



COMMON APPROACH to Competency for Regulators



Supporting Local Regulators

The delivery of effective local regulation depends on the professionals who carry out the work. Their efforts to develop their skills and knowledge must be strongly supported. The regular review of their development needs is essential, as the nature of their jobs, and the legislation they enforce, changes over time.

Common regulatory competence standards – underpinned by a robust development process and comprehensive learning materials – are currently being introduced.

The work is being led by the Local Better Regulation Office (LBRO) in partnership with the World Class Coalition, established by LBRO in 2008 to simplify the complex regulatory system. It comprises 18 professional and representative bodies, including national regulators.

The overall approach to competency is closely linked with the relevant qualifications frameworks provided by the professional bodies – including the Chartered Institute of Environmental Health and the Trading Standards Institute – and supported by the key players in the local and national regulatory landscape, giving transparency and confidence to all.

The first competency frameworks were launched in November 2011 and continue to evolve, shaped by users and stakeholders. They embed the principles of good regulation¹ and their application will create better outcomes for businesses and citizens – the ultimate beneficiaries of good regulation.

The aim is to ensure that the needs of regulators in local authorities and elsewhere are identified and addressed:

- **through self-assessment;**
- **via simple, flexible and user friendly web-based tools that can be used in conjunction with existing approaches;**
- **with access to innovative and cost-effective solutions for meeting development needs; and**
- **as an integral part of continuous professional development.**

World Class Coalition members:

Animal Health and Veterinary Laboratories Agency
Association of Port Health Authorities
Better Regulation Executive
Chartered Institute of Environmental Health
Chief Fire Officers Association
Consumer and Competition Policy Directorate,
Department for Business, Innovation and Skills
Department for Environment, Food and Rural Affairs

Environment Agency
Food Standards Agency
Gambling Commission
Health and Safety Executive
Institute of Licensing
Intellectual Property Office
Local Government Association
National Measurement Office
Office of Fair Trading
Trading Standards Institute
Welsh Government

¹ Accountable, Targeted, Consistent, Proportionate and Transparent

Project Overview

The overall approach to competency has already proved rigorous and flexible. It has been used successfully since 2009 by the Health and Safety Executive and health and safety regulators at most local authorities in Great Britain.

Its key features are:

- **core, generic regulatory skills and leadership skills sections;**
- **technical knowledge sections, specific to areas of regulation;**
- **the Regulators' Development Needs Analysis (RDNA) self-assessment tool;**
- **the Guidance for Regulators – Information Point (GRIP), designed to help meet development needs identified; and**
- **a development process for regulators and managers.**

The first set of competency frameworks – launched following extensive consultation and a pilot with 25 local authorities – covers *core regulatory skills and leadership skills*, and six environmental health and trading standards functions: *animal health and welfare, food, health and safety, housing, metrology (weights and measures), and port health*.

New functions will be added during 2012, including agriculture, fair trading, licensing (Licensing Act 2003), pollution prevention and control, and product safety.



Stakeholder Outcomes

For regulatory professionals:

- The approach is a single, definitive and comprehensive means of addressing professional competency.
- It provides a cost-effective way to maintain Continuous Professional Development in the face of resource constraints.
- It assists the planning and prioritising of development activity.
- It supports the enhancement of specific areas of expertise.

For local authorities:

- The approach is an efficient, adaptable and robust means of maintaining a competent and highly flexible workforce.
- It assists the effective deployment of staff, by supplying a picture of the skill set of regulatory services officers within a local authority (and potentially across the system as a whole).
- It supports business and consumer confidence in regulatory decisions by providing a nationally agreed framework that sets out the skills and knowledge expected of officers.

For national regulators:

- The approach eliminates the burdens associated with multiple approaches to competency, encouraging economies of scale in training and development provision.

- It strengthens relationships between regulators and business as a whole, by improving communications and the clarity of interaction.
- It supports the effective protection of citizens by maintaining professional standards of competency.

For business:

- The approach promotes accountability to business by creating a transparent set of criteria against which competency can be assessed.
- It shows business that regulators have robust, system-wide arrangements for continuous professional development.
- It delivers a consistent approach that recognises diverse types of businesses and business needs.



There is agreement within the World Class Coalition that there is a set of generic core skills required by regulators irrespective of the function within which they regulate: it is primarily only their underpinning technical knowledge that differs, depending on specialism.

This distinction is reflected in the **RDNA self-assessment tool**: an interactive website that provides a robust process enabling regulators to identify and prioritise their development needs.

The core regulatory skills section – developed following extensive consultation, covers the full range of common regulatory activities:

- assessing risks
- planning, organising and prioritising
- promoting compliance
- advising and influencing
- conducting interventions
- enforcing legislation
- working effectively with business
- working effectively with citizens, partners and stakeholders
- using and managing knowledge effectively
- personal development, innovation and learning
- IT literacy and numeracy
- providing primary authority services

The technical knowledge sections reflect the way work is commonly organised and structured within local authorities, allowing for the fact that this does vary between authorities.

The purpose of the RDNA tool is to pinpoint areas of potential development need for subsequent discussion between an officer and their manager. It does not give work-related advice or guidance.

Regulators undertake self-assessment on the basis of their job description and level of authorisation, and the expectations of the employing local authority and any relevant national regulator.

The reports created on completion of the process guide the production of personal development plans, after assisting discussions during annual development reviews.



Project Details

The **GRIP** identifies resources to help regulators meet their development needs in a cost-effective way. It mirrors the RDNA skills and knowledge sections, providing links to 12 types of learning material.

Effective development solutions can often be provided by means other than formal training, such as coaching, directed learning, distance e-learning, guided reading, job shadowing, mentoring and project work.

The Chartered Institute of Environmental Health and the Trading Standards Institute support RDNA and GRIP and have been central to the development of the skills and knowledge sections.



One hour of core CPD is available for the self-assessment process since it encompasses a reflective review of a member's professional development. CPD hours are also available in respect of activities undertaken to address identified development needs where a personal development plan is produced.

The availability of a single nationally recognised approach to regulatory competence will simplify the regulatory system and help national and local regulators work more closely together.

The provision of a cost-effective process through which regulators can address their development needs is helping to meet the challenge at both national and local level to deliver robust services with limited resources.

One key aim is to encourage and equip regulators to make greater use of their professional judgment and discretion, in order to maximise business compliance in a way that is best suited to the particular circumstances.



About Us

LBRO helps local authorities and other regulators improve the way they implement environmental health, fire safety, licensing and trading standards regulations. It is our responsibility to ensure that these vital public services are consistent, targeted, accountable, transparent and proportionate to risk.

We reduce unnecessary red tape for law-abiding businesses, to allow greater focus on targeting the rogue traders who harm vulnerable people and damage our communities. By making it easier to advise on and apply the rules, and simpler for companies to understand them, we help to ensure that local regulation delivers both prosperity and protection.

Our duties include managing Primary Authority, advising central government on local regulation, providing guidance and support to councils, and updating the list of national enforcement priorities for local government.

LBRO was established under the Regulatory Enforcement and Sanctions Act 2008 as a non-departmental public body, accountable to the Department for Business, Innovation and Skills (BIS) through the Better Regulation Executive. We are governed by an independent Board and operate across the United Kingdom from our base in central Birmingham.

Following the government review of public bodies initiated in 2010, it was announced in February 2011 that our work to administer Primary Authority and simplify the regulatory system will be taken forward by a streamlined body within BIS. The new organisation will continue to provide technical expertise and will retain our reputation for independence and challenge.

For further details on professional competency, please visit www.lbro.org.uk. Alternatively, contact Lynne Howard at lynne.howard@lbro.org.uk or on 0121 226 4000.



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