



Department  
for Business  
Innovation & Skills

Better  
Regulation  
Delivery Office

**Interim Evaluation of Primary Authority  
Research Annex to the Final Report**

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## Introduction

- 1 In January 2013, acl Consulting was commissioned by the Better Regulation Delivery Office to carry out a review of Primary Authority. This is the second such review to be carried out and takes place just three years after Primary Authority was launched: the scheme has grown considerably in this period.
- 2 The review investigated:
  - Business benefits from Primary Authority
  - Primary Authority's impact on enforcement activity
  - The impact of feedback (from regulator to business) within Primary Authority
  - The impact of Primary Authority on non-compliance
  - An overall assessment of Primary Authority, and implications for its future development.
- 3 The evaluation ran from January to May 2013 and comprised three strands of fieldwork conducted, broadly sequentially, in the following order:
  - A telephone survey of 75 businesses with a primary authority partnership – data for this was drawn from the Primary Authority IT system (a copy of the questionnaire is included here as Annex B1)
  - A telephone survey of 75 enforcing authorities – data for this was either provided by primary authorities or drawn from the Primary Authority IT system (Annex B2)
  - In-depth qualitative fieldwork interviews (on a face-to-face basis) with the partners (i.e. the primary authorities and their partner business) in 9 primary authority partnerships and interviews (by telephone) with a number of enforcing authorities that had had recent contact with the primary authority/business about an enforcement matter relating to these partnerships (a copies of the checklists used to guide these discussions are attached as annexes B3 and B4).
- 4 The telephone surveys and initial analysis of the results was carried out on behalf of acl by Qa Research Ltd. All other work for this project was carried out by acl.
- 5 Annex A (attached to the main report) principally comprises our analyses of the business and enforcing authority surveys (annexes A2 and A3 respectively).

## B1 Business survey questionnaire

## **Interim evaluation of Primary Authority Questionnaire for the business survey**

This survey has been designed to transfer smoothly to Qa's Computer-Aided Telephone Interviewing [CATI] system and looks slightly different to a conventional survey.

All questions, (including prompts for interviewers/respondents e.g. 'Tick all that apply') are formatted with the 'Question' style in blue.

All responses are listed and formatted using the 'Response' style in red.

Rating questions are simply listed with the scale listed first followed by the responses and formatted using the 'Response' style.

Questions followed by a blank line are an open-ended or numeric question.

Instructions (e.g. routing instructions) are formatted using the 'Instruction' style in italics.

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### **Introduction**

**Good morning/afternoon my name is ??? and I am calling from Qa Research on behalf of the Better Regulation Delivery Office (BRDO). The BRDO has asked us to undertake a programme of research exploring the effectiveness of Primary Authority.**

**S1. Your contact details have been supplied to us by the BRDO – their records indicate that you are the nominated contact within your organisation in charge of overseeing your organisation's involvement in Primary Authority. Is this correct:**

**Yes – Please continue**

**No – Try and ascertain the contact details for the correct individuals within the organisation.**

**S2. As part of the research we need to speak to businesses about their experiences of Primary Authority. Is now a convenient time for you to take part in an interview of around [20] minutes with me over the phone?**

**Yes – continue**

**No – Is there a more convenient time when you might be able to take part.**

***Schedule time for interview and/or thank and close***

**All your responses will be kept anonymous and only be shared with the BRDO in an anonymous format, unless you give your express permission for the results to be shared.**

**Before we start the interview there are a number of points that I would like to check with you.**

**S3. I have your company name registered as <import from database> is this correct?  
Amend database if incorrect**

**S4. In total, how many employees does your organisation have within the UK?**

0-4

5-9

10-19

20-49

50-99

100-249

250-499

500+

**S5. Our database indicates that you currently have a Primary Authority agreement with <import from database> and that this covers the following regulated areas <import from database> is this correct?**

**Amend database if incorrect**

You may have other primary authority partnerships however it is your experiences of this partnership that we are primarily interested in here.

## Section 1 – Establishing this primary authority partnership

**Q1. Before you entered into this primary authority partnership, had your organisation previous experience of any of the following ‘lead authority’ schemes?**

**INTERVIEWER NOTE: Read out – select all that apply**

the ‘Home Authority scheme’ run by LGR

the ‘Lead Authority scheme’ previously run by the Health & Safety Executive

the ‘RAFKAP scheme’ (Retail & Fire Key Authority Partnership)

Primary Authority for other regulated areas with another authority in the lead

don’t know

**Q2. And as of now, are you currently involved in any of the following ‘lead authority’ schemes? INTERVIEWER NOTE: Read out – select all that apply**

the ‘Home Authority scheme’ run by LGR

the ‘RAFKAP scheme’ (Retail & Fire Key Authority Partnership)

Primary Authority for other regulated areas with another authority in the lead

None

**Go to Q3**

**Q2b. Which regulated areas do they cover?**

**OPEN RESPONSE**

**Q3. Are there any other regulated areas that you have considered including in this primary authority partnership?**

Yes

**Continue**

No/Don't know

**Go to Q4**

**Q3b. Which areas?**

**OPEN RESPONSE**

**Q3c. Why have they not been included?**

**OPEN RESPONSE**

**Q4. How did you first hear about the about Primary Authority?**

**OPEN RESPONSE**

**Q5. Which of the following statements best describes how the primary authority partnership originally started? INTERVIEWER NOTE: Read out – select one only**

Your organisation was initially approached by your partner local authority

You approached your partner local authority

The partnership arrangement progressed from a previous voluntary arrangement

Other [Please write in]

**Q6. Did you consider more than one authority for the primary authority role for this primary authority partnership?**

Yes

**Continue**

No/Don't know

**Go to Q8**

**Q7. Which of the following factors were the most important when deciding which authority to enter into partnership with? INTERVIEWER NOTE: Read out – select all that apply**

The cost of the arrangement

The fact you had a pre-existing relationship with the local authority

The geographic proximity to your organisation

The capacity of the local authority to deliver what you wanted from the arrangement

The understanding of your business sector demonstrated by the local authority

The expertise of the authority with regard to operating as a primary authority

Other [Please write in]

**Q8. On the following scale of 1 – 5 where 1 is very difficult and 5 is very easy, how easy/difficult was it to find a suitable local authority to enter into a partnership with?**

1 – Very difficult

**Ask Q8b**

2 – Difficult

**Ask Q8b**

- 3 – Neither easy nor difficult
- 4 - Easy
- 5 – Very easy
- Don't know

**Q8b. What made it difficult**

**OPEN RESPONSE**

**Q9. And, using the same scale (from 1 – very difficult – to 5 – very easy) how easy or difficult was it to set the partnership up once you had decided which authority to work with?**

- 1 – Very difficult

**Ask Q9b**

- 2 – Difficult

**Ask Q9b**

- 3 – Neither easy nor difficult

- 4 - Easy

- 5 – Very easy

Don't know

**Q9b. What made it difficult**

**OPEN RESPONSE**

**Q10. From the initial discussion stage, how long did it take to set up this primary authority partnership?**

Up to a week

Up to a month

Up to three months

Up to six months

Over six months

Don't know

**Q11. What do you pay the Primary Authority for their primary authority partnership-related work on a per annum basis?**

**OPEN RESPONSE**

Do not pay anything/Don't know

**Go to Q14**

**Q12. How are these costs calculated? INTERVIEWER NOTE: Need to understand, for example, if costs are calculated separately for each regulatory area, are they tied to an estimate of the level of work undertaken (such as dealing with queries from other authorities), do they vary month on month?**

**OPEN RESPONSE**

**Q13. On a scale of 1-5 where 1 is very poor value for money and 5 is very good value for money, to what extent do you feel money you are currently paying to your primary authority represents good value for money?**

- 1 – Very poor value for money



- 2 – Poor value for money
- 3 – Satisfactory value for money
- 4 – Good value for money
- 5 – Very good value for money

**Go to Q15**

**Q14. Has paying for Primary Authority advice been mentioned or considered? If, so why wasn't it pursued?**

**OPEN RESPONSE**

Never been considered

**Q15. What objectives, if any, did you initially set for your primary authority partnership? What did you want it to achieve?**

**OPEN RESPONSE**

**Q16. How do you monitor how your primary authority partnership is progressing and whether it is delivering as expected?**

**OPEN RESPONSE**

## Section 2 – Motivations for getting involved in and benefits/costs arising from Primary Authority

**Q17. On a scale of 1 – 5, where 1 is not at all important and 5 is very important, how important were each of the following areas when deciding to be involved in primary authority?**

- 1 – Not at all important
- 2 – Unimportant
- 3 – Neither important nor unimportant
- 4 – Important
- 5 – Very important

Don't know

**Randomise order of asking**

To reduce the time/resource your organisation spends on regulatory activities

To improve your relationship with local authorities and other regulators

To get better intelligence from regulatory activities that are carried out in respect of your business

To reduce the requests for information from regulatory authorities

To ensure greater consistency in the way regulatory activities are carried out by enforcing authorities

To make it easier to receive consistent regulatory advice and guidance for your business

To demonstrate the importance that your organisation gives to meeting regulatory requirements

The statutory basis of the scheme, meaning that Primary Authority carries more weight than voluntary lead authority arrangements

**Q18. On a scale of 1-5 where 5 is 'a large positive impact', 1 is 'a large negative impact' and 3 is 'no impact', please could you tell me the impact that your primary authority agreement has had on the following elements of your organisations regulatory activities?**

- 1 – Large negative impact
- 2 – Small negative impact
- 3 – No impact
- 4 – Small positive impact
- 5 – Large positive impact
- Don't know

**Randomise order of asking**

The amount of time your organisation spends on regulatory activities

Your relationship with local authorities and other regulators

The intelligence you get from regulatory activities that are carried out in respect of your business

The consistency of regulatory advice and guidance given to your business

**Are there any other areas that Primary Authority has impacted upon?**

**OPEN RESPONSE**

*Ask following only to those who indicate at least one area has 'improved' at Q18*

**Q19. You indicated that the following elements had improved since you participated in Primary Authority. For each of these elements are you able to expand upon the extent to which these elements have improved?**

*<Import response fields from previous question>*

**OPEN RESPONSE**

*Ask following only to those who indicate at least one area has 'deteriorated' at Q18*

**Q20. You indicated that the following elements had deteriorated since you participated in Primary Authority. For each of these elements are you able to quantify the extent to which these elements have worsened?**

*<Import response fields from previous question>*

**OPEN RESPONSE**

**Q21. Thinking about the benefits that your business has derived since you formed this primary authority partnership, to what extent do you think these benefits would have occurred without Primary Authority?**

**OPEN RESPONSE**

### **Section 3 – Resolving non-compliance**

**Q22. Can you give me an idea of how this primary authority partnership works in practice? For example how frequently you meet with your primary authority? How and how often you communicate outside these meetings? Etc.**

**OPEN RESPONSE**

**Q23. Are informal discussions (that is discussions that are not enforcement action related) now taking place between your primary authority and enforcement authorities, rather than them coming directly to you?**

Yes

No

Don't know/ unaware

**Q24. Is the way in which instances of non-compliance proceed different to what was the case before your primary authority partnership was formed?**

Yes – in what way are they different?

**OPEN RESPONSE**

No

**Q25. On an impact scale of 1-5, what impact has your primary authority partnership had on the following areas?**

1 – Large negative impact

2 – Small negative impact

3 – No impact

4 – Small positive impact

5 – Large positive impact

Don't know

**Randomise order of asking**

The consistency with which instances of non-compliance are resolved

The speed with which instances of non-compliance are resolved

The frequency with which instances of non-compliance occur

The extent to which enforcing authorities are clearer about what they are doing or what they expect when they arrive at your premises

**Q26. In general, how would you say this primary authority partnership has affected relationships at the local level between your employees and enforcing authorities**

**OPEN RESPONSE**

**Q27. Do you have an inspection plan in place as part of your primary authority partnership?**

Yes

**Go to Q29**

No

**Q28. Why not?**

**OPEN RESPONSE**

**Go to Q32**

**Q29. What difference did you hope that having an inspection plan would make?**

**OPEN RESPONSE**

**Q30. What impact has having an inspection plan actually had on your business?**

**OPEN RESPONSE**

**Q31. Do you feel that having an inspection plan in place has had an impact on any of the following?**

The frequency of inspections

Which areas are looked at during inspections

The level of detail inspections go into

None of the above

**Q32. Since you joined Primary Authority, have you noticed any changes in the way enforcing authorities deal with your business?**

Yes – please state

**OPEN RESPONSE**

No

#### Section 4 – Feedback from enforcing authorities

**Q33. On a scale of 1-5, how much do you agree or disagree with the following statements?**

1 – Strongly disagree

2 – Disagree

3 – Neither agree nor disagree/neutral

4 – Agree

5 – Strongly agree

Don't know

**Randomise order of asking**

The quality of the information you get about changes to regulatory requirements through your primary authority has improved

Feedback from enforcing authorities has more impact on what your business does (i.e. your business making changes as a result of feedback received)

The *quantity* of feedback from enforcing authorities has increased

The *quality* of feedback from enforcing authorities has increased

You receive more feedback about local issues in your business

**Q34. Do you use advice and guidance from your primary authority when drafting internal company procedures?**

Yes

No

**Q35. Do you refer any internal procedure documents to your primary authority for comment before disseminating them across your business?**

Yes

No

#### Section 5 – Overall conclusions

**Q36. On a scale of 1 to 5 where 1 is very dissatisfied and 5 is very satisfied, on the whole, how satisfied or dissatisfied are you with your involvement in Primary Authority?**

1 – Very dissatisfied

2 – Dissatisfied

3 – Neither dissatisfied nor satisfied

4 – Satisfied

5 – Very satisfied

Don't know

**Q37. Why do you say this?**

***OPEN RESPONSE***

**Q38. Would you recommend Primary Authority to other businesses in a similar position to yours?**

Yes

No

**Q39. Do you think that Primary Authority works better for your business in some regulatory areas than in others?**

Yes – which ones

***OPEN RESPONSE***

No

***Don't know***

**Q40. Finally, what suggestions would you make to the BRDO on how best to improve or develop Primary Authority?**

***OPEN RESPONSE***

**Q41. As part of the research we are undertaking case studies. This would involve a member of the research team visiting you and your primary authority for a more detailed discussion about your primary authority partnership. Is this something you would be interested in?**

Yes – ensure contact details are correct

No

***THANK AND CLOSE***

## B2 Enforcing authority survey questionnaire

## Interim evaluation of Primary Authority

### Questionnaire for the enforcing authority survey

This survey has been designed to transfer smoothly to Qa's CATI system and looks slightly different to a conventional survey.

All questions, (including prompts for interviewers/respondents e.g. 'Tick all that apply') are formatted with the 'Question' style in blue.

All responses are listed and formatted using the 'Response' style in red.

Rating questions are simply listed with the scale listed first followed by the responses and formatted using the 'Response' style.

Questions followed by a blank line are an open-ended or numeric question.

Instructions (e.g. routing instructions) are formatted using the 'Instruction' style in italics.

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#### Introduction

**Good morning/ afternoon my name is ??? and I am calling from Qa Research on behalf of the Better Regulation Delivery Office (BRDO). The BRDO has asked us to undertake a programme of research exploring the effectiveness of Primary Authority.**

**S1. As part of the research we are speaking to enforcing authorities that have had some level of contact with a Primary Authority in relation to a compliance issue.**

**We understand from local authority <read from database> that you have had some involvement with it in connection with a compliance issue in business <read from database> that is covered by a PRIMARY AUTHORITY Partnership between that authority and that business. Can you confirm this is the case?**

**OR**

**We understand from BRDO that the Primary Authority IT system suggests that you have cause to use it recently in relation to a compliance matter. Can you confirm that this is the case?**

**Yes**

**Go to S3**

**No**

**Continue**

**S2. Have you had recent contact with any other Primary Authority in relation to non-compliance?**

**Yes**

**Continue**

No

**Thank and close**

**S3. Is now a convenient time for you to take part in an interview of around [20] minutes with me over the phone about Primary Authority?**

Yes

**Continue**

No - Is there a more convenient time when you might be able to take part.

**S4. Thinking about the [most recent] incident, can you briefly describe the incident in question, and how the parties (you as enforcing authority; the primary authority; and/or the branch of the business you were inspecting; and/or the business's Head Office) interacted?**

**OPEN RESPONSE**

## Section 1 – Resolving issues of non-compliance

**Q1. How did the way in which this incident was handled differ from what would have happened in the absence of a primary authority partnership?**

**INTERVIEWER NOTE: Prompt for the following: Where were different decisions taken by the respondent or by the others involved? Was the effect on the business different in any way?**

**OPEN RESPONSE**

**Q2. On a scale of 1-5 where 5 is 'a large positive impact', 1 is 'a large negative impact' and 3 is 'no impact', in general terms what do you think that the impact of Primary Authority has been on...?**

1 – A large negative impact

2 – On balance a negative impact

3 – No impact/no change

4 – On balance a positive impact

5 – A large positive impact

Don't know

**Randomise order of asking**

The consistency with which instances of non-compliance are resolved

The speed with which instances of non-compliance are resolved

The frequency with which instances of non-compliance occur

The extent to which enforcing authorities are clearer about what they are doing or what they expect when they arrive at business premises

The relationship you have with businesses at the local level

**Q3. And thinking now about the particular incident you mentioned at the start of the call, was there an inspection plan in place that covered this area?**

Yes

**Continue**

No

**Go to Q5**



**Q4. How did having an inspection plan affect how the incident proceeded?**

**OPEN RESPONSE**

**Q5. When you identify an issue of non-compliance with a business that has a primary authority partnership in place, do you contact the primary authority before taking the matter further? Please answer on a scale of 1 – 4 where, 1 is never contact the primary authority and 4 always contact the primary authority first?**

1 – Never contact the primary authority first

**Go to Q7**

2 – Very occasionally contact the primary authority first

**Continue**

3 – Usually contact the primary authority first

**Continue**

4 – always contact the primary authority first

**Go to Q7**

Depends of the nature of the non-compliance

**Continue**

Don't Know

**Continue**

**Q6. What factors would you take into account when deciding whether or not to contact the primary authority before escalating any issues of non-compliance?**

**OPEN RESPONSE**

## **Section 2 – Targeting of enforcement activity**

**Q7. Would you rate the advice issued to you by primary authorities as poor, satisfactory or good? If poor, please say why.**

1 – Poor

2 – Satisfactory

3 – Good

**Q8. How has Primary Authority affected the way you work in relation to <import business name from database>?**

**INTERVIEWER NOTE:** Prompt for the way that businesses are inspected; what is looked at; how resources are allocated to assessing regulatory compliance, etc.?

**OPEN RESPONSE**

**Q9. On a scale of 1-5 where 5 is 'a large positive impact', 1 is 'a large negative impact' and 3 is 'no impact', compared to what happens where no primary authority partnership is in place, how has Primary Authority affected the following ...**

1 – A large negative impact

2 – On balance a negative impact

3 – No impact/no change

4 – On balance a positive impact

5 – A large positive impact

Don't know

**Randomise order of asking**

A more risk-based approach to work in regulated areas

Duplication of effort between local authorities in relation to regulatory matters  
Consistency of advice to businesses  
The consistency of feedback to businesses  
Enforcing authorities use of their time/resources  
Enforcing authorities' knowledge of what other enforcing authorities are doing in respect of a particular business

**Q10. What impact, if any has Primary Authority had on the way your authority organises its enforcement-related activities?**

**OPEN RESPONSE**

**Q11. Have you ever had to schedule enforcement activities where there was an inspection plan in place?**

Yes

**Continue**

No

**Go to Q16**

**Q12. This time on a 1 to 3 scale where 1 = no impact, 2 = limited impact and 3 = significant impact, what impact has having an inspection plan drawn up had on...?**

1 – No impact

**Go to Q14**

2 – Limited impact

**Continue**

3 – Significant impact

**Continue**

Don't know

**Go to Q14**

Whether or not you inspect

What you inspect

Your approach to what you inspect (e.g. level of detail; tests done)

**Q13. What in particular have you changed and were these changes for the better or detrimental to the enforcement process?**

**OPEN RESPONSE**

**Q14. On a scale of 1-5 where 1 is very dissatisfied and 5 is very satisfied, how satisfied are you with inspection plans in terms of the following:**

1 – Very dissatisfied

**Continue**

2 – Dissatisfied

**Continue**

3 – Neither satisfied nor dissatisfied

**Go to Q16**

4 – Satisfied

**Go to Q16**

5 – Very satisfied

**Go to Q16**

Don't know

**Go to Q16**

The overall concept of an inspection plan  
The scope of or areas covered in inspection plans  
The content of those inspection plans you have seen  
The level of direction given to enforcement authorities

**Q15. You indicated you were dissatisfied with this (these) element(s). Why is this?**  
**OPEN RESPONSE**

## Section 2 – Enforcement authority feedback under Primary Authority

**Q16. On a scale of 1-5, what impact do you think that Primary Authority has had on the following?**

- 1 – A large negative impact
- 2 – On balance a negative impact
- 3 – No impact/no change
- 4 – On balance a positive impact
- 5 – A large positive impact
- Don't know

**Randomise order of asking**

The usefulness of the feedback you are able to provide to businesses with a primary authority partnership

The information that you are able to provide to other authorities on regulatory issues

Observable changes to business practices as a result of the enforcement work you undertake

**Q17 Do you feedback your findings to the primary authority even when no compliance issues are detected by you during the enforcement work you carry out?**

- Yes-all the time
- Yes-sometimes
- No-never
- Don't Know

## Section 4 – The Primary Authority IT system

**Q18. Thinking back to the specific issue we discussed at the start of the interview, did you record this on the Primary Authority IT System?**

Yes

**Go to Q20**

No

**Continue**

**Q19. Why not?**

**OPEN RESPONSE**

**Q20. More generally what use do you make use of the Primary Authority IT system?**

**OPEN RESPONSE**

**INTERVIEWER:** *If your assessment of the response is that this amounts to little or no use, Go to Q22*

**Q21. Overall how useful do you find the Primary Authority IT system?**

**INTERVIEWER NOTE: Read out – select one response only**

- 1 – Not at all useful
- 2 – Reasonably useful
- 3 – Very useful
- Don't know

**Q22. The BRDO is looking to develop the Primary Authority IT System. Please indicate how useful you feel each of the following developments to it would be on a scale of 1-3 where 1 is not worth doing, 2 is on balance worth doing and 3 is definitely worth doing?**

- 1 - Not worth doing
- 2 - On balance worth doing
- 3 - Definitely worth doing

***Randomise order of asking***

The use of a web and/or app-based mapping system to enable you to easily identify the premises in your authority area that are covered by a primary authority partnership

The introduction of moderated forums which allow you to discuss issues relating to Primary Authority with other enforcement authorities

Support materials and guidance for working with Primary Authority businesses and details of training available

**Q23. Is there anything else that you think could be done to the Primary Authority IT system in order to improve the experience you have when using it or to encourage you to use it?**

***OPEN RESPONSE***

## **Section 5 – Overall conclusions**

**Q24. Going back to the regulatory issue that was discussed at the start of this call, was the presence of a primary authority partnership helpful to you or not when handling it?**

- 1 – Not really much help
- 2 – On balance of some help
- 3 – Very helpful
- Don't know

**Q25. Do you think it was useful to the business?**

- 1 – Not really much help
- 2 – On balance of some help
- 3 – Very helpful
- Don't know

**Q26. Overall, what do you think the impact of Primary Authority has been in the following areas. Please give your answer on a scale of 1-5 where 1 is a large negative impact, 5 is a large positive impact and 3 is no impact.**

- 1 – A large negative impact
- 2 – On balance a negative impact

- 3 – No impact/no change
- 4 – On balance a positive impact
- 5 – A large positive impact
- Don't know

**Randomise order of asking**

- The degree of protection offered to the public by enforcement activity in this regulated area
- Your workload
- The burden that complying with regulation places on businesses
- Your relationship with businesses with a Primary Authority agreement

**Q27. On a scale of 1-5 where 1 is very poor and 5 is very good, how would you describe your relationship with the primary authorities who have primary authority partnerships in place with businesses on your caseload? If negative, please say why.**

- 1 – Very Poor
- 2 – Poor
- 3 – Satisfactory
- 4 – Good
- 5 – Very good
- Don't know

**Q28. Taking everything into account do you think that Primary Authority has had a positive or a negative impact on enforcement activity? INTERVIEWER NOTE: Read out – select one response only. If negative, please say why.**

- 1 – A large negative impact
- 2 – On balance a negative impact
- 3 – No impact/no change
- 4 – On balance a positive impact
- 5 – A large positive impact
- Don't know

**Q29. Finally, are there any improvements you would suggest making to Primary Authority?**

**OPEN RESPONSE**

**THANK AND CLOSE**

## B3 Business and primary authority interviews - checklist for qualitative discussions

## Introduction

In general:

- Questions to businesses should refer only to the specific partnership under discussion sample but should cover all categories of regulated activity (from the list of 18) covered by that partnership
- Questions in the business/primary authority section can be asked to both unless specifically indicated otherwise
- The list is not prescriptive – we are happy to cover other Primary Authority-related matters

## Background

- 6 Tell us the history of how your two organisations became involved in this partnership.
- 7 Give us some more detail about the primary authority partnership agreement.
  - Which areas does it cover?
  - Were all these areas in scope from the start, or has the partnership developed?
  - Are inspection plans in place in any of the areas?
  - How have inspection plans assisted/worked for you?
- 8 *For primary authority.* Does the presence of this primary authority partnership represent or support a particular policy within your authority?
- 9 *For business.* Do you have other primary authority partnerships with other enforcing authorities?
  - Are there other areas you would like to/are actively considering including in Primary Authority in the future? With this or other authorities
- 10 Tell us about the charging arrangements for this primary authority partnership. If no charge is made, why is this?
- 11 Do you use the Primary Authority IT system, and have you any comments on it?

## Objective 1 – businesses benefits from Primary Authority?

- 12 What objectives have you set for the primary authority partnership? What do you want it to achieve? What benefits do (did) you expect (both parties)? How did you know to expect these?
- 13 Did you foresee any drawbacks, any “prices to be paid”?
- 14 What is actually happening in practice? Is it changing over time?

- 15 Specifically, could you comment on:
- Any change in the frequency of or approach to “inspections” or other regulatory activity?
  - Any decrease (or for that matter increase) in the amount of information required by regulatory authorities, or the frequency with which it is requested?
  - That it is easier (or for that matter more difficult) to receive consistent regulatory advice and guidance for your business than previously?
  - Continuing differences in the way in which enforcing authorities inspect your business(es) between sites?
  - increased consistency in the advice and guidance you have been given now that it comes through a primary authority partnership?
  - That you spend less (or more) time on regulatory activities since becoming involved in Primary Authority?
- 16 Can you quantify either any of the benefits and/or the drawbacks/costs of participation in Primary Authority?
- 17 Are there any specific instances where the primary authority partnership arrangements appear not to have “worked”, or at least not to have given you the benefits you expected? What were the circumstances? Why do you think this happened?
- 18 How do you monitor how your primary authority partnership is progressing/whether it is delivering as expected etc.?
- 19 Thinking about the benefits derived from Primary Authority by your business, to what extent do you think they would have been achievable without Primary Authority (what is the “net Primary Authority effect”)?

## **Objective 2 – Primary Authority Advice and non-compliance**

- 20 What Primary Authority Assured Advice is currently in place? To what extent is Assured Advice central to this partnership? How important is advice from your primary authority more generally, even if it is not technically “Assured”?
- 21 Can you describe how a typical Primary Authority “interaction” between you might work, in the first instance at the routine regulatory level? For example, the creation and promulgation of Primary Authority Assured Advice or an Inspection Plan
- 22 And in the same way can you describe a typical compliance “interaction”, along the same lines?
- Is the way in which instances of non-compliance proceed different to what was the case pre-Primary Authority?
  - Are issues of non-compliance resolved better; faster; more consistently?
- 23 *For business.* How has Primary Authority affected relationships at a local level – i.e. between your local managers and their local authorities?



- 24 *For business.* Have you noticed any changes in the way in which enforcing authorities deal with your business?
- 25 *For business.* Do you see any evidence that would suggest enforcing authorities are better briefed, clearer about what they are doing/what to expect when they arrive at your premises? Do you get the interaction with enforcing authorities that you expect?
- 26 (Where there is an inspection plan in place.) Do you see any evidence that the inspection plan has influenced: whether or not parts of the business are inspected; what is inspected; the approach to what is inspected (e.g. level of detail; tests done)?

### **Objective 3 – regulatory authority benefits from Primary Authority arrangements**

- 27 What benefits do the regulatory community derive from Primary Authority?
- 28 What costs/drawbacks are there to Primary Authority from a regulatory authority perspective?

### **Objective 4 – information flows and other feedback under Primary Authority**

- 29 *For business.* Do you get improved information about changes to regulatory requirements through your primary authority? Do you also receive this information from other sources anyway?
- 30 *For business.* Do you use advice and guidance (even if not Primary Authority Assured Advice) from your primary authority in drafting internal company procedures? Do you refer any internal procedure documents to your primary authority for comment before promulgating them throughout your business? Has anything here changed since you joined Primary Authority?
- 31 *For business.* Do you now get more information about local issues within your business because of the flow of information through the primary authority partnership?
- 32 *[For both parties.]* Are you getting more feedback from enforcing authorities, better quality feedback, feedback you can make better use of? Do you see more evidence that findings from regulatory activity has an impact on what the business does?

### **Overall conclusions**

- 33 Would you recommend that other businesses in a similar position to yours establish a primary authority partnership? With any reservations/qualifications/provisos?
- 34 Do you think Primary Authority works better for you in some regulatory categories than in others? (Which?) Why?
- 35 Is the public better protected because of Primary Authority?
- 36 Have you any plans to develop this primary authority partnership (e.g. extend its scope)?
- 37 How would you improve Primary Authority if you had the chance to do so?

## B4 Enforcing authority interviews - checklist for qualitative discussions

## Introduction

In general:

Questions to enforcing authorities initially cover their experience of Primary Authority as it relates to the particular primary authority partnership that has led to them being involved in the fieldwork but should then broaden out to cover their involvement in Primary Authority as a whole.

The list is not prescriptive – we are happy to cover other Primary Authority-related matters.

## Experience of the particular primary authority partnership

- 1 Can you please talk us through your interactions with this business and primary authority.  
Ideally we'd like to cover a specific regulatory activity (e.g. an inspection visit; a compliance activity or report; an enforcement activity) that resulted in an exchange between you and the primary authority. Can you briefly describe such an activity.
- 2 We are particularly interested in how what happened differed from what would have been the case had a primary authority partnership not been in place. What were the main differences?
  - Was the process faster or slower in elapsed time terms?
  - Did it involve you and your colleagues here in the enforcing authority in more, or less work?
  - Was it simpler or more complex? Was it necessary to involve a wider range of colleagues?
  - If you needed to liaise with your colleagues in the primary authority, how easy was this to do?
  - Were you inhibited from saying or doing anything you would otherwise have said or done?
  - Was it (in the end) more or less effective as a process? Are the public better protected?
  - At the time of the activities/events, was there an inspection plan in place? Did it influence how events unfolded?
  - To what extent (if any) has the inspection plan influenced: whether or not you inspect; what you inspect; your approach to what you inspect (e.g. level of detail; tests done)?
  - In your view, are inspection plans appropriate in their: scope; content; level of direction given to enforcing authorities?
- 3 Is there any Primary Authority Assured Advice relevant to this partnership that you are aware of? How did you become aware of it? What do you think of it – scope; content etc.?

- 4 Does it matter that the first time you may be aware that there is relevant Primary Authority Assured Advice is after you raise a compliance issue on the Primary Authority IT System?
- 5 How has Primary Authority affected your relationship with this particular business at a local level – the way you inspect; what you look at; how you allocated resources etc.?
- 6 In summary, is this primary authority partnership working from your perspective?
- 7 How typical is this primary authority partnership of the others you have experience of? If it is atypical, how does it differ?

### **Primary Authority more generally**

- 8 What use do you make of the Primary Authority IT system, and have you any comments on it?
- 9 How do you find out which of your (“local”) businesses are part of a primary authority partnership?
- 10 When you find out that a business is part of a primary authority partnership, what steps do you take?
- 11 How do you modify your approach or working practice (if at all) when contacting a business which is part of a primary authority partnership? In particular do you feedback your findings to the primary authority even when no compliance issues are identified?
- 12 More generally, what benefits do you think Primary Authority brings? To enforcing authorities? To businesses?
- 13 What are the drawbacks to Primary Authority?
- 14 Have you changed internal policies, procedures, plans instructions, documentation, systems, staff training, work allocations etc. to reflect/accommodate Primary Authority?
- 15 Is your authority the primary authority in any partnerships? If so, have you had any direct experience of Primary Authority from the primary authority perspective:
  - How well do you think Primary Authority works from the primary authority perspective?
  - How has your experience of Primary Authority as a primary authority influenced what you do as an enforcing authority?
  - Would Primary Authority still have benefits for an authority that, for whatever reason, was only ever an enforcing authority and did not operate primary authority partnership contracts of its own?

## Overall conclusions

- 16 On balance, does Primary Authority work from your perspective? Does it add value to your work? Does it impose any costs (time or opportunity) upon enforcing authorities?
- 17 What experience did you have of the voluntary arrangements that preceded Primary Authority [Home Authority, RAFKAP, lead authority]? Does the statutory underpinning of Primary Authority help or hinder an enforcing authority when compared to these previous voluntary arrangements?
- 18 In general do you have a good relationship with the primary authorities who have primary authority partnerships in place with businesses on your caseload?
- 19 On balance do the benefits of Primary Authority outweigh the costs/drawbacks?
- 20 What improvements would you suggest to Primary Authority?

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**URN: BIS/13/1160**