

# What to expect from your regulator

Owners and operators of businesses can often be concerned about how they will be treated by their regulator(s). These usually stem from “horror stories” shared within industries or publicised in the media. This information sheet is intended as a brief guide as to the minimum you should expect from your regulator, regardless of the industry.

## **First, you are NOT a Client or Customer**

There is a need to dispel the trend to categorise the regulated community as clients or customers of the regulator. This is an inaccurate and misleading label for the relationship between the regulator and regulated which, in reality, is a government mandated function.

The regulated cannot change regulators because they are unhappy with their service, nor call for quotations to find a least cost regulator. However, this does not mean that regulators should ignore the relevant principles of customer service.

## **Transparency / Accountability**

Regulators must build trust with the public and the regulated community by being transparent in the development and enforcement of regulatory requirements. Your regulator(s) must also be able to explain the reasons behind the decisions they make and have these decisions open to scrutiny.

## **Honesty / Integrity**

Your regulator must be truthful in their dealings with you, especially if this truth is unpleasant. Dishonesty, even when unintentional or well meant, destroys the trust and confidence that the regulated community may have.

Regulators must also have strict rules governing the behaviour of their officers and decision makers to prevent improprieties, real or perceived. The actions of officers and decision makers reflect the credibility of the regulator as a whole.

## **Effectiveness / Proportionality**

Your regulator should always seek to intervene in areas of highest risk of non-compliance and/or harm. This means, if you operate your business in a

compliant manner, you should see your regulator only occasionally. However, if you operate on the other end of the spectrum, expect to see them much more regularly.

## **Consistency**

Regulators need to create stable regulatory environment that is free of surprises and consistent with laws and policies. This is essential for the creation and maintenance of business confidence. This means regulators must apply a regulatory approach that is consistent across all regulated parties and their entire geographic scope.

## **Impartiality**

Regulatory decisions should only ever be made on the facts of a matter. Age, gender, sexuality, ethnicity, disability, or religious beliefs should never form part of any consideration of regulatory policy or specific regulatory action.

## **Agility / Flexibility**

The business environment can change rapidly. Methods, materials, and technologies can change. Unless your regulator is committed to continuous improvement, they can easily get locked into the “this is how it has always been done” mindset. This leads to ineffective regulation, unjustified burden to business, and a failure to serve the public interest, which is the primary purpose of any regulation.

## **Who can I talk to about my regulator(s)?**

Do you have concerns about your regulator? Are they not demonstrating the traits identified in this sheet? If you would like to learn more, get in touch with JS Regulatory Services. We love making regulation work best, for everyone.



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