

Regulatory Policy Committee - meeting minutes

Monday 14 April 2014
1 Victoria Street, London

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

Also attending: Liz Cooper, Better Regulation Executive (BRE), for items 2 – 4; Michael Ridley (BRE), for item 3.

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

The Committee approved the minutes of the previous meeting, subject to inclusion of a few minor additional points of detail.

The Committee reviewed the action points. Members noted the work under way to improve the tracking of cases through the Cabinet clearance process and proposals to update the RPC website to articulate the ongoing approach to encouraging better use of alternatives to regulation.

The Chair updated members on progress in relation to reappointments. Discussions had been held with all members regarding their preferences, and the Chair will be providing advice to Graham Turnock, Chief Executive, BRE, ahead of the next quarterly sponsorship meeting.

2. Corporate Plan for 2014 - 15

The Committee signed off the overarching elements of the plan, subject to minor drafting changes. Members discussed a number of points in relation to the plan:

- The Committee set out the need to develop a clear programme of activities to underpin the stakeholder engagement objective. This must include clarity on parliamentary engagement.
- RPC opinions should support government in its work to collect the correct data to enable effective post-implementation reviews of regulatory changes.
- References to the assessment of costs of regulation should avoid the impression that this will be a fully comprehensive picture of all regulation, as some elements are outside the scope of the current better regulation system and therefore not subject to RPC validation.
- The governance section needed to be strengthened in relation to independence of the Committee and to enhance the focus on relationships within the system.

The Committee decided to consider the revised governance section of the

plan by correspondence, and formally sign off at the next Committee meeting.

3. Legislative proposals

Michael Ridley (BRE) briefed the Committee about future legislative proposals that could strengthen the existing controls to support better regulation.

4. Research project – impact of RPC amber opinions – initial feedback

The Secretariat presented the high level findings of the research project into the actions taken by departments following receipt of an Amber rated opinion. The research highlighted that in half of the cases examined, the Department addressed RPC comments prior to consultation. For those that did not, the research highlighted a number of barriers to doing so.

The Committee discussed the value of amber opinions in the current system. Members felt that they were still valuable, even with the mixed responses from departments. The Committee requested the Secretariat to develop further proposals to cover:

- Ensuring support and guidance materials to departments which articulated clearly the expectations following an amber;
- Further internal guidance on the drafting of opinions so the Committee's expectations of Departments were clear;
- Whether the existing checks and balances, such as requirements placed on Cabinet clearance, were sufficient;
- Whether there needs to be specific communications / letters to Departments on the requirements following an amber.

The Committee will decide on the next steps, in light of the further proposals, at the next Committee meeting.

The Committee agreed to the Secretariat's proposal that the recommendations from the research on improving communications to departments on timing of scrutiny be taken forward before the next Committee meeting.

The Committee agreed that the changes should take place alongside previously agreed actions, namely to communicate further around the scrutiny of alternatives to regulation, the submission of evidence by stakeholders and the availability of the Secretariat to meet with departments. The RPC website will be amended to complete these actions.

5. Methodology

The secretariat updated the Committee on the discussions of the methodology sub-group. This included the treatment of regulatory requirements that resulted in resource costs to business and civil society, for which volunteers' time formed a proxy for the direct impacts. Further

updates were provided on discussions relating to the scope of 'fit for purpose' decisions at final stage and on specific live cases and legacy measures.

6. Any other business

The Chair updated members on progress in relation to the appointment of a communications adviser for the RPC.