* + 1. **TEMPLATE: *Consumers affected by the Scheme and identification of consumer harms* questions which the applicant association is required to complete**

The questions below are designed to help you demonstrate to the Professional Standards Councils that the association applying for a Professional Standards Scheme maintains focus in respect of the position of persons who may be affected by limiting the occupational liability of members of the occupational association concerned i.e. who are the consumers of members’ services – and other persons who may be affected - and what consumer harms will be addressed by approving the Scheme?

To assist you, see Guidance3.1.2 *Consumers affected by the Scheme and identification of consumer harms**.*

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| 1. **QUESTION: *TYPES OF CLIENTS*** | |
| **Evidence / information required** | **Association’s response (including examples)** |
| Describe your association’s current, or proposed, types of clients who will be using your members’ services.   1. These may be individuals, corporations, or government. 2. Where necessary, include the types of corporations (e.g. large financial institutions, small businesses) and types of individuals (e.g. vulnerable persons). |  |
| 1. **QUESTION: *TYPES OF WORK*** | |
| 1. Provide a description of the types of work performed by members the occupational group – noting that it is not possible to exclude particular types of work from the Scheme, if it is work ordinarily performed by all members, or the class of members. 2. Discuss whether your association’s members work predominantly for a particular type of client. 3. Provide, if there are different limitations of liability in the proposed Scheme, an estimate of the percentage of each type of client for each category of limited liability. |  |
| 1. **QUESTION:**  ***CONSUMER HARMS / POTENTIAL HARMS*** | |
| 1. Describe the harms / potential harms to consumers arising from your association members’ work. 2. Describe the harms / potential harms arising to consumers by limiting occupational liability. 3. Describe other persons (apart from direct consumers / clients) who could be affected by the work done by your association members (e.g. a subsequent purchaser of a residential property may suffer economic loss because of negligent previous engineering work). |  |
| 1. **QUESTION: *IMPROVEMENTS & CONSUMER PROTECTION OUTCOMES*** | |
| 1. Describe your association’s detailed plans to address consumer harms and risks. 2. Describe the role and responsibilities of your association’s executive and governing body in assessing the effectiveness of the strategies to address consumer harms within a framework of continuous improvement. 3. Describe the ways your association’s consumer harm prevention strategies are communicated to your members, and how you assess and improve this communication. 4. Describe what measures you use to assess the effectiveness of your association’s consumer harm prevention strategies and their frequencies (e.g. qualitative metrics such as measures of satisfaction, or quantitative such as actual numbers or dollar amounts), and how the measures contribute to continuous improvement of the harm prevention strategies, and further protecting consumers of the services provided by your members. 5. Describe your association’s consumer harm prevention improvement cycle, for example:    * how emerging trends from the outcomes of conduct, complaints and discipline processes are used to inform revisions of the harm prevention strategies    * how your association identifies and incorporates best practice    * how the purpose for, and benefits of, the improvement are identified and confirmed    * how adequate resources are assigned to the improvement    * how the process is free of inappropriate or conflicted influence (including by government, the profession, employers, or other interested parties)    * the process of engaging and consultation with stakeholders (e.g. members, public, consumers, regulators, related occupational associations) to assure alignment    * the development of practical measures of effectiveness of each harm prevention strategy, for example, collection, collation, analysis and reporting to the governing body    * what changes require governing body approval and formal approval by a general meeting of members. |  |