the proposals with the added request for appropriate guidance to be published to assist the regulated community and members of the public, which we will provide.

Conclusion

9. We are pleased that the changes to the Rules are supported and we will provide guidance to support the Rules to ensure that their scope is not extended beyond that which is intended and so that those who are regulated by us are clear about our expectations.