

Enforcement decision tree

Our enforcement decision tree describes the process that guides how we make decisions about selecting and using appropriate enforcement powers.

Introduction

The Care Quality Commission (CQC) has civil and criminal enforcement powers.

Civil powers focus on reducing the risk to people who use regulated services, while criminal powers hold registered persons to account for serious failures. In some cases, it will be appropriate to use both civil and criminal enforcement powers at the same time.

The decision tree describes the process that guides how CQC makes decision about selecting and using appropriate enforcement powers. Setting a structured decision-making process enables consistency and proportionality.

It has 4 stages:

1. Initial assessment.
2. Legal and evidential review.
3. Selection of the appropriate enforcement action.
4. Final review.

We refer throughout to a breach, or breaches, of legal requirements as this is the legal basis for most civil and all criminal enforcement action, except for powers such as the [Section 29A warning notice](#).

You should also refer to our enforcement policy when using this decision tree.

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