



Chartered
Institute of
Environmental
Health



Policy briefing note – Business compliance and the role of regulatory services

Debate about the most effective delivery of regulatory services is healthy and welcome. The context changes over time and in 2012 the parlous state of economies around the world predominates.

Businesses and central and local government alike have to respond to huge financial pressures. The impact of reduced government funding is having a significant impact on local authorities, with many facing reductions of 30% or more in their budgets by 2016.

Increasingly fast-paced change intensifies both threats to existing service delivery and opportunities for considering new ways of delivery. Wealth-creators and legislators are equally focused on how to innovate and adapt in order to deliver more effective services at lower cost.

The CIEH takes the view that public policy has to respond by facilitating the bold, forward-thinking and collaborative solutions that many are already embracing.

This is the CIEH's policy about business compliance and the role of regulatory services. Of course environmental health practitioners are much more than regulators and regulators are much more than people who take legal action to stop something or to punish someone.

Environmental health practitioners are science educated, they are accomplished problem-solvers, capable of working holistically to arrive at the best solutions and experienced at working in partnerships to achieve common goals.

Regulators provide a public protection service and they use a range of tools and approaches in order to secure improvement and compliance for the benefit of public and environmental protection. In so doing, they make judgements all the time about the most appropriate interventions – from education and encouragement through to service of official notices and instigating legal proceedings – for its achievement.



The policy

The CIEH believes that relationships between businesses and regulatory services should reflect shared goals of public protection, support enterprise and growth and help provide a sustainable future for people and planet.

Law and practice need to underpin and promote these goals. Well written law, proportionately and consistently applied, is good for public protection, good for enterprise and growth and good for sustainability.

The law is clear about the duties of care applying to individuals, the state and businesses. The starting point for regulatory services is that citizens and businesses in the main intend to be in compliance with the law.

In every community, regulatory services ought to contribute to public protection and improvements in health outcomes through the wide range of interventions they undertake in, among a number of settings, workplaces, food outlets and rented housing.

Research has indicated that a positive regulatory environment can contribute significantly to economic development and sustainable growth, improving the openness of international markets and creating a less constricted business environment for innovation and entrepreneurship. It can protect compliant businesses by enabling fair competition and providing business with the confidence to invest, grow and create new jobs.¹

Effective and holistic regulatory delivery, allied to openness and transparency, will support public health objectives, including improving health and wellbeing of people and the environment.

The CIEH therefore supports a regulatory system which is founded on scientific research, risk-led and evidence-driven. Its effectiveness will be defined less by a set number of inspections and more according to the quality of relationships between those involved in ensuring compliance. Collaboration will focus on interventions founded on sound evidence with resources targeted where they are most needed first.

Businesses demonstrating that they have in place and in use appropriate systems for ensuring compliance are able to earn recognition of this and regulatory oversight can be adjusted accordingly.

Businesses needing support to achieve compliance can rely on regulatory services to support them to become compliant, but those unable to, or deliberately intending not to, comply will rightly be targeted for appropriate enforcement interventions.

Different settings call for a range of differentiated interventions but in their delivery regulatory services must be fair, consistent and transparent.

Practitioners who work in regulatory services and those within businesses too, should be properly supported by their employers, who are responsible for ensuring that staff are competent and resourced adequately. A professionally led regulatory service and a competent professional must be expected to be knowledgeable, self-confident and able to practise a risk-led management approach founded on evidence. A professional has a personal duty to maintain and enhance competence.

The CIEH believes that the CIEH and other professional bodies, alongside businesses, governments and other agencies have an ongoing role in supporting business compliance and effective regulatory service delivery. The CIEH is committed to working collaboratively with partners to help achieve this.

The CIEH will work with willing partners to implement this policy and to promote proportionate compliance in organisations that is supported and encouraged by effective regulatory services.

¹ Regulation and Growth, LBRO March 2012

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