**Annex**

**Compliance and Enforcement**

**Inspection Report**

FD/authority returned to routine inspection cycle.

Inspector finds no cause for concern, completes report and issues a compliance certificate

Inspector carries out an inspection visit as part of the routine inspection cycle

Inspector deems that compliance has been achieved, issues certificate and returns FD/Authority to routine inspection cycle

Inspector conducts follow up visits to ensure that progress is being made towards compliance and produces progress reports at each stage

Inspector finds cause for concern and issues inspection report. This details failures to comply, action required to remedy failings and timescales within which failures must be remedied.

Inspector deems that no or insufficient progress has been made towards remedying failings.

Inspector issues an enforcement notice.

**Enforcement Notice**

Inspector deems that compliance has been achieved, issues certificate and returns FD/Authority to routine inspection cycle

Inspector conducts follow up visits to ensure that progress is being made towards compliance and produces progress reports at each stage

Inspector can issue an Enforcement Notice which details failings, recommendations on action and timescales on action. Inspector submits this report to Scottish Ministers

Where an authority/FD fails to make improvements in line with the Inspector’s recommendations **or** where a serious failure has occurred

Inspector deems that no or insufficient progress has been made towards remedying failings.

Inspector makes a recommendation to Scottish Ministers to issue a Suspension Notice

The decision to issue an Enforcement Notice is subject to review. Where appealed Ministers would appoint review panel/individual to carry out the review

**Suspension Notice**

The decision to issue a Suspension Notice is subject to appeal by a Sheriff or Summary Sheriff

FD or Authority reaches compliance - Ministers revoke Suspension Notice

Inspector conducts follow up visits to ensure that progress is being made towards compliance and produces progress reports at each stage

Minister serves a Suspension Notice which details failings, recommendations on action and timescales on action.

Inspector makes a recommendation to Scottish Ministers to issue a Suspension Notice

Where an authority/FD fails to meet the requirements of an Enforcement Notice **or** where a serious failure has occurred

Ministerial decision on whether to serve a Suspension Notice

Minister considers that a Suspension Notice is not appropriate and request the Inspector to reconsider