

Report to:	MSMTM
Report by:	Margaret Keyse, Head of Enforcement (HOE) Helen Gardner-Swift, Head of Corporate Services (HOCS)
Meeting Date:	23 February 2022
Subject/ Title: (and VC no)	Quality Assurance Monitoring: Investigations VC162782
Attached Papers (title and VC no)	n/a

Purpose of report

1. To recommend to the Senior Management Team (SMT) that the quality assurance work carried out in relation to investigations is paused for this year, 2021-22, and for next year, 2022-23 and that this is noted on the key document C1 Governance Reporting Arrangements (the GRA) and that the key document is amended accordingly.

Recommendation and actions

2. I recommend that SMT:
 - (i) note the contents of this report
 - (ii) agree that paragraph 26 of the GRA be amended to note that the quality assurance work carried out in relation to investigations is paused for this year, 2021-22, and for next year, 2022-23
 - (iii) agree that this report is published in full (see the publication section at the end of the report).

Executive summary

3. In line with the GRA, I provide assurance every quarter to the SMT on the quality of investigations in line with the quality criteria set out in Appendix 8 of the [Investigations Handbook](#) (the Handbook).
4. The quality assessment work looks at all aspects of the investigation, from receipt through to approval and issue of the decision and compliance. The assessment looks at the part played by all members of the Enforcement Team including, where relevant, the Commissioner.
5. As noted in previous reports to the SMT, the quality assurance work carried out shows that compliance with the Handbook is exceptionally high.
6. While I recognise the importance of this work, it is time-consuming, particularly for me and for the Deputy Heads of Enforcement (DHOEs). The Enforcement Team currently has a very high workload – our caseload is the highest it has ever been – and, as a result of retirement and an internal (albeit temporary) promotion, is under-resourced. Steps are currently being taken to improve the situation (we are recruiting internally for a temporary post and plan to recruit externally for at least one additional permanent post). However, during this exceptionally busy period, I consider that the resources of the Enforcement Team should be

focused on the caseload and that the quality assurance work be temporarily paused until the start of 2023-24.

Risk impact

7. The quality assurance procedures are designed to ensure that investigations are carried out in line with the Investigations Handbook and are carried out to a high standard. As such, the work has a positive impact on risks relating to case journey times and on making robust defensible decisions.
8. As noted above, previous reports have shown that compliance with the Handbook is exceptionally high. Therefore, the risk that pausing this work until the start of 2023-24 will negatively affect investigations is very low. In any event, the DHOE(s) and I will continue to deal with investigations on a daily basis and will be able to raise any concerns regarding compliance with the Handbook with relevant members of staff if and when they arise.

Equalities impact

9. We do not consider that the subject matter of this report affects any of the nine protected characteristics.

Privacy impact

10. None arising from this report.

Resources impact

11. The quality assurance work has an impact on the work of the Enforcement Team (principally on the work of the HOE and DHOEs). While the work is important, it will only be paused temporarily, and will allow the team to focus on the caseload.

Operational/strategic plan impact

12. This contributes to strategic objective 6: to be recognised as an organisation of independent and trusted experts that is run efficiently, governed effectively and is open and transparent.

Records management impact (including any key documents actions)

13. None.
14. The HOCS as RM for the GRA will arrange for the relevant key document actions to be carried out.

Consultation and Communication

15. The report and MSMTM minute will be published

Publication

16. I recommend that this committee report is published in full