

Investigation process

The investigation process

- 1.1 If we have serious concerns about the performance of a regulator we will complete a risk assessment to enable us to make a judgment on whether it is necessary to carry out an investigation.
- 1.2 We have established an investigation process. However, as this is a developing process we reserve the right to use this approach flexibly so that we are able to respond to the situation we face. We will inform the regulator when we wish to undertake additional enquiries as part of our approach and our rationale for this.
- 1.3 The process we are likely to follow is this:
 1. We will notify the regulator of the outcome of our risk assessment and agree arrangements with them for our investigation.
 2. We will undertake the investigation - this is likely to include a review of the evidence submitted, additional documentation being requested and reviewed, meetings being held with members of the council, executive and staff from the relevant function(s) and consideration of any additional information that we receive from other sources. We will be proportionate relative to risk in our investigations.
 3. We will consider the information obtained.
 4. We will have a face-to-face meeting with the regulator to discuss our assessment. We will explain our assessments and allow the regulator to challenge them.
 5. We will share our draft report with the regulator and allow them to comment.
 6. We will consider any comments by the regulator. If a regulator disagrees with our report and asks to provide a short commentary on our performance review findings, this will be included alongside our report of its performance.
 7. We will produce a final written report, which will be included within the main performance review report.