

ENTRUST Regulator Standards (ERS)

The ERS was approved by the ENTRUST Board and published in 2014, reflecting the Government’s Regulators’ Code which was published in April 2014. The Regulators’ Code came into effect under the Legislative and Regulatory Reform Act 2006. The Act was extended under the Enterprise Act 2016 which requires regulatory bodies to report on how implementation of the code has affected their regulatory functions and the impacts on those they regulate. Following this, in 2017 ENTRUST reviewed the ERS to ensure they continued to meet ENTRUST’s requirements as a Regulator. Furthermore, in light of ENTRUST’s move to digital information and service provision, the ERS were also reviewed in keeping with the Government’s ‘digital by default’ strategy.

Following this review the ERS have been extended from the original 25 standards across seven areas, to 31 standards encompassing the regulatory work undertaken throughout the organisation and reflecting the standards detailed in the Regulators’ Code. The emphasis is to focus upon the fundamental aspects of the work of the organisation. Transparency is included as a separate area although it encompasses all the work we do and can perhaps be better viewed as an umbrella standard which covers all of our work.

Function	Standard	
1. Policy review	1.1 Planning, reviewing and scoping	
	1.1a	In reviewing the Regulations to ensure they are effective, proportionate and not unnecessarily burdensome, we will use an evidence-based approach to determining priority risks in accordance with the Regulators’ Code.
	1.1b	Proposed priority areas of potential change will be agreed by the Board.
	1.2 Consulting	
	1.2	We will consult stakeholders in accordance with the Consultation Principles and report on the outcome of consultation exercises including providing appropriate feedback to those who took part.
	1.3 Development of change proposals	
	1.3	In developing proposals for change we will consider risk and will assess which method would best achieve the intended outcome with the least burden for stakeholders.
	1.4 Reporting	
	1.4	We will provide a clear and timely report to the appropriate audience of the outcomes of any review, proposal or consultation.

2. Advice and guidance	2.1 Day-to-day advice and guidance	
	2.1a	We will provide advice and guidance which is appropriate, timely and focussed on assisting EBs to understand and meet their responsibilities. We will ensure that EBs feel confident that they can approach ENTRUST for advice and guidance without undue fear of enforcement action.
	2.1b	We will continue to move towards full e-delivery of our regulatory services and ensure that all guidance and information produced is easily accessible via our website.
	2.2 Changes to guidance and to the Regulations	
	2.2a	We will consult with EBs on any new guidance to be published to ensure it meets their needs. We will advertise the publication of new guidance and changes to existing guidance and will provide stakeholders with clear and timely advice on their effects and the date on which they will come into force.
	2.2b	We will provide clear and timely advice and guidance to stakeholders on changes to the Regulations.
	2.3 Monitoring the effectiveness of advice and guidance	
	2.3	We will monitor the effectiveness of the advice and guidance delivered, and the mode of delivery, in order to ensure that advice and guidance, and mode of delivery, meets the needs of stakeholders.
	3. Training	3.1 Identifying the training needs of stakeholders
3.1		We will review stakeholders' training needs as a result of feedback from the delivery of advice, guidance, face-to-face training and through our website, and will review the training and induction programme to ensure it continues to meet stakeholders' needs.
3.2 Delivering training		
3.2		We will deliver a multi-channel training programme which meets the needs of stakeholders.
3.3 Staff training		
3.3a		We will ensure that all members of staff have the knowledge and skills to support those regulated by ENTRUST and understand the principles of good regulation and how ENTRUST delivers them.
3.3b	We will ensure that all members of staff are provided with training such that they are able to act in accordance with our service standards.	

4. Data and information requests	4.1 Forms and data requests	
	4.1a	We will provide guidance to EBs on the appropriate completion and submission of Statutory Annual Returns and other forms required to be completed by EBs.
	4.1b	In seeking data from EBs, we will consider risk and will assess which method would best achieve the intended outcome with the least overall burden for those concerned. We will only collect and process essential data, including 'personal data', as required to regulate the fund.
	4.1c	When seeking data from EBs, we will set a timetable for the submission of that data which is appropriate to the nature and extent of the request made.
	4.2 Design of new forms and revising existing forms	
	4.2a	We will review Statutory Annual Returns and other forms required to be completed by EBs and will consult with stakeholders on the design and content of any new forms or formalised data requests.
	4.2b	In considering revisions or additions to forms, we will consider risk and whether an alternative method of seeking data would better achieve the intended outcome, and we will select the format which best achieves the intended outcome with the least burden for EBs.
	5. Compliance	5.1 Appeals
5.1		We will provide a clear and impartial route to appeal against project application decisions. The route to appeal, either in person or in writing, will be clearly explained to applicants whose projects are not accepted.
5.2 Reviews		
5.2a		We will provide clear and timely guidance to EBs on what they can expect from a compliance review and what is expected from the EB before, at and after a compliance review.
5.2b		We will allow EBs an appropriate period to respond to our compliance inspection report, and we will provide advice and guidance to enable the EB to address any issues identified in our compliance inspection report.
5.2c		We will use a risk score to help determine how often each EB should be reviewed. Risk scores are generated automatically and incorporate the amount of funding involved, the number of projects approved and any history of non-compliance.

6. Enforcement	6.1 Enforcement process	
	6.1a	We will set out details of the enforcement policy, explaining how we will respond to non compliance.
	6.1b	In responding to non compliance and acting within the enforcement process, we will consider risk and assess which method of enforcement would best achieve the intended outcome with the least overall burden for those concerned.
	6.1c	As part of the enforcement process we will clearly explain to non-compliant EBs the actions required of them and why as well as providing opportunities for dialogue.
7. Transparency	7.1 Accessibility	
	7.1	We will publish details of our staff and contact details so that stakeholders know who to contact and how to contact them.
	7.2 Publication of service standards	
	7.2a	We will publish our Customer Charter and service standards so that stakeholders know what they can expect of us.
	7.2b	We will publish details of our performance against our service standards, as measured through feedback and the EB satisfaction survey and appeals against our decisions.
	7.3 Complaints handling	
	7.3	We will publish a clear complaints policy so stakeholders understand how to make a complaint and how any complaint will be handled. We will publish anonymised accounts of the outcomes of formal complaints.
	7.4 Publication of anonymised data	
7.4	We will publish anonymised data for a range of metrics including EB risk scores to allow EBs to benchmark their performance.	