

Annex E – Mapping table

Please note: The following table is an indicative guide which maps the Complaints Regulations to the new Enforcement Decision Regulations. The Enforcement Decision Regulations are not an amendment of the Complaints Regulations and are instead a new set of regulations.

Current provision	Explanation of current provision	New provision	Explanation of new provision
rE1	Establishes that the membership of the PCC is prescribed by the Standing Orders of the BSB	No comparable regulation	The PCC will be disestablished
rE2	List of powers of the PCC, these include various powers which are given to staff on authorisation from the PCC	rE2, rE3, rE14, rE19, rE20, rE21, rE22, rE23, rE24, rE25	List of powers now separated between the Commissioner and the Independent Decision-Making Panels. They are distributed throughout the new regulations. There may be instances outside of those listed here where a provision could be considered a 'power'
rE3	Power for the PCC to authorise others to exercise their powers	rE3	A comparable provision has been created which gives the Commissioner the power to authorise others
rE4	The ability for the PCC to extend time limits	No comparable regulation	There are no time limits retained that we would need to extend
rE5	Requires the PCC to consider BSB policy in their decision making, and any other relevant factor	rE25	A similar provision which requires the Commissioner or an Independent Decision-Making Panel to do the same
rE6	Ability for the PCC to postpone consideration of a complaint	No comparable regulation	We do not require a power to do this under the new approach. The regulations give us the power to take decisions

			but do not obligate us to do so save for in very specific situations
rE7	Allows the PCC to seek information or assistance from others	No comparable regulation	We do not require a power to seek advice
rE8	Requirement that the PCC give reasons for decisions to the applicable person and the complainant	No comparable regulation	We are removing the concept of a complainant from our system. We also do not need to put in a provision that covers good practice, where necessary we will cover the need to contact parties in our operational policy and guidance
rE9	A provision requiring the consideration of external complaints to be dealt with by the provisions in Section 5.A2 then Section 5.A3	No comparable regulation	These provisions are now redundant. There is no longer an internal/external distinction in the types of cases we deal with, there is also only one process that all cases will go through consistently
rE10	A provision requiring the consideration of internal complaints to be dealt with by the provisions in Section 5.A3	No comparable regulation	
rE11-rE12, rE27	Referral of cases to supervision	rE20 and rE23	We don't need a regulation to pass information internally from one team to another, but we have allowed for the possibility of a referral for Supervisory Action to be made by either the Commissioner or an Independent Decision-Making Panel
rE13-rE16	Referral of cases to the Legal Ombudsman	rE4	This set of provisions has been simplified into a single provision

rE17-rE22	Referral of cases to a chambers or BSB entity	rE10-rE11	This set of provisions is now covered by the general referral provisions of rE10 and rE11
rE23-rE25	Referral where an applicable person acting in judicial or quasi-judicial capacity	rE5-rE8	Retained and reworded
rE26	Reference to the Lord Chancellor or appropriate body	rE9	Retained and reworded
rE28	Reference to other person	rE10-rE11	Retained and reworded
rE29-rE33	These rules cover the disposal of cases at the assessment stage	rE12 and rE13	The provisions and criteria that need to be retained and reworded have been, all other provisions, such as the 12 month time limit, have been removed in accordance with the application
rE34 and rE35	These provisions cover who can carry out an investigation and directs the reader to the next set of provisions for details on how	No comparable regulation	Once the PCC is disestablished we will no longer need a provision giving staff the ability to investigate, that power will instead be given to the Commissioner who will authorise staff as appropriate
rE36	This provision covers additional potential breaches of the Handbook	rE15-rE18	This provision has been split out into its constituent parts, then retained and reworded
rE37-rE42	These are the disposal powers following investigation	rE19-rE24	The disposal powers have been reworded for clarity and then split into those powers held by the Commissioner and those held by the Independent Decision-Making Panel
rE43-rE49	Rules governing dismissal of cases	No comparable regulation	These provisions concern the PCC and are no longer necessary. However, there are

			still provisions for giving advice within the new rE19-rE24 provisions
rE50-rE55	Rules governing administrative fines and warnings	rE26-rE32	Retained and reworded
rE56-rE83	Rules governing disciplinary action	rE33-rE53	This section has been retained, significantly reworded and reorganised to both make it easier to understand and also to make clear that disciplinary action covers both disciplinary tribunals and determination by consent
rE84-rE89	Rules governing appeals	rE54-rE60	Retained and reworded
rE90	Criteria for the reopening or reconsideration of a complaint	rE61	Retained and reworded
rE91	Power to take any appropriate decision following an rE90 decision	rE62	Retained and reworded
rE92-rE97	Confidentiality and disclosure provisions	rE63 and rE64	These provisions have been simplified and retained where appropriate
rE98-rE100A	Interpretation and commencement provisions	rE65 and rE66	Retained and reworded as appropriate