

Regulatory Policy Committee - meeting minutes

Monday 12 May 2014
1 Victoria Street, London

Present: Michael Gibbons (Chair), Alex Ehmann, Jeremy Mayhew, Ian Peters, Martin Traynor, Sarah Veale, David Parker; Secretariat.

Apologies: Ken Warwick.

Also attending: Scott McAusland (communications advisor); Agenda items 1 & 2 – RPC sponsorship team, Better Regulation Executive; Agenda item 3 - Alex Jackman and Fionnuala Horrocks- Burns (Forum of Private Business).

1. Minutes of the previous meeting, updates and matters arising

The Committee approved the minutes of the previous meeting. Members reviewed the monthly update paper, noting the ongoing improvements in turnaround times.

Departing members of the Secretariat, Tom Fish and Wayne Simmonds, were thanked for their contributions. Committee members highlighted that they will miss the quality of those individuals' contributions as they have helped shape the success of the RPC.

Scott McAusland, the new RPC communications adviser, was introduced and set out a proposal for the development of the next stage of the strategic communications plan, including highlighting the need for enhancing the RPC's impact and reach on social media. The Committee agreed that it would be appropriate to reinvigorate the communications sub-group to support the design and implementation of the plan.

2. Parliamentary Regulatory Reform Committee inquiry

Members welcomed the initial scoping draft for the RPC response. Members highlighted the need to:

- develop a clear executive summary pulling out the key messages;
- clarify the role of the RPC within the system;
- avoid making comparisons with other better regulation policies, or for periods outside the existence of the RPC, for which the RPC does not have the detailed evidence;
- develop the detail on the impact of the Small and Micro Business Assessment;
- include messages on the RPC's role in Europe;
- refer to the Regulatory Reform Committee's previous reports and

- recommendations; and
- highlight existing cross-party support for the role of the RPC.

To meet the deadline for the call to evidence the draft response will be circulated to members by 22nd May for detailed comments and clearance.

3. Alex Jackman, Forum of Private Business (FPB)

Alex Jackman presented to the Committee on the work of the FPB and how they see their role interacting with that of the Committee.

4. Research project – impact of RPC amber opinions – next stage proposals

Following discussion at the April Committee meeting the Secretariat presented detailed proposals for the next steps in responding to the research and previous feedback (for example, through the previous IA survey).

The independent research will be published in advance of the next Committee meeting. Members highlighted the need to ensure that the publication process set out the context for the commissioning of the research and for the RPC response to be made available at the same time alongside the research. The Committee agreed to take this forward through a single section of the RPC website.

The Committee agreed to the Secretariat recommendations to:

- clarify the drafting of amber rated opinions;
- remind departments of the expectations following the receipt of an amber opinion (including the provision of additional guidance through the RPC website);
- work with the Better Regulation Executive to tighten up clearance processes for amber rated proposals; and
- sample and review responses ahead of the next RPC report.

The proposals for the amber research next steps included proposals for developing consistent guidance to stakeholders, including for the submission of additional information. While not directly related to the issues surrounding amber opinions, it was recognised that recasting the guidance provided to departments and stakeholders provided an appropriate opportunity to take this forward. The Committee agreed the proposed methodology for stakeholder submissions, subject to the development of wording on the transparency of responses and minor drafting changes. The text will be revised to ensure that it is clear that the RPC reserves the right to publish any additional submissions, subject to the redacting of any commercially sensitive material (where the need to do this is highlighted by the stakeholder).

The Secretariat were also asked to develop a ‘non-Whitehall’ version of the guidance to government departments to enable the role of the RPC to be

explained easily to interested members of the public and stakeholders. This would be supported by an accessible Frequently Asked Questions section on the RPC website.

5. IA Survey

The Secretariat presented the proposed questions to be asked in the quarterly survey. The survey will develop an understanding of departments' experiences of the RPC and IA scrutiny process. Members provided detailed comments on the ordering and structuring of the questions, and proposals for ensuring answers are meaningful in providing information for RPC improvements.

6. Methodology

The secretariat updated the Committee on the discussions of the methodology sub-group. This included the treatment of licence costs that are borne by individuals to enable them to be employed in certain sectors. The decision in this case could have implications for other licensing measures and will therefore be included in the case histories document.

The Committee also discussed the principle of the treatment of costs arising from the actions of independent regulators when they are required to act by Government in pursuit of a defined regulatory objective. In line with previous discussions and opinions on comparable cases (including the designation of Marine Conservation Zones), the Committee took a clear view that the current methodology would place such costs within scope of One-in, Two-out.

7. Any other business

None raised.