

PRP

**INDEPENDENTLY
OVERSEEING
PRESS REGULATION**

PRESS RECOGNITION PANEL

Consultation on ad hoc and cyclical reviews

August 2016

Foreword

In 2015, the Press Recognition Panel (PRP) published a consultation on our proposals for receiving and considering applications for recognition from press self-regulators. The responses to that consultation helped to inform our approach to recognising press self-regulators, and we published our guidance to applicants in September 2015.

In February 2016, we held a further consultation on the process we would undertake when reviewing approved regulators. This document sets out the decisions we have made as a result of that consultation.

Our review processes are set out in the guidance at the end of this document, and can also be read on our website - pressrecognitionpanel.org.uk.

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Background

Following the public outcry over the behaviour and criminal activity of some sections of the press, the Leveson Report made recommendations for a new system of regulation. The Royal Charter (the Charter) which followed created the Press Recognition Panel (PRP) as part of ensuring freedom of the press whilst also protecting the interests of the public. The PRP is independent from any other body or influence, including from government and the press.

We do not regulate the press and we are not a regulator. We assess and review whether regulators who seek recognition meet the 29 criteria set out in the Charter. This ensures that, amongst other things, regulators are independent of the publishers they regulate, are funded to do their job, allow for any publisher to join up if they want to, and provide the public with proper opportunities to raise concerns about the conduct of a regulator's members.

As well as assessing compliance with the recognition criteria, the Charter requires the PRP to undertake cyclical reviews at set points after recognition, and ad hoc reviews, if we consider that there are exceptional circumstances and there is a sufficiently significant public interest in doing so.

In February 2016 we launched a consultation on our proposals for gathering information leading up to both cyclical and ad hoc reviews, and on how we would make judgments about the likelihood of the regulator continuing to comply with the recognition criteria set out in the Charter.

This document sets out our final decisions, based on the outcome of the consultation.

You can find out more about the PRP, our Board and governance arrangements on our website - pressrecognitionpanel.org.uk.

The consultation process

Our consultation was launched on 16 February 2016 and it ran for eight weeks, closing on 11 April 2016. We consulted on proposals for how we will conduct, and report on, cyclical and ad hoc reviews, including the sources of information we will use to inform those reviews, and the basis on which we will make decisions.

We received three written responses to the consultation and eight viewers watched our webinar. The webinar is available on our website - pressrecognitionpanel.org.uk.

Respondents were broadly supportive of the proposals outlined in the consultation paper. The key areas of agreement were that it would be useful for regulators to undertake a self-assessment at the outset of a review; and that the PRP should publish in advance that an ad hoc review is taking place.

Respondents raised some questions about our proposed method for assessing and categorising information, the proposed triggers for taking action, and our proposal to provide informal advice to regulators following a review.

The consultation responses have helped to inform our conclusions.

How this document works

The document is split into six sections. The first four sections correspond with the four main sections of the consultation and cover the following areas:

1. Gathering Information
2. Assessing information
3. Undertaking reviews
4. After a Review.

In each section we set out the consultation question and responses received, and our response. Section 5 covers impact assessment and next steps. Finally, Section 6 summarises the processes we will adopt for cyclical and ad hoc reviews in a guidance note.

Section 1 - Gathering information

In our consultation we explained that, following recognition, we will require up-to date information to help identify whether or not an approved regulator continues to meet the recognition criteria. We identified four main sources from which we could gather the necessary relevant information:

- from third parties;
- from regulators;
- from publishers subscribing to regulators; and
- through monitoring the landscape.

The consultation set out proposed methods and principles around gathering information from these sources, and posed two specific questions:

- (1) To what extent, if any, should we monitor the sector?
- (2) Do you agree with our methods of gathering information?

(1) To what extent, if any should we monitor the sector?

Summary of responses

One respondent thought that some level of active monitoring might be justifiable, but stressed the need for proportionality and transparency of process.

Another respondent thought that active monitoring would be wrong in principle unless we considered it an essential prerequisite to the cyclical and / or ad hoc review processes in which case a positive case would need to be made for arriving at such a conclusion.

Our response

Our view is that we need to maintain some level of active awareness in order to discharge our functions in respect of reviews effectively, but we agree that the approach needs to be proportionate and transparent.

We will need to maintain some degree of current understanding of the sector in order to keep abreast of emerging trends and risks. Further, some level of proactive oversight of regulators is required in order to avoid complete reliance on information from third parties or information provided by self-regulators.

However, any pro-active monitoring should be risk based and aligned to our function of reviewing whether a regulator which has been granted recognition shall

continue to be recognised. It would not be appropriate for us to seek to replicate the regulator's role in any way.

Our guidance document provides an indication of the sort of active monitoring we may undertake (see section 5).

(2) Do you agree with our methods of gathering information?

Summary of responses

Respondents did not comment on the mechanisms and processes for gathering information. One respondent did however strongly endorse the suggestion that we should share information with the relevant regulator as it would help them address any concerns raised.

Our response

We will gather information from a range of sources which includes third parties, regulators, publishers subscribing to regulators and by maintaining an active awareness of the sector. We will use this information solely for the purposes of cyclical or ad hoc reviews and where appropriate we will share this information with recognised regulators in the course of a review. (See section 5)

Section 2 - Assessing information

Information gathered will form the evidential basis for our cyclical and ad hoc review considerations. Our assessment will determine the appropriate response in each case.

We posed two specific questions in relation to this section:

- (3) Do you agree with our approach to assessing and categorising information?
- (4) Do you agree with our proposed trigger points for undertaking certain actions, including ad hoc reviews

(3) Do you agree with our approach to assessing and categorising information?

Summary of responses

One respondent supported the graded, risk-based nature of our proposed approach, but thought it was insufficiently aligned to the Charter. The Charter defines two requirements which both need to be met in order to provide sufficient justification for an ad hoc review. Schedule 2.8 provides that the PRP may review the recognition of a regulator if it thinks that there are exceptional circumstances that make it necessary to do so, and that there is a significant public interest in a review being undertaken. The respondent felt that the distinction between these separate requirements had been ‘collapsed’, and stated that whilst there may be ‘exceptional circumstances’, it might not be in the ‘public interest’ to launch an ad hoc review if there were other ways in which we could address such allegations. The respondent considered that it would only be if these other ways had been exhausted or were inappropriate, for reasons of urgency, that it might be in the public interest to conduct an ad hoc review.

Another respondent expressed concerns about the “seriousness” axis of our risk matrix, considering that some of the example factors we proposed using to assess seriousness were more appropriate to consideration of a sanction or punishment rather than determining whether there may have been serious breaches of the recognition criteria.

Our response

We do not accept that our approach loses the distinction between the separate requirements for triggering an ad hoc review, as set out in the Charter. Our consultation proposed using the risk matrix as set out below.

		Likelihood of compliance				
		Very high	High	Medium	Low	Very Low
Seriousness	High					
	Upper medium					
	Lower medium					
	Low					

In this, the “seriousness” axis relates to the substance of the alleged breach and the nature of its threat to the regulatory arrangements. On the other hand, a key aspect of the “likelihood of compliance” axis is how likely it is that the regulator would be able to remedy an alleged breach once it was brought to their attention.

We recognise that some of our proposed indicators to determine the level of seriousness are similar to those used in compliance regimes in other regulatory settings. We believe this to be justified on the basis that a consequence of an ad hoc review might be the withdrawal of recognition status. This would lead to a potential exposure to court costs, if the “Awards of Costs” measures of the Crime and Courts Act 2013 are introduced.

We consider our risk matrix will provide a means for rigorous analysis of information received and will enable us to take into account both the seriousness of breach and the likelihood of compliance so as to make a judgment about the appropriate action to take. It also mitigates against the risk of severe and premature measures being taken in response to information received about a regulator, because in most cases, according to the likelihood of compliance axis, other means to address the issue will first have to be considered.

(4) Do you agree with our proposed trigger points for undertaking certain actions, including ad hoc reviews?

Summary of responses

One respondent disagreed with the trigger points for the same reasons as stated for question 3 regarding alignment with the requirements of the Charter.

Our response

We consider that the traffic-light system proposed in our consultation provides a proportionate mechanism for determining the appropriate approach we should take in circumstances where a regulator has breached one or more of the 29 recognition criteria. See section 6.

Section 3 - Undertaking reviews

Cyclical Reviews

Our proposed process for undertaking cyclical reviews involves a self-assessment stage in which self-regulators are asked to evaluate their performance against the recognition matrix and to submit evidence to demonstrate they are continuing to meet the recognition criteria.

The two specific questions we posed in respect of cyclical reviews were:

- (1) Do you agree with our approach to conducting cyclical reviews?
- (2) Do you agree that it is helpful for regulators to self-assess and for us to publish the self-assessment as part of a call for information.

(5) Do you agree with our approach to conducting cyclical reviews?

Summary of responses

One respondent agreed that our approach should be similar to the approach taken in the initial recognition process, but noted that the proposed period of 15 working days for third parties to provide their responses to our call for information should be extended to 20 days to bring it into line with the initial recognition process.

Our response

Our consultation proposed a shorter call for evidence period for cyclical reviews on the basis that it is implicit in the Charter that the cyclical review process should be less onerous than the recognition process. However, increasing the call for evidence period for cyclical reviews by five days to bring it in line with the initial recognition process will have a negligible impact on PRP resources. We have therefore decided that we will adopt the approach to cyclical reviews as set out in our consultation, except that the period for the call for information will be extended from 15 days to 20 days.

(6) Do you agree it is helpful for a regulator to undertake a self-assessment and for the PRP to publish this self-assessment as part of the call for information?

Summary of responses

Two respondents agreed with the proposal that we should ask relevant regulators to assess themselves against the recognition matrix and to submit evidence that they

are continuing to meet the Charter criteria. One respondent confirmed it would be helpful for this to be published as part of our call for information.

Our response

We consider there is value in regulators undertaking their own assessment because this may help to embed a culture of continuing compliance with the recognition criteria. We have therefore decided that the first part of the cyclical review process will involve the PRP Board asking recognised regulators to assess themselves against the recognition criteria and to submit evidence to demonstrate that they are continuing to meet them. We will then publish the regulator's self-assessment. See section 6.

Ad Hoc Reviews

The Charter provides for us to conduct ad hoc reviews when there are exceptional circumstances that make it necessary to do so, having regard to whether there are serious breaches of the recognition criteria and there is significant public interest in undertaking an ad hoc review.

We posed two direct questions in respect of ad hoc reviews:

- (7) Do you agree that we should publish the fact an ad hoc review is taking place?
- (8) Do you agree with our approach to conducting ad hoc reviews?

(7) Do you agree that we should publish the fact an ad hoc review is taking place?

Summary of responses

Two respondents agreed it this would be an important way of ensuring transparency.

Our response

In addition to ensuring transparency, we consider that publishing the fact that an ad hoc review is taking place may help elicit information from third parties that might prove useful to the review. Therefore, after notifying the regulator we will publicise more broadly the fact that an ad hoc review will take place and we will clarify the recognition criterion or criteria relevant to the ad hoc review.

(8) Do you agree with our approach to conducting ad hoc reviews?

Summary of Responses

One respondent agreed with our approach to conducting ad hoc reviews subject to the caveats expressed with regard to the triggers.

Our response

We have therefore decided to adopt the approach to ad hoc reviews advanced in our consultation, as set out in section 5.

Section 4 - After a review

Our consultation proposed that, where a regulator has not had its recognition withdrawn, but concerns persist, we may make recommendations about how the regulator can improve in the area or areas identified during the review. We suggested that this might enable the regulator to mitigate the risk of recognition entitlement being withdrawn following the next cyclical review, or the risk of an ad hoc review.

We posed one direct question about this section:

(9) Do you agree with our proposal to make informal recommendations following a review?

(9) Do you agree with our proposal to make informal recommendations following a review?

Summary of responses

One respondent expressed the view that, as an ad hoc review should only lead to one of two outcomes - continued recognition or withdrawal of recognition, it would be inappropriate, unnecessary and possibly confusing for us to make 'informal' recommendations. Another respondent thought the idea of making an informal and unpublished recommendation to a regulator would be inconsistent with our's practice of making all communications public, although the idea had merit.

Our response

In making the proposal, our view was that, in the circumstances where a regulator was judged to still meet the recognition criteria, it might be useful to share our view on how it might further improve performance. We accept that if recognition is allowed to continue, the Charter does not explicitly make provision for us to make an informal recommendation. Our view is that there may be circumstances where it could be helpful to provide feedback the regulator, which could be achieved by means of an informal letter from the PRP executive. In circumstances where a regulator has successfully undergone a cyclical review with no formal issues arising, publication of informal recommendations may be perceived by others as an unwarranted public criticism of the regulator's systems. The PRP executive will therefore provide feedback after an ad hoc review only if the regulator agrees to receive this feedback and has specified the means by which they wish to receive it.

Section 5 – Impact assessment and next steps

In respect of the possible impact of these proposals to review approved regulators, we posed a single question.

We posed one direct question about this section:

(10) Do you think our proposals will have any negative impacts, including disadvantaging any specific groups of people?

(10) Do you think our proposals will have any negative impacts, including disadvantaging any specific groups of people?

Summary of responses

We received no responses to this question.

Our response

We will continue to monitor the impact of our policy and processes and will report on any impacts on specific groups as part of our periodic reporting on the state of the recognition system.

Acknowledgements

We would like to thank all those who responded to our consultation.

Next steps

We intend to consult on our approach to fee charging in late 2016 or early 2017.

Section 6 - Guidance on cyclical and ad hoc reviews

The requirement for reviews

The Charter requires the PRP to carry out cyclical reviews as soon as reasonably practicable two years after a regulator has been recognised and every three years after that.

We can also carry out ad hoc reviews should the relevant circumstances arise. The Charter defines two requirements which both need to be met in order to provide sufficient justification for an ad hoc review. Schedule 2.8 provides that we may review a regulator at any time if we think that there are exceptional circumstances that make it necessary to do so, and that there is a significant public interest in a review being undertaken.

Gathering information

In order to undertake a cyclical review or an ad hoc review, we will require up-to-date information about the regulator's performance since recognition, to help identify whether or not the recognition criteria continue to be met.

In addition to this, in order to ensure the effective conduct of cyclical reviews and to help inform when an ad hoc review might be appropriate, maintaining some element of proportionate active awareness of the industry and recognised regulators will be important. We will gather information from the following four main sources:

- from interested parties including members of the public;
- from regulators;
- from publishers subscribing to regulators; and
- by maintaining an active awareness of the regulatory landscape.

We will establish means by which all interested parties can submit relevant information, in writing, online or by telephone. We will also establish a whistleblowing hotline.

Interested Parties (including members of the public)

If interested parties have concerns or complaints about a specific publisher's compliance with their regulator's code of standards, these concerns or complaints should be raised directly with the publisher in the first instance.

The PRP will consider concerns regarding a regulator's compliance with all of the 29 of the Charter's recognition criteria. It is important that any information submitted regarding such concerns is related to specific recognition criteria and we will provide assistance to enable those who contact us to do so.

Wherever possible, we will share all relevant information we receive with the regulator it concerns. Information brought to our attention by parties who wish to remain anonymous may be useful and we will assess such material to determine whether it can be conveyed in a suitably redacted form. Before sharing such information, the party providing it will be given a chance to check whether they are content for it to be shared in the redacted form.

Whistleblowing hotline

The PRP is not a prescribed person under Public Information Disclosure Act 1998 (PIDA), and therefore anyone approaching us with information will not be afforded the same statutory protections they would receive from a regulator listed under PIDA or from their employer. We therefore urge all potential whistle blowers to seek advice on what this means to them in advance of formally undertaking these communications.

Voluntary disclosure by recognised regulators

Whenever a regulator makes modifications to aspects of its regulatory arrangements that are relevant to any of the recognition criteria, we encourage them to provide the PRP with this updated information.

Disclosure from publishers subscribed to recognised regulators

Publishers are well-placed to provide information in relation to certain criteria and such information from them would be useful to us.

Maintaining an active awareness

We will maintain an active awareness of the regulatory landscape, which in practice will include:

- maintaining an oversight of news bulletins relating to press regulation, the wider regulatory context and political context to the extent it is relevant;
- requesting that the regulator provide us supplementary information of any changes they have made, or are proposing to make, that would affect the way in which they are complying with the Charter Criteria;
- meeting stakeholders as part of our open-door policy.

Source reliability

The reliability of sources of information is a key consideration and we will take steps to verify this. Among the factors influencing reliability will be whether the

information is vexatious or frivolous in nature, and whether or not the information is corroborated by information from another related source. The reliability of information will have a bearing on how it is categorised and then assessed.

Sharing information

Sharing information with the regulator will help us to confirm the veracity and degree of seriousness. Therefore, we will share information gathered with the regulator except in circumstances where such information has been acquired via the whistleblowing process and the information cannot be shared with the regulator without the identity of the informer being divulged. Similarly, if we receive information from a source who wishes to remain anonymous, we will only share information if it is possible to do so in an anonymised way with the permission of the informant.

Assessing information

Information gathered will form the evidence base for our assessment for cyclical and ad hoc reviews. We will use a risk matrix to determine the appropriate response in each case.

		Likelihood of compliance				
		Very high	High	Medium	Low	Very Low
Seriousness	High					
	Upper medium					
	Lower medium					
	Low					

How the risk matrix works

The risk matrix assesses the seriousness of the alleged breach against the likelihood of compliance. Generally, the more serious the breach and the less likely it is for the regulator to put it right, the more severe it becomes on the traffic light system and the more likely it will be for the us to raise the issue at the next cyclical review, or to undertake an ad hoc review.

The steps involved in our risk matrix for assessing information can be summarised as:

- Identifying the level of seriousness
- Identifying the likelihood of compliance
- Applying the likelihood of compliance to the level of seriousness to determine the appropriate threshold and the consequential PRP response.

Seriousness

Factors we will have regard to in assessing seriousness include, but are not limited to:

- the extent to which the alleged breach could damage public confidence in the regulatory mechanisms
- the potential negative impact on the public and the press
- the extent to which the alleged breach was caused deliberately or recklessly
- extent to which the alleged breach revealed serious or systemic weaknesses in the regulator's management or compliance procedures.
- extent to which senior management was aware or should have been aware of the alleged breach
- source reliability

Likelihood of compliance

Factors that would influence the likelihood of compliance include, but are not limited to:

- findings from previous cyclical and ad hoc reviews
- relevant communications between the Regulator and the PRP
- undertakings given by the regulator in breach of the criteria.

The risk matrix and discretion

Our decisions on the seriousness and likelihood of compliance will involve making judgements while deciding how to react to those judgments involves the exercise of discretion. The indicators provided are a guidance in relation to those things, and are not intended to be formulaic.

Prior to coming to a view on seriousness or the likelihood of compliance, we examine the factors we think relevant to the circumstances under consideration. The PRP Board will ultimately decide if an ad hoc review is to be undertaken.

Quantifying risks

The traffic light system indicated below is an output of the risk-matrix and provides a proportionate mechanism for determining the PRP's appropriate response to an approved regulator who is alleged to be in breach of one or more of the 29 recognition criteria.

Red	There is a serious breach of the criteria or a serious breach may be imminent and the likelihood of compliance is low. This is an exceptional circumstance and there is significant public interest in conducting an ad hoc review. An ad hoc review is recommended to the PRP Board on the basis of the intelligence gathered.
Amber	A serious breach of the criteria may have occurred/be occurring or may be imminent and there may be significant public interest in conducting a review. If there has already been correspondence about the matter and undertakings given, another letter is written to the regulator about the relevant intelligence and asking for revised estimated timescales for when further action will be taken to reduce the risk further. In this letter, the PRP will inform the regulator that an ad hoc review may be required, if further information or action is not forthcoming.
Yellow	It is unlikely there are serious breaches of the criteria and there is limited public interest in conducting a review. A letter is sent to the regulator detailing the significance of the intelligence gathered. The issue/s can also be raised with the regulator during the next cyclical review.
Green	It is very unlikely there are serious breaches of the criteria and there is no significant public interest in undertaking an ad hoc review. The issue/s can be raised with the regulator in a meeting with them or during the next cyclical review.

Undertaking Reviews

Cyclical Reviews

The first stage of the cyclical review process will be a request from us asking a recognised regulator to assess themselves against the recognition criteria and to submit evidence to us to demonstrate that they are continuing to meet the Charter criteria. Regulators will be specifically required to identify areas of their arrangements that have changed since their original application for recognition.

The PRP will then publish the regulator's self-assessment to allow third parties to compare policies and processes established at the point of recognition to those in place at the time of the review. We will allow 20 working days for parties to comment on the regulator's self-assessment.

The regulator will then have 15 working days to respond to third party responses. A summary of the responses will be submitted by the PRP executive team to the PRP Board.

Initial assessment

We will then make an initial documentary review. If clarification or additional evidence is required, we will send a set of questions or a list of required evidence to the regulator and they will be given a reasonable period within which to respond.

In addition to information sent by the regulator and third parties during the call for information, other information acquired by us may also be used.

Validation and verification of the process

The PRP executive will meet the regulator to verify information acquired and to validate the evidence. The meeting will take place after the call for evidence period so that information from third parties can also be validated and verified.

The PRP executive will then use the risk matrix to develop a draft Cyclical Review Outcome Report which, will contain recommendations to the PRP Board about the appropriate next steps.

The draft Cyclical Review Outcome Report will be sent to the regulator who will have 15 working days to comment on factual accuracy. If the regulator disagrees with the assessment, the PRP executive will include the reasons for disagreement in the Cyclical Review Outcome Report before submitting it to the PRP Board.

PRP Board decision

The PRP Board will meet to consider the information and the executive team's Cyclical Review Outcome Report along with any comments on it from the regulator. The PRP Board alone will decide whether or not the regulator continues to meet the criteria.

In addition to assessing whether the relevant regulator continues to meet the recognition criteria, the PRP Board is also required to consider the 'fairness, effectiveness and sustainability' of the regulator's arbitral process. The aspects on which the Board may make suggestions include: recommendations about, or revisions to, the guidance and operation of criterion 22 (arbitration); directions to amend any small administration fee; and, the financial impact of the arbitral process on local and regional subscribers; with the power to allow recognition to continue on the basis that such subscribers can opt in, or out, of the regulator's arbitral process.

The Cyclical Review Outcome report will include a specific section addressing the PRP's responsibility in respect of criterion 22 drawing from evidence gathered in the call for evidence.

Ad Hoc Reviews

If a risk assessment indicates that there are sufficiently exceptional circumstances and significant public interest sufficient to justify carrying out an ad hoc review, we will give the regulator reasonable notice of our intention. In that notice, the reasons for undertaking the ad hoc review will be specified, and the notice period given will be determined by our view of urgency for the review.

After notifying the regulator we will publicise more broadly that an ad hoc review will be taking place and we will clarify the recognition criterion or criteria that have triggered the requirement for the review.

We will not prejudge the outcome of the review. A regulator will remain recognised until the PRP Board has completed the ad hoc review process.

Assessment

At the point of notifying a regulator of our intention to undertake an ad hoc review, we will submit a list of required information to the regulator. The permitted timescales for a regulator to submit a response to this request for information will depend on the severity of the circumstances that led to the issuing of the notice.

Many of the recognition criteria are interlinked and where this is the case, the ad hoc review will also have to take those relevant related criteria into account. While undertaking a review, if more systemic breaches of the recognition criteria are uncovered, the PRP executive team may need to request additional information from the regulator.

Validation and verification

Most of the review will be desk-based, although the PRP executive may meet the regulator to verify certain information. These meetings may involve preliminary discussions, document reviews and interviews. The agenda of such meetings and any other relevant information required will be shared with the regulator in advance.

Following the assessment stage, the PRP executive will prepare a draft Ad hoc Review Report. The report will include details of the issues under consideration and the recommended course of action.

Regulators undergoing an Ad hoc review will be permitted a period to view the draft Ad Hoc Review Report prior to submission to the PRP Board, in order to comment on matters of factual accuracy. Any comments made by the regulator will be included in the final Ad Hoc Review Outcome Report before submission to the PRP Board for its decision.

PRP Board decision

The PRP Board will meet to consider the Ad Hoc Review Outcome Report and to make a decision on whether or not to withdraw recognition from the regulator.

After a Review

After a review, we will publish our decision on the outcome of the review process. In the case of a cyclical review, this will include the PRP Board's conclusion on the regulator's compliance with the all the recognition criteria, including its conclusions on the fairness, effectiveness and sustainability of the regulator's arbitral process. In the case of an ad hoc review, the conclusions will be limited to the specific criteria under consideration.

Withdrawing recognition

Schedule 2 (Paragraph 11) of the Charter allows the PRP to withdraw recognition either at the regulator's request or where, following a review, the PRP Board is satisfied that either:

The regulator is not meeting the recognition criteria; or
The Board has insufficient information to determine whether or to what extent the regulator is meeting those criteria.

Recognition may only be withdrawn if the PRP Board has given the regulator at least three months' notice in writing of its proposal to do so. The Charter provides that this notice can be cancelled during that period.

Where a regulator has not had its recognition withdrawn, the PRP executive may, where appropriate and with the consent of the regulator, provide feedback on areas where the regulator can improve its processes and arrangements.