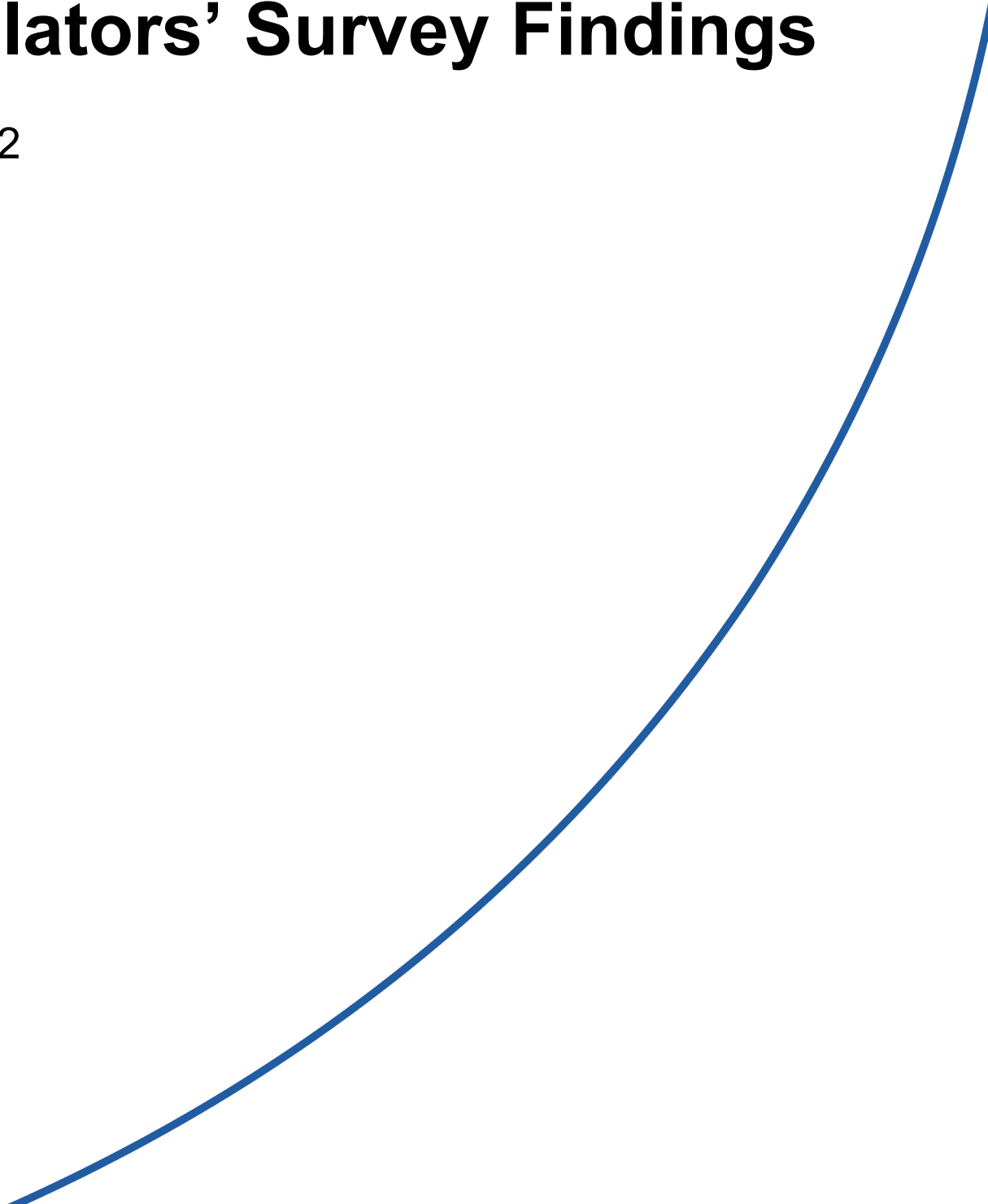




Closing the Gap Report: Regulators' Survey Findings

June 2022



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Executive summary

- The Regulatory Horizons Council (RHC) was commissioned by the BEIS Secretary of State to consider how best to support innovation through regulation, including looking at whether there are a set of high-level guiding principles for regulation that may apply broadly to any sector of innovation.
- The Council initially considered the merits of developing a set of high level guiding regulatory principles for innovation. On review, the Council came to the view that there have been many attempts by Government/non-Government actors to distil a set of principles/codes either for 'good' regulation broadly or more specifically regulatory principles for regulating technological innovation. Considering this, it was felt that the most relevant - and indeed urgent - question to address was **'What are the main gaps between regulatory principles and practice in relation to innovation and how can they best be closed?'** and this is shown in our main report.
- To support this ongoing work, the RHC conducted a survey and collected data from 18¹ regulators; assessing how important innovation is for them, what they do to support it, and what the gaps for development may be.
- For most respondents, innovations are important for the sector that they regulate (15 respondents), and significant technological innovations occur every year (15 respondents).
- Organisations in the sample appear to act inclusively and collaboratively; regularly engaging with an average of 8 different stakeholder groups through an average of 7 different methods. Other regulators are most commonly engaged with (18 respondents), and formal meetings and informal emails, video/telephone calls are the most common ways of engaging (18 respondents).
- All respondents engage in horizon/environment-scanning activities, with the majority (14 respondents) using these processes to gather information about trends and developments, rather than to engage with futures thinking.
- The vast majority of organisations currently encourage experimentation in their area of regulation (16 respondents) and advice services are the most common way in

¹ Due to the small sample size of the survey, responses will not be reported in percentage terms and instead, reported in terms of the raw number of respondents.

which they do so. Respondents were, however, split when asked if their organisation has sufficient technological expertise.

- Many organisations in the sample are currently making data more widely available or have already done so (8 respondents) and just over half of respondents (10 respondents) are currently using data to regulate businesses more effectively.
- Regulators in the sample generally indicated that they are joined up; involving businesses in the co-design of regulations (12 respondents); providing advice, support, and expertise to businesses for self- and co- regulation initiatives (10 respondents); and working with international partners (15 respondents).

Methodology

The aim of this research was to help inform the focal points in the main report. To better understand how regulators conduct their functions, there were three central research questions to better inform the scope of this project:

- 1. How important is innovation for regulators?**
- 2. What actions and behaviours are regulators currently adopting to support innovation in their area of regulation?**
- 3. What are the challenges that regulators face when trying to support innovation?**

The research aims to provide insight for each of the three research questions and inform the evidence base for the RHC in this space. Alongside this project, the RHC has also gathered regulators' views in an online workshop, as well as collecting regulators' contributions for case studies of good regulatory practices. The aim of using these three sources of information is to reliably triangulate findings and develop the most accurate understanding of innovation-friendly behaviour within the regulatory landscape.

To collect and deliver the insight at pace and in a way that was not very burdensome – particularly as the RHC would be asking regulators for contributions in two other ways – it was determined that an online survey would be the best method for data collection. Due to the sampling methodology of this research, it is noted that the information collected is not conclusive and this report shall, therefore, not make any generalisations about the wider population of regulators.

Within the area of anticipatory or agile regulation there are central pieces of literature that discuss what “good” regulation looks like. These include reports from Nesta², the World Economic Forum (WEF)³, and the Organisation for Economic Co-operation and Development (OECD). To develop the survey, common themes were extracted from each of the reports and used to structure the research. Each section of the survey is based around one of the common principles that emerged during the review of those papers: ‘Inclusive and Collaborative’, ‘Future-facing’, ‘Experimentation’, ‘Data-driven’, ‘Outcomes-based’, and ‘Joined-up Regulation’.

² Nesta, ‘Renewing Regulation: ‘anticipatory regulation’ in an age of disruption’, 2019, Available here: <https://www.nesta.org.uk/report/renewing-regulation-anticipatory-regulation-in-an-age-of-disruption/>

³ World Economic Forum, ‘Agile Regulation for the Fourth Industrial Revolution: A Toolkit for Regulators’, 2020, Available here: <https://www.weforum.org/about/agile-regulation-for-the-fourth-industrial-revolution-a-toolkit-for-regulators>

This report focused on leveraging pre-existing networks of regulators that the Better Regulation Executive engages with to gather feedback and insight: the Regulators' Innovation Network (RIN) and the Regulators' Forum (RF). To ensure the best possible response rate for the survey, it was determined that an opportunistic sample would be most appropriate. Additionally, as this research would be conducted in the summer, where there is a greater likelihood for low response rates due to the summer holidays and regularity of annual leave, it was logical to take advantage of existing networks of regulators.

The RIN and the RF provided a sampling frame of 58 unique regulators. From this sampling frame, the survey received 18 responses, which represents a 31% response rate. Due to the sample size, results in this analysis are referred to in raw numbers, rather than percentages.

Additionally, due to the small sample size of the survey, factors such as statistical significance cannot be examined. Findings within this report are descriptive, with some bivariate analysis incorporated. The survey was completed online and was deployed using Microsoft Forms.

It is important to recognise the limitations of this exercise and its findings. While an opportunistic sampling approach was most appropriate for the scope of this research, it is noted that this limits the ability to make inferences solely from this survey about the wider population of regulators. As mentioned previously, the RHC will use the findings from this survey and its other stakeholder engagements (workshop and case studies) to draw out common findings – the triangulation of these data will help to inform the understanding of innovation in the regulatory landscape and provide reliable evidence for the RHC.

Results

The following discussion outlines the results of each section and question of the survey, providing tables and graphs to visualise the results.

Introductory questions

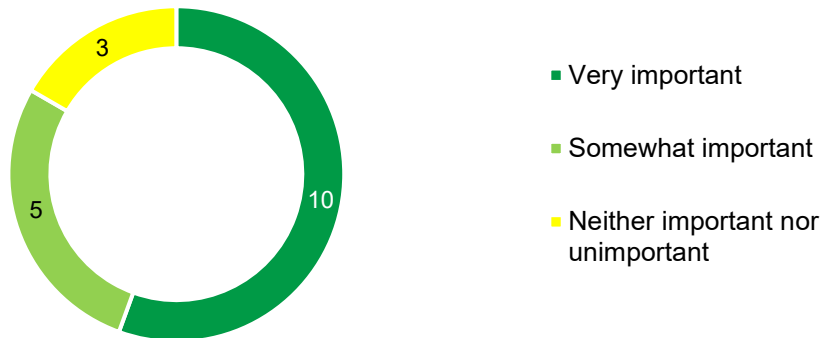
Question 1: Respondent organisation

The survey received 18 responses from the following regulators:

- Council for Licensed Conveyancers
- Care Quality Commission
- Civil Aviation Authority
- Farriers Regulation Council
- Financial Reporting Council
- Forestry Commission
- Health and Safety Executive
- Information Commissioner's Office
- Insolvency Service
- Office for Nuclear Regulation
- Office of Communications
- Office of the Immigration Services Commissioner
- Ofqual
- Royal Institution of Chartered Surveyors
- Scottish Environmental Protection Agency
- Solicitors Regulation Authority
- Sports Grounds Safety Authority
- Traffic Commissioners

Question 2: Importance of innovation

'How important is innovation to the sector that your organisation regulates?' (n=18)



The vast majority of respondents (15 respondents) considered innovation to be important for the sector that their organisation regulates. **Critically, no respondents indicated that innovation is *not* important.**

Question 3: Rate of technological change

'How would you describe the rate of technological change in the sector that your organisation regulates?' (n=18)



- New significant innovations appear every year
- No significant innovations in the last 5 years
- No significant innovations in the last 10 years
- No significant innovations in the last 30 years
- Don't know

Similarly, the majority of respondents (12 respondents) indicated that new significant innovations⁴ appear every year in their sector. Both findings from Questions 2 and 3 demonstrate that innovation is an important and frequent occurrence for the organisations in this survey.

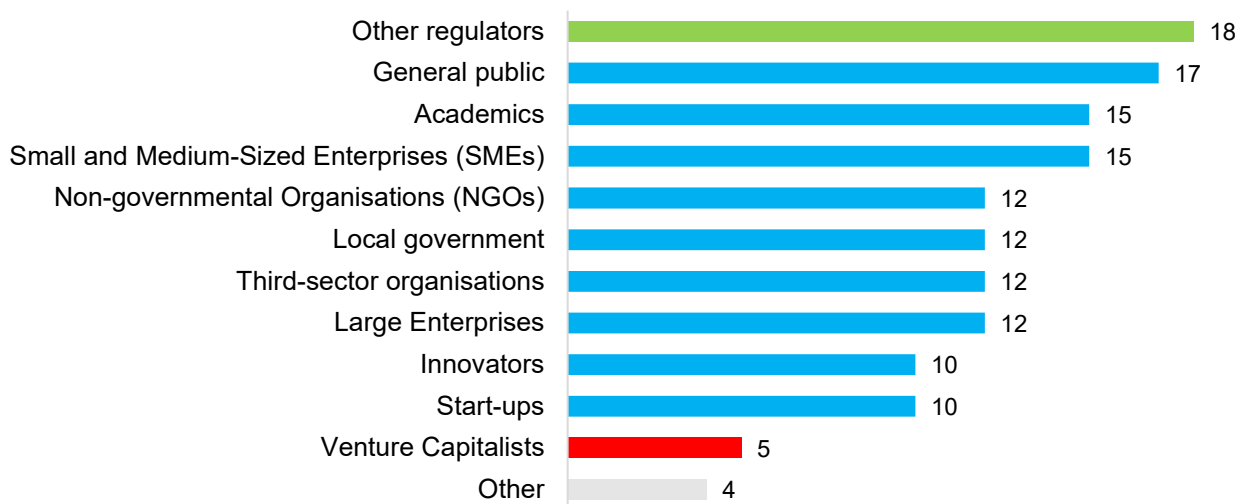
⁴ Innovation was defined in the survey as '[...] the process whereby ideas are developed to create new products, processes or ideas, or where existing ideas are adapted for new purposes to drive productivity and growth.' – this is the same definition as laid out in BEIS' Innovation Strategy.

Inclusive and Collaborative

Questions 4 through 7 of this survey looked at the principle of being inclusive and collaborative as they are considered two of the main ways that regulators can support innovation. Contributions from a wide range of stakeholders can help shape more effective policies and regulations and having an open dialogue with these appropriate groups is characterised as one of the principal means in encouraging innovation. The RHC wanted to explore these themes and gauge which groups regulators work with, the methods they use to engage with them, as well as what may be limiting them from doing more.

Question 4: Groups engaged with

'Which of the following groups does your organisation currently engage with on an ongoing basis?' (n=18)



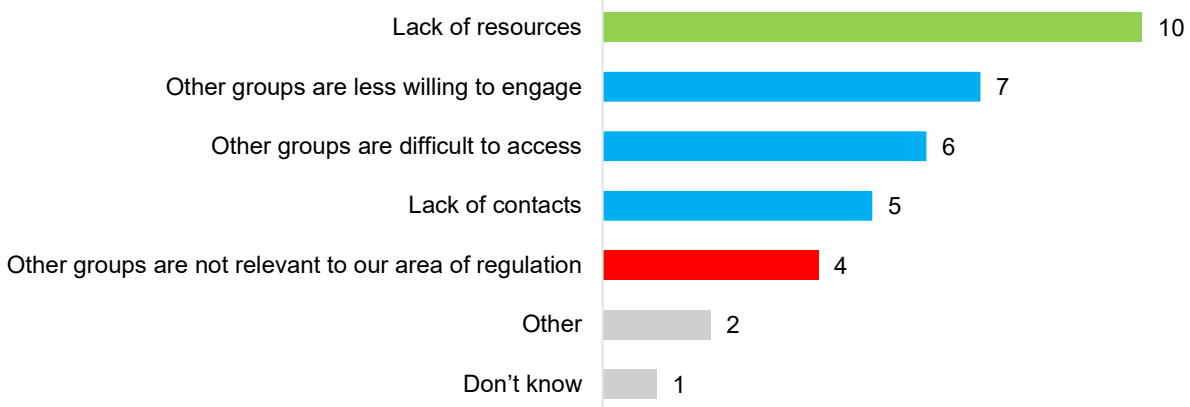
All respondents in the survey engage with multiple groups of stakeholders. On average, respondents in the sample engage with 8 different groups of stakeholders from the list provided, with other regulators being the most commonly engaged with group (18 respondents), and Venture Capitalists being the least engaged with (5 respondents). Interestingly, a third of the respondents (6 respondents) indicated that they engage with 10 or more of the groups that were listed in the survey – this demonstrates that the regulators in the sample conduct wide stakeholder engagement.

Of those respondents that selected 'Other' as a response, they indicated that they also engage with the following groups:

- Local Authorities
- Professional service firms / Professional bodies
- International stakeholders (including international regulators)
- Trade Bodies
- Other Government Departments
- Private landowners

Question 5: Barriers to further engagement

'What are the barriers that prevent your organisation from carrying out stakeholder engagement with other groups?' (n=18)

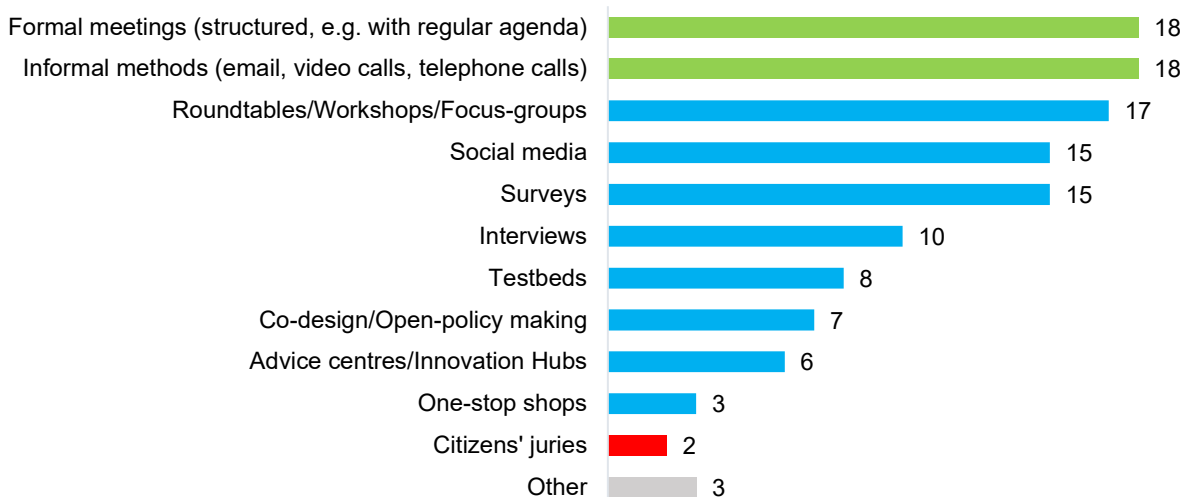


The most common reason why regulators in the sample are not able to carry out stakeholder engagement with other groups, is due to a lack of resources (10 respondents). This strongly echoes findings from the workshop that the RHC ran in August 2021, where regulators emphasised that there are other avenues of work that they would like to be able to pursue but are limited by the time/resources that they have at their disposal.

2 respondents selected 'Other' as a response, with one indicating that there were no barriers for their organisation to conduct stakeholder engagement with other groups, while the other noted that they are a horizontal regulator and are subsequently not sector specific.

Question 6: Engagement methods

'Which of the following methods does your organisation use to engage with key stakeholders?' (n=18)



The two most common methods that regulators in the sample use to engage with stakeholders are formal meetings and informal methods such as email and video/telephone calls (18 respondents). Interestingly, social media is one of the top five methods (15 respondents) and is more commonly used by the sample than interviews (10 respondents) – a methodology that pre-dates it altogether. This suggests the increased importance and/or utility for regulators in the sample to use social media over more “classical” methods.

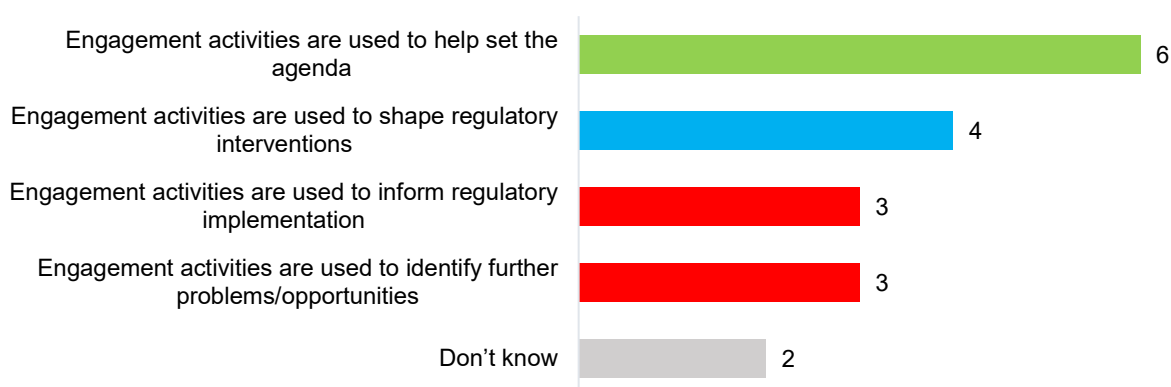
The average number of engagement methods used by the sample is 7, with a range of 3 to 10 methods. This would indicate that the organisations in the sample generally use a variety of engagement methods and when coupled with the findings from [Question 4](#), show that they are using these methods with a wide variety of different stakeholder groups.

Respondents within the survey used more innovative methods – citizens’ juries (2 respondents) and one-stop shops (3 respondents) – the least. This may be due to a familiarity with the methods or could be because of their usefulness for the area of regulation for respondents in the sample. This area may warrant further exploration in subsequent research.

Of those that selected ‘Other’, they indicated that they also present at industry led events and respond to formal consultations, engage with Sciencewise, and via online information on sites such as GOV.UK.

Question 7: Timing of engagement activities

‘Which statement best describes the stage at which your organisation typically uses engagement activities?’ (n=18)



Organisations in the sample most commonly use their engagement activities to help set their agenda (6 respondents). Respondents were then split somewhat equally between the other uses of engagement activities.

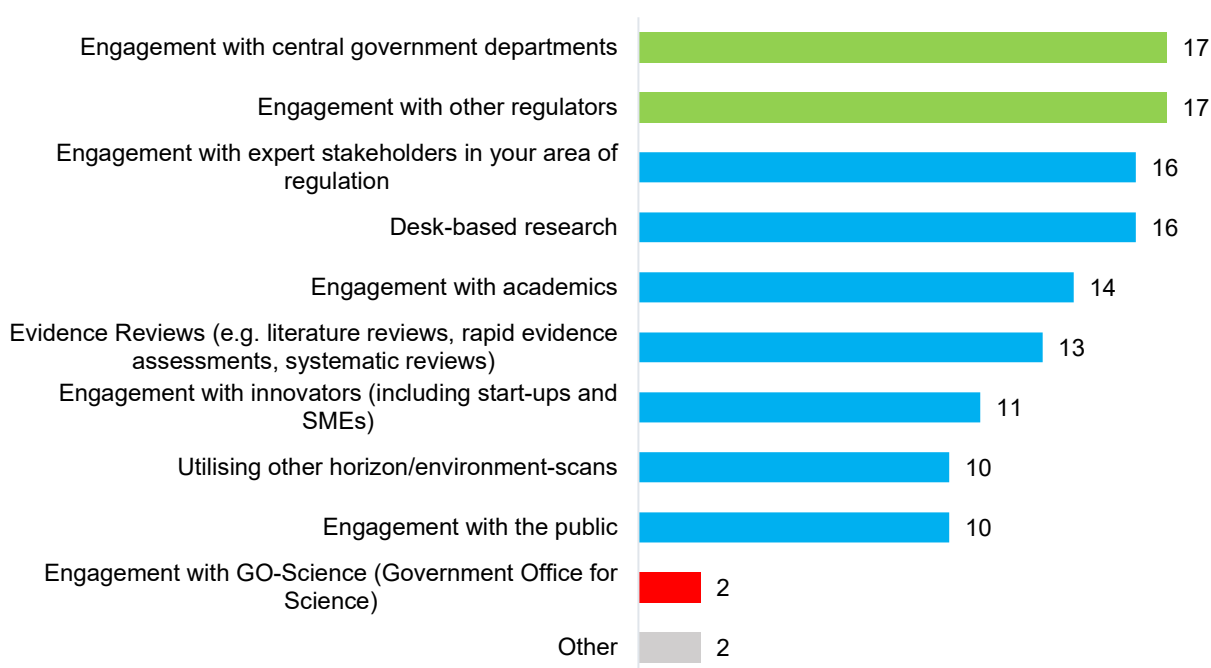
Future-facing

The next section of the survey explored the principle of being ‘future-facing’, which is concerned with trying to anticipate and prepare for future developments in technology, changing markets, economic developments and shifts in society. One of the key methods for identifying these changes is through horizon-scanning (sometimes called environment scanning). These activities involve secondary research and stakeholder engagement to identify emerging risks and opportunities.

Questions 8 – 11 of the survey explored this principle with the aim of learning how regulators conduct their horizon/environment-scanning activities, use the findings that they collect, as well as how they follow them up.

Question 8: Methods for horizon/environment-scanning

‘What methods does your organisation use to complete horizon/environment scanning activities?’ (n=18)



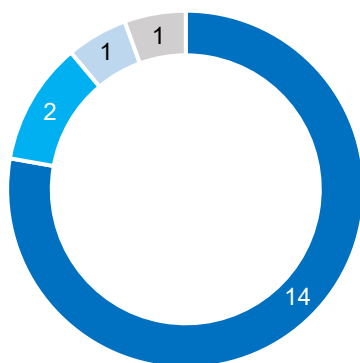
The two most commonly used methods among respondents in the survey are engaging with central government departments and other regulators (17 respondents). It is unclear why so few of those in the sample engage with the Government Office for Science (2 respondents), however, this may be due to the respondents’ areas of regulation having less relevance to developments in STEM⁵.

⁵ Science, Technology, Engineering, Mathematics.

The two other methods that respondents provided were 'engagement with third-party external insights providers' and 'close engagement with our duty holders'.

Question 9: Use of horizon/environment-scanning activities

'Which statement best describes the way that your organisation typically uses horizon/environment-scanning activities?' (n=18)

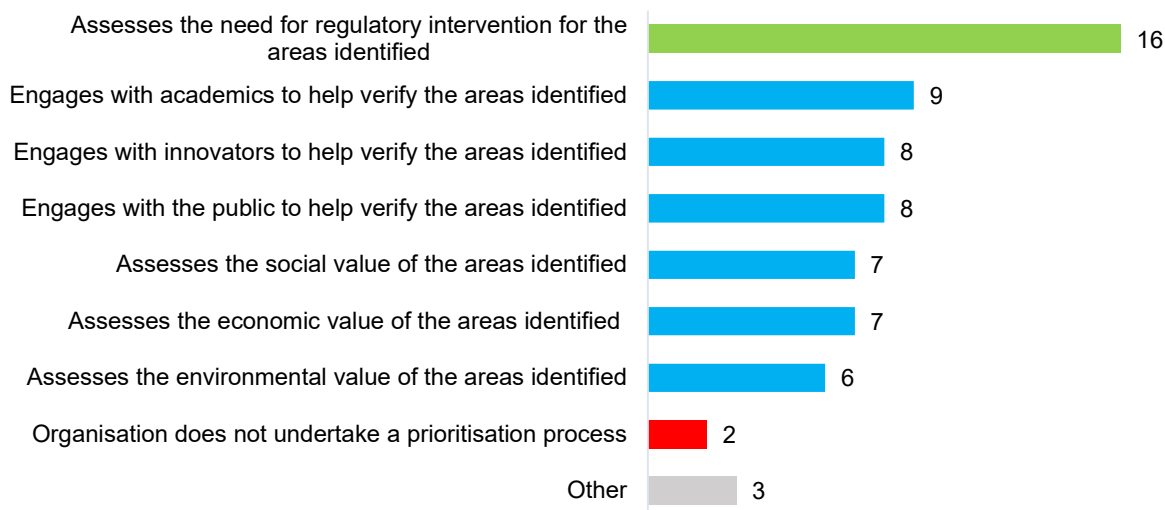


- To gather information about emerging trends and developments that could have an impact on the policy or strategy area in the future
- To involve a range of people in futures thinking and increase their knowledge and insight about the changing policy environment
- To explore how these trends and developments might combine and what impact they might have
- Don't know

The majority of the sample (14 respondents) indicated that they use horizon/environment scanning activities to gather information about emerging trends and developments, while only 3 respondents indicated that their organisations use the activities to involve others in futures thinking or explore how these trends and developments might combine. This indicates that there is perhaps space for regulators within the sample to be using the horizon/environment-scanning activities in a more dynamic manner to plan for the uncertainties of the future. However, findings from [Question 5](#) suggest that one reason for this may be because of a lack of resources limiting regulators from doing more.

Question 10: Prioritisation of areas

'How does your organisation prioritise the areas that are identified through its horizon/environment-scanning activities?' (n=18)

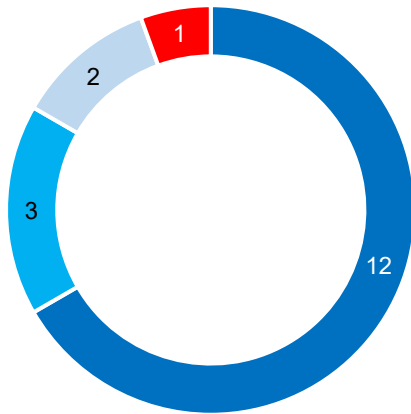


Reassuringly, only 2 respondents indicated that they do not undertake a prioritisation process. This is particularly important since earlier findings in the survey show that, for the majority of respondents (12 respondents), there are significant technological innovations every year ([Question 3](#)).

Within the rest of the sample, the most common method for prioritising the areas identified through horizon/environment-scanning activities is an assessment of the need for regulatory intervention. With the insight collected in [Question 5](#), this finding is possibly clearer as regulators within the sample have limited resources to spare and are likely needing to ensure that they are exploring areas that are most relevant to their remit of regulation. This may not always correlate with the social, economic, or environmental value and perhaps explains why these were selected less by respondents. The link to resources would, however, need to be explored further.

Question 11: Scenario planning

'Which of the following describes how your organisation typically uses scenario planning?' (n=18)



- To explore alternative ways that a particular policy area might develop in the future
- To identify the key requirements of policy under different conditions
- To consider how key actors – government, businesses, citizens, competitors – might behave under different conditions
- Organisation does not undertake future scenario planning

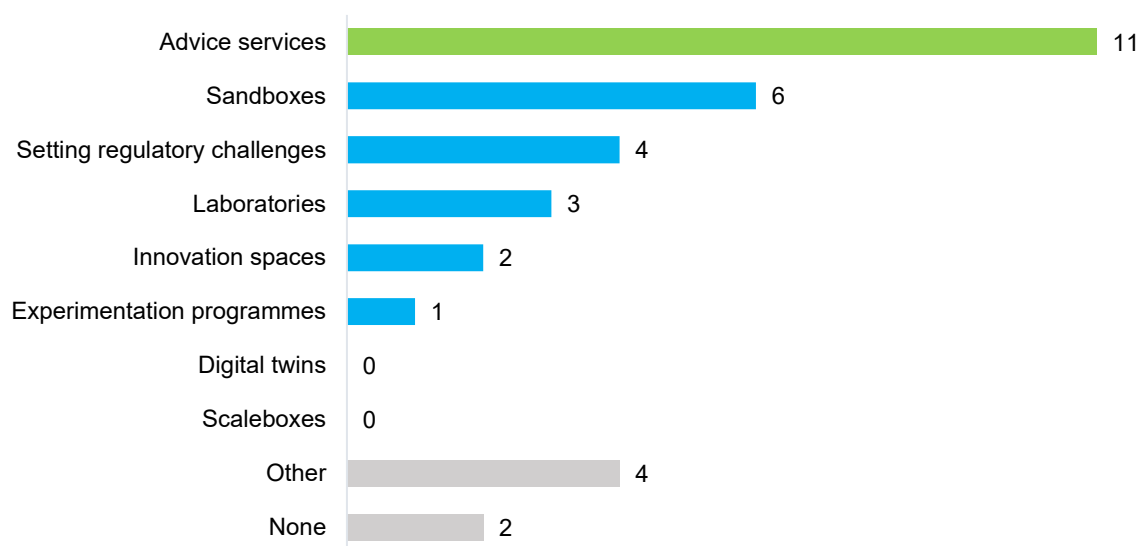
The majority of respondents (12 respondents) in the sample use scenario planning to explore alternative ways that a particular policy area might develop in the future. Again, considering the findings from [Question 5](#) that showed that resources are an issue for regulators in the sample, this may suggest why respondents are currently not using scenario planning for more in-depth considerations beyond how a policy area might develop in the future. However, this cannot be determined without additional research.

Experimentation

Existing literature on anticipatory regulation heavily focuses on the need to create environments where new products and services can be tested, developed, and supported. By working together, businesses and regulators can learn and evolve together; using experimental regulation to guide this process and help innovative products and services reach the market. In the next section of the survey, the RHC was concerned with the ways that regulators are currently facilitating experimentation and the knowledge they have on new innovative technologies.

Question 12: Methods for encouraging experimentation

'How does your organisation currently encourage experimentation in your area of regulation?' (n=18)



The vast majority of respondents to the survey encourage experimentation in their areas of regulation (16 respondents). Advice services are the most common method that respondents in the sample use for encouraging experimentation in their area of regulation. Perhaps unsurprisingly, two of the more innovative methods – digital twins and scaleboxes – are not used by any organisation within the sample. Further exploration would be able to examine *why* this is the case for the regulators that were surveyed.

The range of methods used by regulators in the sample is between 1 and 5, while the average number of methods being used by them is 2.

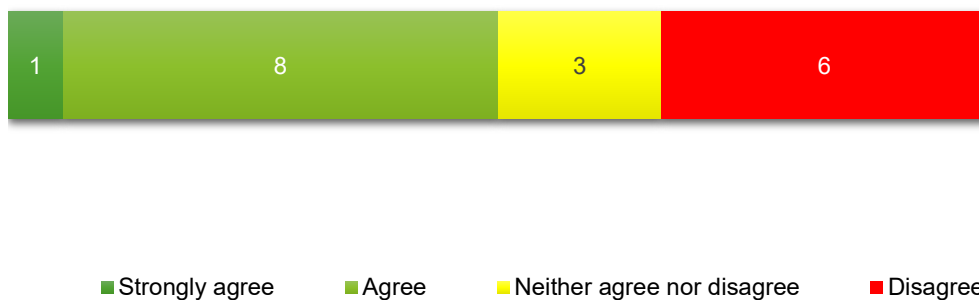
2 respondents indicated that their organisation does not currently encourage experimentation. Upon further inspection, there are some possible explanations for these responses. One of these respondents indicated in [Question 2](#) that innovation is neither important nor unimportant for their organisation and that there have been no significant innovations in the sector they regulate within the past 30 years ([Question 3](#)). For the other,

they specified in [Question 5](#) that a barrier to stakeholder engagement is a lack of resources – this link is more speculative as the question does not specifically refer to a barrier to experimentation, however, it is reasonable to suggest that this lack of resources may be impactful for that regulator encouraging experimentation with the sector they regulate.

Other responses for this question included: focus groups, research, working with a “tech partner programme”, innovation hubs, and grants for experimentation.

Question 13: Expertise in technological innovation

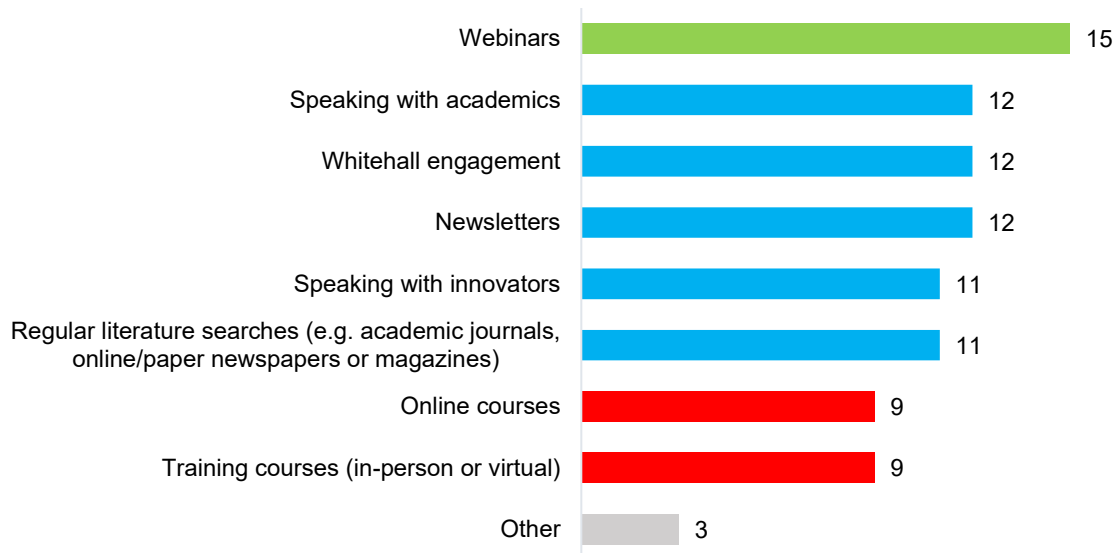
'To what extent do you agree or disagree that your organisation has sufficient expertise in technological innovations relevant to your area of regulation?' (n=18)



Opinions within the sample were split for Question 13. Half of the respondents agreed that their organisation has sufficient expertise in technological innovations relevant to their area of regulation (9 respondents), however, a third of the respondents disagreed with the statement (6 respondents).

Question 14: Keeping updated with technological developments

'How does your organisation keep up to date on the latest technological developments relevant to your area of regulation?' (n=18)



Findings from Question 14 indicate that the regulators in the sample generally stay up to date with the latest technological developments in their area of regulation. Webinars are the most common method for keeping updated (15 respondents), while online courses and in-person/virtual training courses were the least common (9 respondents).

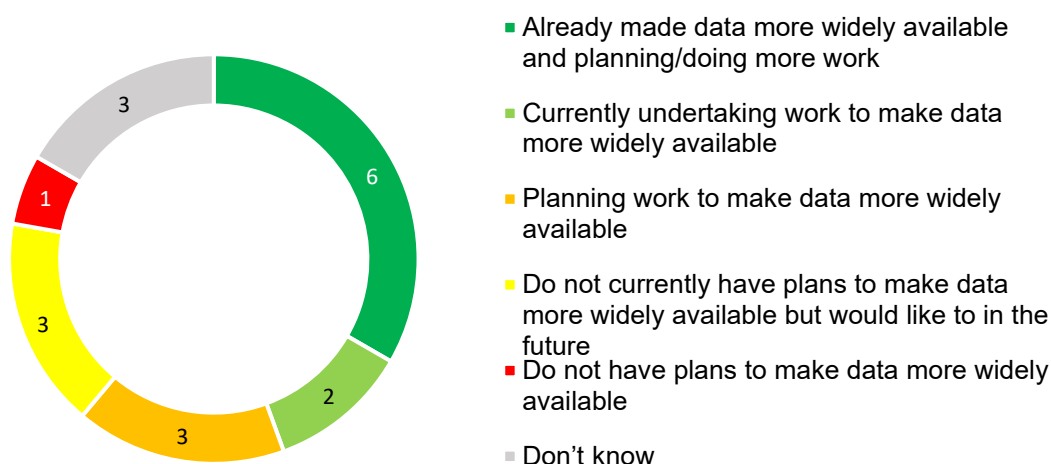
On average, the respondents in the sample use 5 methods to keep on top of technological developments. The range for the number of methods used by regulators in the sample is between 1 and 9. Of those respondents that indicated other methods, they stated that they use: research, international regulatory engagement, attendance/presentation at conferences, and speaking with their stakeholders in key technology areas.

Data driven

Bodies like the WEF⁶ emphasise that more and more businesses are adopting machine-consumable formats for regulations that can be interpreted by their internal systems. These data-driven approaches provide the possibility for clearer, speedier compliance at a reduced cost, as well enabling automatic updates in response to changes in rules. Across Questions 15 – 19 the RHC were interested in examining the ways in which regulators are currently making data more widely available and encouraging data driven regulatory practices.

Question 15: Data availability

'Which statement best describes the approach your organisation is taking to make regulatory data more widely available?' (n=18)



8 respondents within the sample indicated that they have previously or are currently doing work to make regulatory data more widely available. Of those within the sample that are not, there are 6 that are either planning to or have intentions to do so in the future. For the one organisation that indicated that they have no plans, they also indicated in [Question 2](#) that innovation is neither important nor unimportant, which could suggest why data availability is not appropriate for them. However, this cannot be determined without further examination.

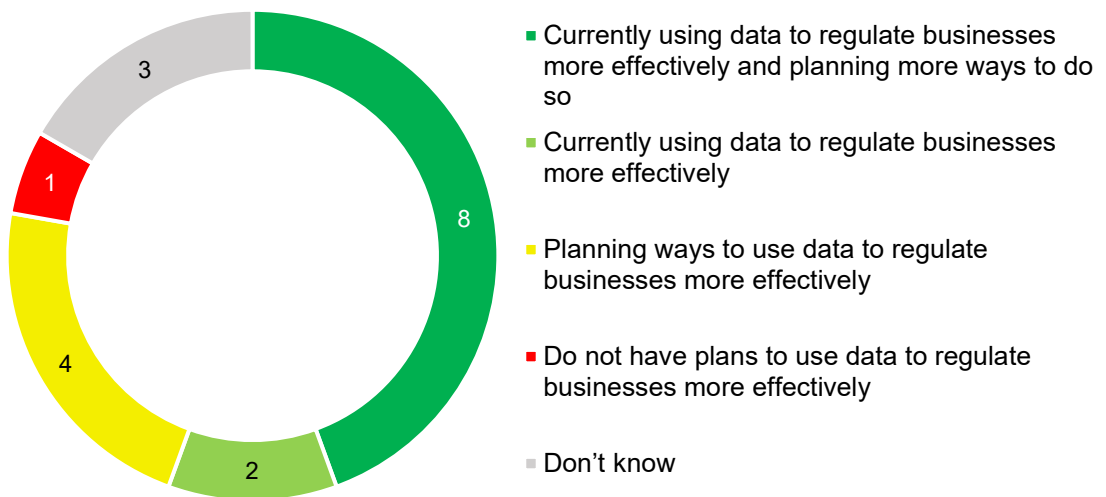
⁶ World Economic Forum, 'Agile Regulation for the Fourth Industrial Revolution: A Toolkit for Regulators', 2020, Available here: <https://www.weforum.org/about/agile-regulation-for-the-fourth-industrial-revolution-a-toolkit-for-regulators>

Question 16: Data availability (open-ended)

Respondents were asked to provide further detail of how their organisation makes data more widely available. Of the 9 respondents that did, the most common theme that emerged from the responses was publications (6 respondents). This includes publishing data, research, reports, and regulatory decisions. Full open-ended text responses can be viewed in [Annex A](#).

Question 17: Use of data

'Which statement best describes your organisation's use of data to regulate businesses more effectively?' (n=18)



Most organisations within the sample indicated that they are currently using data to regulate businesses more effectively (10 respondents), with 8 of them also indicating that they are planning more ways to do so. The one organisation that does not have plans to use data to regulate businesses more effectively is also, unsurprisingly, the same one that indicated in [Question 15](#) that they do not have plans to make data more widely available.

Question 18: Improving regulatory processes with data

'In what ways does the use of data by your organisation improve regulatory processes?'
(n=13)

Option	Count
Improving how the enforcement and monitoring of regulation is targeted (e.g. through the use of data analytics, artificial intelligence/machine learning to develop risk models)	11
Allowing for greater process efficiency and cost-cutting (e.g. through the use of RPA or the application of machine learning to automate operations)	5
Allowing the development of new capabilities (e.g. by using technologies such as sensors to collect data at a scale previously unfeasible)	2

13 of the sample provided a response to Question 18. Of those that did, the results show that the majority believe their use of data improves how the enforcement and monitoring of regulation is targeted. Only 2 respondents indicated that the use of data by their organisation allows the development of new capabilities. This may be due to the types of data that are currently being collected and used by the regulators in the sample, but it is not possible to say for certain from these findings alone.

Question 19: Improving regulatory processes with data (open-ended)

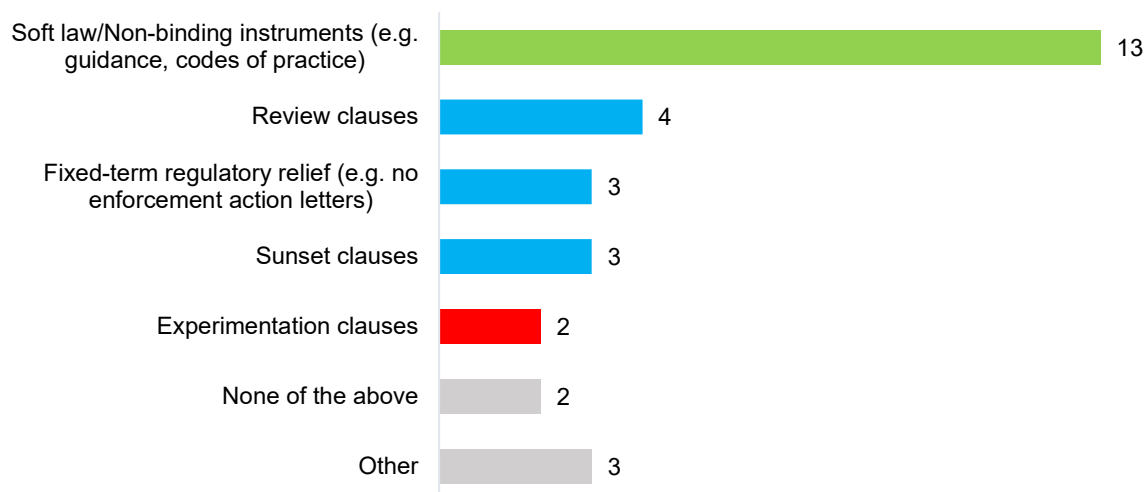
Respondents were then asked to provide more detail of how their organisation uses data to regulate businesses more effectively. 10 organisations in the sample provided responses. The most common themes were data collection & analysis (7 respondents) and risk assessment (2 respondents). The complete open-ended responses for Question 19 can be viewed in [Annex B](#).

Outcomes-based

The RHC supports the idea that while rules-based approaches have a role to play in ensuring protections, there is a balance to be struck. Continuing to move away from prescriptive, rules-based regulation towards an outcomes-based approach that focuses on high-level goals or outcomes could help to increase flexibility and encourage innovation. Question 20 aims to identify which regulatory instruments regulators are currently using.

Question 20: Regulatory instruments

'Which of the following instruments does your organisation currently utilise?' (n=18)



The most common instrument that respondents currently utilise are soft law/non-binding instruments such as guidance or codes of practice (13 respondents). The least common among the sample is experimentation clauses (2 respondents). The 3 respondents that selected 'Other', stated that they also use: 'letters of comfort', 'flexible permissioning', a 'process of exemption from regulations and specific experimental regulations [...]'⁷.

⁷ 'Process of exemption from regulations and specific experimental regulations exist within a range of our regulations.'

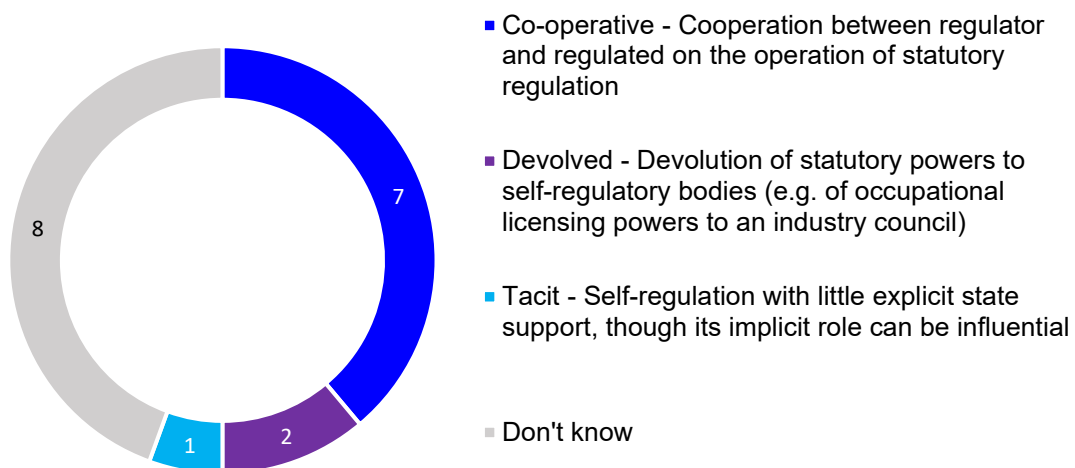
Joined-up regulation

One of the most effective ways to encourage innovation is by co-ordinating with other regulators, both nationally and internationally. Through these forms of collaboration, regulation can be better joined up and expertise can be efficiently shared; creating less burdensome systems for those that are being regulated.

In the final section of the survey the RHC wanted to explore the relationships that regulators have with one another; gauging what their interactions are like and what the challenges for more joined-up regulation may be. The findings from Questions 21 – 26 below explore this.

Question 21: Regulatory approaches

'Which of the following regulatory approaches do you think applies to your organisation?' (n=18)

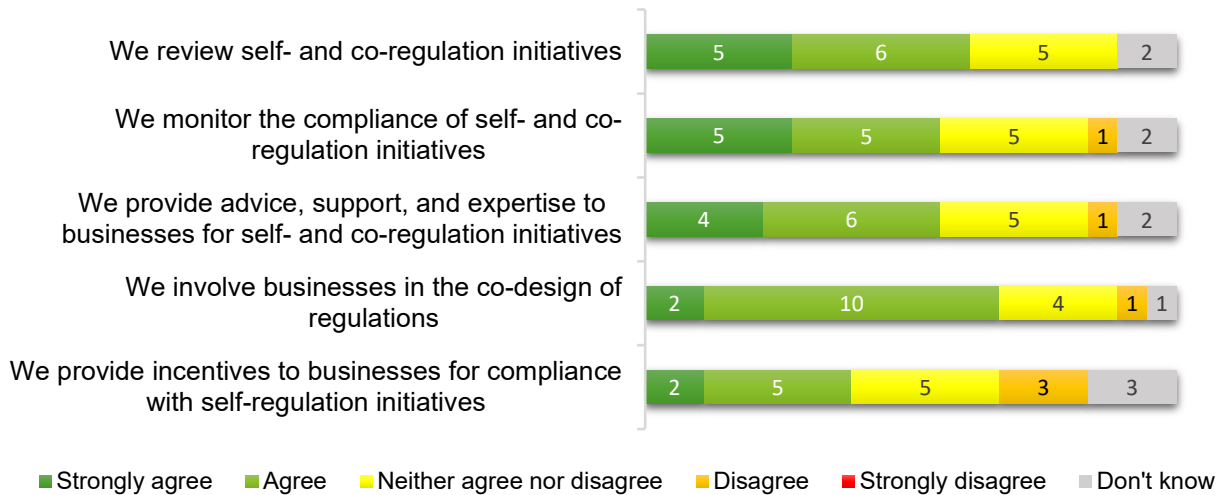


Unfortunately, almost half of the sample selected 'Don't know' for Question 21. This would suggest that the chosen wording for this question was perhaps not optimal and needed to be approached differently. The RHC will take this finding into consideration and strive to complete additional cognitive testing of its future surveys during development to help avoid similar difficulties.

Of the other 10 respondents, however, the majority selected 'Co-operative' (7 respondents). This indicates that, for those 7 organisations in the sample, they identify with having a more joined-up regulatory approach where they are actively working with those that they regulate.

Question 22: Statements about joined-up regulation

'To what extent do you agree or disagree with the following statements about your organisation?' (n=18)



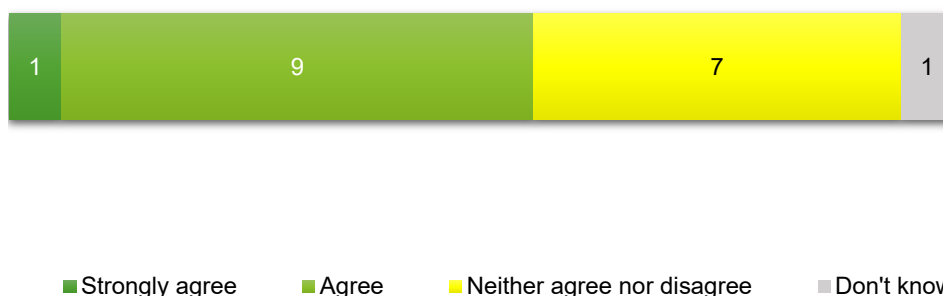
The results show that the majority of respondents agree with most of the statements in relation to joined-up regulation. A range of between 10 and 12 respondents agree that their organisation:

- Involves businesses in the co-design of regulations (12 respondents)
- Reviews self- and co regulation initiatives (11 respondents)
- Monitors the compliance of self- and co-regulation initiatives (10 respondents)
- Provides advice, support, and expertise to businesses for self- and co-regulation initiatives (10 respondents)

Opinions about whether their organisations provide incentives to businesses for compliance with self-regulation initiatives were, however, more split across the sample. 7 respondents agreed with the statement, while 8 indicated that they were either unsure or did not know. This statement also received the highest level of disagreement (3 respondents).

Question 23: Overlapping/misaligned remits

'To what extent do you agree or disagree that overlapping/misaligned remits are a challenge for your organisation?' (n=18)



Over half of the respondents (10 respondents) agree that overlapping or misaligned remits⁸ are a challenge for their organisation. The rest of the sample were either unsure or did not know (8 respondents). These findings would suggest that this issue warrants further investigation and potentially needs addressing.

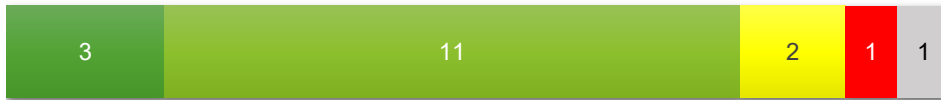
Question 24: Overlapping/misaligned remits (open-ended)

The survey then asked respondents to provide more information about how their organisation tries to resolve remit issues with other regulators. 7 responses were received and across all of them the central theme was collaboration. Respondents mentioned different groups – other regulators, Companies House, professional bodies – and that they aim to work with them to try and resolve these issues. The full open-ended text responses can be found in [Annex C](#).

⁸ In the survey, the following example was provided: '[...] in areas such as safety, data or the environment, which are important for many sectors which are themselves regulated.'

Question 25: Technologies “falling through the cracks”

*‘To what extent do you agree or disagree that technologies “falling through the cracks” is a challenge for regulators and a potential risk?’
(n=18)*



■ Strongly agree ■ Agree ■ Neither agree nor disagree ■ Disagree ■ Don't know

Technologies “falling through the cracks” relates to when technological innovations sometimes do not have an immediately clear regulator, particularly in instances when they span different sectors. The majority of respondents (14 respondents) agree that this occurrence is a challenge and potential risk for regulators.

When considered with respect to the findings from [Question 3](#) – where the majority of respondents indicated significant new innovations in their sector of regulation every year – then the results from Question 25 may warrant further investigation. If technologies “falling through the cracks” is viewed by regulators within the sample as a challenge and a risk, then this becomes a greater problem when there are technological innovations occurring so regularly. Wider research in the regulatory sector should be conducted to establish whether this is a widespread issue that needs to be prevented/responded to.

Question 26: International collaboration

'Which of the following actions does your organisation take with international partners?' (n=18)



The most common actions that organisations in the sample take with international partners are sharing knowledge and regular engagement (11 respondents). No organisation within the sample indicated that they unilaterally align with international partners through means such as 'one-stop shops'. 3 respondents indicated that they do not work with international partners at all.

Within the sample there were 3 respondents that selected 'Other', and within these responses, there was indication that one of the organisations chairs international groups and leads international missions.

Question 27: Additional views

To close out the survey, respondents were given an opportunity to provide any additional information in relation to pro-innovation regulatory principles. Of the 4 responses received for this question, there were no common themes that emerged. The full open-ended text responses can be viewed within [Annex D](#).

Annexes

Annex A – Question 16 – Open-ended text responses

Responses

‘Through reports on annual surveys. Publishing regulatory decisions’

‘Publication of companies that have been reviewed are now made public via the web’

‘Publication of reports and data on Gov.uk’

‘Working with others in the sector to understand how we can share the data we collect more widely so that different organisations are not asking for the same information from providers.’

‘We have a published Evidence and Data strategy.’

‘Considering use of API to enable transfer of data for industry use, identifying information not currently published and the benefits / challenges of publishing by default - whilst still adhering to relevant data legislation’

‘Currently working on updating internal regulatory processes through Well Informed Regulatory Decisions project which includes planned dutyholders portal for dutyholders to directly access regulatory information.’

‘Already provide activity data via data.gov as open data, and intend to make more data available as read only or for download’

‘Publishing environmental performance regulatory data online for stakeholders to access and view.’

Annex B – Question 19 – Open-ended text responses

Responses

‘We collect data from regulated entities on dimensions of risk to develop an overall risk profile for the entity.’

‘Expecting to consult on potential changes to regulatory framework later this year (around Autumn)’

‘We use data, and data analysts to target our audit processes. Data also influences the areas that we focus our standards and guidance on.’

‘We use data to ensure we take a risk-based approach to regulation. Data is collected from several sources and compiled to provide an overall risk picture.’

‘Sharing of data with OGDs to ensure that effective targeting and enforcement can take place and feed back to the regulatory role.’

‘Using regulatory intelligence data to better target interventions.’

‘The journey to digitisation of processes (and therefore data management) has only just begun and much more development (subject to finance availability) is planned’

‘To reduce time lag between events and regulatory decisions for managing compliance and enforcement.’

‘We have multiple examples of using machine learning and natural language processing to improve and streamline various processes. One example is the use of these techniques to identify non-compliant spectrum equipment for sale online. Other examples include using NLP to consider broadcast licensing complaints and twitter data. Finally, one of our newer capabilities is to use machine learning applications to understand and predict where instances of spectrum interference may occur.’

‘The [redacted for confidentiality] is currently exploring ways to utilise data more effectively to support its performance based oversight model of regulation.’

Annex C – Question 24 – Open-ended text responses

Responses

‘Close liaison with other legal sector regulators.’

‘More challenging in relation to FCA, who seem difficult to engage’

‘FCA, Companies House, Recognised professional bodies’

‘Meetings and discussions on general themes and specific cases’

‘We don’t have remit issues with other regulators, we do occasionally have remit issues with national government and devolved assemblies.’

‘Case by case consultation, or case referrals to other regulators.’

‘Resolution through collaboration.’

Annex D – Question 27 – Open-ended text responses

Responses

‘Often different parts of a regulator or its remit are in different spaces for innovation which this questionnaire doesn’t recognise. There is also something about the role of departments in spurring the cross-sharing between regulators.’

‘Thank you for the opportunity to comment on this survey. We have answered the questions the best we are able but many are not relevant to the function of this regulator the [redacted for confidentiality].’

‘Regulators are uniquely placed to stimulate and provide authoritative evidence for policy makers and those we regulate to enable evidence-based decisions on options for innovation, and safe adoption of innovative practice.’

‘Precautionary Principle MUST be incorporated into a holistic approach in combination with any innovation principles. There are opportunities to embed ethical business regulation approaches into any future pro innovation regulation principles.’



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