

Attendees

The Committee

Anthony Browne, Chair

Laura Cox

Jeremy Mayhew

Brian Morgan

Andrew Williams-Fry (Teleconference)

Jonathan Cave

Alex Ehmann

Stephen Gibson

RPC Secretariat

Hiroko Plant, Head of Secretariat (HoS)

Market Frameworks Officials

Jae Samant, Director General. Market

Frameworks (item B only)

Carl Creswell, Director, BRE

Joanna Rodin

Apologies

Sheila Drew Smith

Department for International Trade

Representatives (item E only)

A. Minutes of last meeting and matters arising

Minutes of November Committee meeting

1. The minutes of the November meeting were agreed.

Register of interests

2. The Register of Interests (RoI) was reviewed by the committee. No additional interests were declared.

B. Jae Samant, Director General

3. The Chair welcomed Jae Samant, The Director General for Market Frameworks. JS thanked the committee members for their efficiency in processing EU exit work and their contribution to the design and implementation of the new Framework.

C. Engagement updates

4. The Chair and engagement leads set out their activities on engagement since the last meeting: The Chair said that he was due to meet Secretary of State (SoS) and the Minister for Better Regulation next week and asked the committee to let him know if there was anything that he should raise with them.

D. BRE/policy updates

5. **Framework Document:** The FD is currently with HMT for final clearance. Once cleared by HMT it will be submitted to BEIS Ministers and Perm Sec for final sign off.
6. **RFG:** The first meeting of RFG was to be held on 11 February; a draft agenda was presented for committee comment, and the Committee were asked to send any additional suggested items or comments to the Secretariat.

E. Department for International Trade (DIT): Scoping Assessments of Trade Agreements

7. DIT set out its proposed analytical approach and time frames for the first Scoping Assessments (SAs) of New Free Trade Agreements (FTAs) which may be sent to the RPC. Unlike traditional IAs, SAs will not have EANDCBs or NPVs, as they are based on a computable general equilibrium (CGE) modelling approach, with wider analysis as appropriate.
8. The committee welcomed the presentation and suggested that a further conversation might be necessary to agree what RPC assurance was possible, as for example, CGE modelling is complex. Among others, the RPC may choose to comment on the appropriate use of modelling approaches, the input/output assumptions, assumptions regarding regulatory and non-regulatory tariff barriers and the presentation of results.
9. The Committee confirmed that they were happy to support DIT by providing opinions on SAs and on final-stage assessment of FTAs, subject to confirmation by the Secretariat that there were no resourcing issues. The Secretariat agreed to discuss resourcing and timing with DIT and confirm.

F. Trends in IAs

10. There was some discussion of the balance between informal early engagement (which offers the most traction to change the quality of analysis) and more formal criticism (which offers external stakeholders more assurance that we are maintaining standards). It was agreed that the Committee should find ways to report more clearly and visibly on successful engagements, including specific examples.
11. The Secretariat is directed to set out the extent to which our published work routinely brings out the impacts of early engagement on the quality of the final IA, and to consider changes to the templates to make this more explicit.
12. The Committee was also concerned that the select opinions published to date may skew towards Green ratings and/or not detail the early engagement with departments which led to the rating; the Secretariat was tasked to produce some analysis to test this hypothesis.

G. Pipeline

13. The committee were informed that AWF had agreed to act as committee lead on pipeline and call-in.
14. Progress in scrutinising pipeline information by the Committee and Secretariat had been slower than expected, and it was agreed that the Secretariat should arrange a conference call to facilitate the process of obtaining Committee comments on the large initial batch of pipeline data
15. The advice set out in the paper was agreed, including taking a gentler approach where Departments were keen to submit voluntary assessments to correct misunderstandings of the application of de minimis.

16. Secretariat to discuss internally the implications of the work we have done on the pipeline and discuss it with the committee.
17. BRE suggested that it would be helpful for the Secretariat to draw out any lessons learned on the pipeline and discuss with departments.
18. It was agreed that the Secretariat should collect data to support analysis on the questions asked and other processes around pipeline and call-in and undertake an internal review with BRE being consulted.

H. Proportionality

19. The Committee agreed that the proportionality guidance provided with the paper should be published alongside the accuracy guidance agreed earlier, subject to minor drafting changes to be agreed by correspondence. As it was a joint paper, the final draft should be agreed with BRE.

I. Post Implementation Reviews (PIR)

20. The committee agreed that the RPC should focus initially on the review of PIR plans within IAs, rather than chasing missing PIRs. It was also important that the RPC should be proportionate in its approach and focus PIR engagement and reporting on those cases where early appraisal suggested that a PIR could have significant impact. The following actions were agreed:
 - The RPC should write to the Minister for Better Regulation setting out the importance of (high-impact) PIRs and the role that RPC and BRE could play in the initiative. An annual note on PIR should be produced and published, as part of our Centre of Excellence activities.
 - The engagement process set out in the paper was agreed.

J. Small and micro business regulatory policy

21. The Secretariat and BRE presented the findings and recommendations of parallel workstreams on policy on regulating small and micro businesses and the scrutiny of SaMBA.
22. The recommendations in the paper were agreed.

K. Comms strategy

23. BM agreed to act as Committee lead on the development of the website.
24. The approach to redevelopment of the RPC's website set out in the paper was agreed, subject to a further detailed discussion with BM and to taking into account specific comments from members (in particular creating clearer links between published opinions and the relevant IAs/legislation and presenting historical versions of guidance in reverse chronological order).
25. The Secretariat was tasked to submit a clear project plan for delivery of the update by correspondence, and to report regularly on delivery against the timescales set out in that plan, by correspondence in parallel with Committee meetings.

L. Any other business & date of next meeting

26. The Committee had some concerns about HMT's comments on our processes in Parliament, in the context of EU Exit IAs. It was agreed that the Secretariat and relevant Committee leads should continue to pursue the point, with support from BRE.
27. There was no other business.
28. The next Committee meeting will take place on 11 March 2019.