

**PRINCIPLES OF GOOD REGULATION**

Where enforcement action is necessary, Oadby and Wigston Borough Council is committed to the 5 principles of regulation, set by the Better Regulation Executive of the Department for Business, Enterprise and Regulatory Reform. These state that regulation should be –

**Proportionate      Consistent      Accountable      Transparent      Targeted**

In applying these 5 principles, we will –

1. Setting Clear Standards
2. Be Open
3. Be Helpful
4. Take Proportionate Action
5. Be Consistent
6. Have an Easy to Use Complaints Procedure.

**1. Setting clear standards**

We will set clear standards to show the levels of service and performance that residents of, businesses within, and visitors to the Borough can expect from us.

In setting these standards we will –

- \* Consult with businesses and other interested parties on the development of our standards.
- \* Publish performance against these standards at least once a year.
- \* Make readily available the results of our performance.

**2. Being Open**

We will assist individuals, organisations and businesses to understand what is expected of them and what they should expect from us. To achieve this, we will -

- \* Provide information and advice in plain language on the rules that we apply.
- \* Confirm advice in writing, if requested
- \* Disseminate this information as widely as possible and by as many means as possible.
- \* Be open about how we set about our work, including any charges we set.
- \* Clearly distinguish between statutory requirements and advice given to help raise standards above the minimum
- \* Consult with businesses, voluntary sectors, other organisations and residents of the Borough.
- \* Discuss general issues, specific compliance factors or problems with anyone experiencing difficulties.

### 3. **Being Helpful**

We believe that prevention is better than cure and to put this into practice, we must work actively with businesses (especially small and medium sized businesses), and residents and visitors where appropriate, to advise and assist with compliance.

Therefore, we will provide

- \* A courteous and efficient service.
- \* Staff who identify themselves by name.
- \* A contact point and telephone number for future dealings with us.
- \* Encouragement for everyone dealing with us to ask for advice and information.
- \* Efficient and prompt dealing with applications for licences, registrations, approval of establishments, etc.
- \* Co-ordinated services to ensure that, wherever practicable, our enforcement services minimise unnecessary overlaps and time delays.
- \* Prompt, effective and simple communication of legal requirements to businesses and others that we regulate
- \* Provision of advice in a clear, concise and accessible form, using the language and choice of medium preferred by the business, wherever possible
- \* A means of assessing the effectiveness of advice and information that we provide

### 4. **Taking 'Proportionate' Action**

In order to reduce the burden to businesses and minimise the costs they incur in compliance we will –

- \* Ensure any action we require is proportionate to the risk of harm occurring
- \* Develop effective risk assessment procedures and use these to target our resources to where they will be most effective (i.e, where risk is highest)
- \* Identify through the risk assessment process businesses that persistently break regulations and target action against them
- \* Identify factors that will influence our evaluation of likely non-compliance, such as past compliance records, the quality of risk management systems, management competence and willingness of the business to comply.
- \* Ensure no inspections of business premises take place without a reason
- \* Take particular care to work with small businesses and voluntary and community organisations so they can meet their legal obligations without unnecessary expense, given their size and the nature of their activities.

## 5. **Being Consistent**

We will –

- \* Carry out our duties in a fair, equitable and consistent manner.
- \* Have arrangements in place to promote consistency, especially where inspectors are expected to exercise judgement in individual cases.
- \* Work with other regulators to share data and coordinate inspections
- \* These arrangements will include effective liaison with other authorities and enforcement bodies at both local and national level.

## 6. **Having an Easy to Use Complaints Procedure**

If anyone wishes to complain about any aspect of the service they receive, we will –

- \* Provide a well-publicised, effective and timely complaints procedure, easily accessible to business, the public, employees and consumer groups.
- \* Explain any right of complaint or appeal, including details of the process and likely timescales, in any case where a dispute cannot be resolved.

## **Implementing the principles of good regulation**

To enable enforcement officers to carry out the principles set out in this appendix, guidance will be produced and they will be informed about how it is to be applied.

In turn, enforcement officers' implementation of the principles will be monitored as part of the normal management monitoring processes.

