Department for
Business, Energy
& Industrial Strategy

Evaluation of the Provision of Services Regulations 2009

BEIS Research Paper Number: 2023/003

Contents

Glossary and definitions

Term or acronym	Definitions
Authorisation schemes	A scheme requiring a business to take steps to notify or obtain a decision from a competent authority for the purposes of securing permission to exercise a service activity. This includes licences, permits, certification, registration processes and approval systems.
Competent authority (CA)	A body with a regulatory or supervisory role over the provision of a service, such as a professional body (for example, the Institute and Faculty of Actuaries) or a central or local government authority. There are a wide range of CAs. Dependent on the sector, they may be a government department or an agency. They may have a national remit, or be limited geographically, as in the example of local government authorities. They may also be professional membership bodies, who undertake a regulatory role within the context of a legislative framework. A service provider may engage with multiple CAs to secure authorisation to deliver services.
EEA	European Economic Area
HMG	Her Majesty's Government
LA	Local Authority
NDCA	Non-Departmental Competent Authority. An NDCA is used in this report as an encompassing term to describe all competent authorities that are not local authorities or government departments (including devolved administration departments).
PoSRs	Provision of Services Regulations 2009
Service provider (SP)	A UK national or business undertaking established in the UK that provides or offers to provide a service. The term 'service provider' may be used

	interchangeably with the term 'business' from this point on.
Service recipient (SR)	A UK national or business undertaking established in the UK who uses or wishes to use services. The term 'service recipient' may be used interchangeably with the term 'consumer' from this point on.

1. Executive summary

1.1. Introduction

The Department for Business, Energy, and Industrial Strategy (BEIS) engaged Nous Group (Nous) to evaluate the Provision of Services Regulations 2009 (PoSRs) to understand their impact, assess the extent to which they remain fit for purpose, and identify areas for improvement.

The PoSRs apply UK-wide and aim to protect UK business and consumer rights by limiting the barriers to service delivery in the UK and mandating ease of access to information for service recipients. The PoSRs transposed the 2006 EU Services Directive into UK law in 2009. Since the exit of the UK from the EU, the scope of these regulations now applies only to UK nationals and businesses established in the UK. The Regulations are structured by Parts, outlined in Table 1. The report draws on survey and interview evidence to assess the extent to which these regulations remain fit for purpose and where they could be improved to meet their primary objectives of ensuring the regulation of service provision in the UK is conducted in a transparent, accessible, and efficient manner.

Table 1 | PoSRs by Part[1]

Part of the legislation	Duties for competent authorities, service providers and HMG
Part 1	Details on definitions, including of 'service' and 'competent authority'.
Part 2	Duties for service providers to provide contact details, other information, and a complaints process.
Part 3	Duties for competent authorities administering authorisation schemes to provide clear and non-restrictive schemes.
Part 6	Duties for competent authorities to have low burden requirements for documentation, provide electronic processes and not restrict certain activities and advertising of service providers.
Part 7	Duty for competent authorities to provide clear and unambiguous information electronically and report updates on their scheme to the Secretary of State (BEIS).
Part 8	Duty for the Secretary of State to provide an electronic assistance facility for users (GOV.UK Licence Finder Tool).

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[1] The Provision of Services Regulations 2009, Legislation.gov.uk, available at: https://www.legislation.gov.uk/ukdsi/2009/9780111486276/contents

The evaluation approach recognises that the Regulations were introduced more than a decade ago with no baseline or monitoring data established. Accurately attributing the short-term, and corresponding long-term impacts is therefore challenging. The focus of the evaluation is therefore the perceived effectiveness and impact of the PoSRs on competent authorities and service providers, and areas for improvement today. It also explores challenges more broadly in the regulatory landscape for service provision to assess a potential role for the PoSRs in addressing these.

It is important to note that the PoSRs support the UK Government's trade agenda by setting ambitious and binding upper and lower limits on the 'Domestic Regulation' commitments made in its Free Trade Agreements. These commitments play an important role to reduce administrative burdens for UK businesses applying for authorisations in trade partner countries, and for businesses from those countries seeking to provide services in the UK. Their repeal would therefore have major repercussions in international trade negotiations. The impact on the wider trade agenda was outside the scope of the data collection for this evaluation but will be important for BEIS to consider when weighing decisions about the recommendations in this report.

This evaluation is based primarily on data collected via surveys and interviews with competent authorities and service providers[2], specifically:

- A survey of 129 service providers developed by Nous, BEIS and IFF Research and distributed via the IFF Industry Pulse Research panel.

- Interviews with 16 service providers, conducted virtually between 7th March 2022 and 29th April 2022.

- A survey of 29 stakeholders from 28 competent authorities developed and scripted by Nous, with contacts identified by BEIS and Devolved Administrations (DAs) and distributed by BEIS directly. This survey asked questions about the most commonly applied to scheme that the respondent administered.

- Interviews with 24 competent authorities, conducted virtually between 10th February 2022 and 27th April 2022.

1.2. Summary of findings

The evaluation considered 4 evaluation questions:

1. Appropriateness: Are the desired outcomes for the PoSRs still appropriate?

2. Effectiveness: How effective are the PoSRs in creating the kinds of behaviours intended to achieve the desired outcomes?

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[2] There are limitations in interpreting the data in this report. The response rates were too low to generalise the findings to the wider population. The findings discussed in this report therefore reflect the views and experiences of the stakeholders that participated only. Further details are provided in our section on sampling.

3. Impact: What interim and long-term outcomes have been achieved as a result of the PoSRs?

4. Improvements: What changes could increase the impact of the PoSRs?

Are the desired outcomes for the PoSRs still appropriate?

The underpinning aims of the PoSRs, to reduce burden for businesses and protect consumer rights, received support. Competent authorities and service providers engaged in the research agreed that these were important aims. However, some were unsure about the purpose of the PoSRs since EU Exit, having been more familiar with the objectives of the EU Services Directive relating to the Single Market when it was first introduced. Similarly, some disagreed in principle that legislation is the right vehicle to achieve all these aims, calling for reduced legislation as a route to simplification for businesses.

The service and regulatory landscape has changed since 2009. The context has changed significantly since the introduction of the PoSRs in 2009. Principles of 'better regulation' which aim to create efficiencies and reduce burden have become more common and share the same intent as the PoSRs.

These observations raise the question of the ongoing relevance and effectiveness of the PoSRs for achieving their intended aims. The next section explores effectiveness in more detail.

How effective are the PoSRs in creating the kinds of behaviours intended to achieve the desired outcomes?

Findings suggest that the PoSRs are not as effective today as they could be for reasons outlined below.

Awareness of the PoSRs and their coverage was low among competent authority and service provider respondents. Only a small proportion of competent authorities had heard of the PoSRs prior to this research, and none were familiar with the contents. Awareness was lower still among service providers. This limited awareness meant stakeholders were unaware of whether they were compliant or not.

Obligations for service providers have become ingrained practice over time, despite little awareness of the Regulations. Service providers broadly reported that they provided the information outlined in the PoSRs to ensure smooth engagement with customers, including the widespread use of websites to share contact details. Most were aware that there was legislation surrounding this, although they could not identify it. They indicated market demand as a more pressing driver.

The design and administration of authorisation schemes broadly followed the duties outlined in the PoSRs but there were limitations to active compliance. Most competent authorities (78 per cent of the 29 surveyed and 96 per cent of the 24 interviewed) reported good practice in designing authorisation schemes which aligned with the PoSRs. However, compliance was rarely intentional but a result of adhering to other legislation or guidance which

aligned with the PoSRs. Many of the competent authorities felt the set of broad criteria laid out in the PoSRs for designing the conditions of authorisation reflected other legislation or guidance, including the UK Regulators' Code[3] and Licensing Act 2003[4].

However, there were examples of potential non-compliance in setting the rules for authorisation schemes. A small proportion (9 per cent) of 24 competent authorities interviewed who answered questions relating to the application of tests when considering applications noted that they applied tests around market demand; requirements that service providers provide proof of market demand are prohibited in the PoSRs. Service providers' reports of application processes confirmed this to be the case.

Some local authorities in the sample described concerns relating to perceived conflicts with other legislation, particularly relating to fixed licence renewal periods, where the PoSRs mandate indefinite periods. These points of identified conflict had led some local authorities to follow the legislation which they believed directly conflicted with the PoSRs, with one spending multiple years with lawyers attempting to resolve perceived conflicts with the Civic Government (Scotland) Act 1982 with no conclusion. In those instances, other legislation which was monitored and enforced had taken precedence. It is beyond the scope of this report to identify whether these were real or perceived conflicts.

Service providers in the sample were less satisfied than competent authorities that authorisation schemes were administered in line with the PoSRs. Where authorisation schemes diverged most from the intent of the PoSRs was in the administration of the schemes, particularly by local authorities. Some service providers reported lengthy waiting times for applications to be processed, unclear processes and limited support when going through the process. Challenges for local authorities usually related to time and resource constraints, on top of burdensome licence requirements.

The authorisation process was not fully digitised for some competent authorities and some competent authorities restricted service provider activities. Most competent authorities in this research administered online applications but the effectiveness varied, with many still not providing a digitised end-to-end process. Out of those interviewed, 5 competent authorities were able to recall a push to move online to comply with the PoSRs in 2009, none stated that the Regulations were the driver for online provision today. Two competent authorities indicated that the pandemic had sped up online efficiencies.

A minority of both competent authority and service provider respondents identified instances of restricting commercial communications or multi-disciplinary activities; however, these were likely to fall within the exceptions provided. Some competent authorities expressed a desire to restrict multidisciplinary service activities suggesting this may be an important element of the Regulations.

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[3] Regulators' Code 2014, Office for Product Safety and Standards, available at: https://www.gov.uk/government/publications/regulators-code
[4] Licensing Act 2003, available at: https://www.legislation.gov.uk/ukpga/2003/17/contents

There was little evidence that competent authorities reported scheme updates to the BEIS Secretary of State (BEIS SoS). Just 2 competent authorities that engaged in this research had reported updates on their schemes to BEIS SoS; the majority had not reported updates to anyone, and others had reported to another government department or their oversight regulator. Competent authorities in devolved administrations were less likely to see any role for the UK Government concerning their schemes. Competent authorities usually shared updates with stakeholders via their website, social media channels, consultation, or internal reporting.

What interim and long-term outcomes have been achieved as a result of the PoSRs?

The social research evidence suggests that the PoSRs represent good practice in the designing of authorisation schemes. Most stakeholders (91 per cent of 22 competent authority interviewees and 92 per cent of 13 service provider interviewees) reported that were the PoSRs, in their current form, to be removed, there would be little change in the way competent authorities run their schemes, or service providers share information. Breakdowns of service provider responses by sector and size can be seen in Appendix D. Over a third (37 per cent) of 19 competent authorities interviewed who answered this question perceived the principles of the PoSRs as solid and fair.

There were some examples of perceived non-compliance with the PoSRs among competent authorities, such as not providing an electronic application process or reviewing applications based on economic or territorial tests, and a generally poor experience of authorisation schemes for some of the service providers in this sample. This highlights potential opportunities and areas of further research that may increase the effectiveness of the PoSRs, enabling them to achieve the aims that most stakeholders agreed were appropriate.

What changes could increase the impact of the PoSRs?

There was an appetite for changes relating to the PoSRs and the regulatory landscape among respondents. A range of different suggestions were put forward by competent authorities and service providers. These are outlined below and described in further detail later in the report.

- Simplify the legislation and guidance.
- Share best practice and processes where possible, between authorities.
- Encourage and support competent authorities to develop more efficient and cost-effective schemes.
- Use the PoSRs as a catalyst to review and update other non-compliant and outdated legislation.
- Increase awareness of the PoSRs and what they mean in practice for competent authorities and service providers.

Additionally, some suggested that it may be appropriate to remove aspects, or all, of the PoSRs as the duties were seen as common practice.

Considering these suggestions and other findings, the recommendations are provided in Table 2 below. Our section on Recommendations later in the report provides further details, including considerations.

Table 2 | Recommendations

Part of the regulations	Recommendations
Overarching	1. Make the PoSRs guidance easier to digest by organising the duties into a more logical set of requirements, e.g., authorisation criteria; administration process; reporting etc. to improve interpretation (as per the evaluation framework).
Overarching	2. Develop an Engagement Strategy to: a) Explain the short and long-term objectives of the PoSRs to stakeholders post EU Exit to improve clarity on their purpose and to raise their profile to ensure compliance. b) Increase awareness of PoSRs amongst competent authorities through communication and training on the practical application of the Regulations to improve overall compliance. Prioritise delivery to groups of competent authorities based on the greatest expected impact for service providers and consumers (risk based, proportionate approach). Use existing local authority forums and establish forums for NDCAs. c) Share the findings from the legislative review to make it clear how the PoSRs interact with other legislation where there have been perceptions of conflict.
Part 1: Details on definitions, including of 'service' and 'competent authority'.	3. Improve information in legislation and/or in guidance around exemptions, including clarity on what exemptions mean in practice, e.g., 'official authority' to avoid accidental non-compliance.
Part 2: Duties for service providers to provide contact details, other	4. a) Review other legislation e.g., consumer rights and Consumer Contracts (Information, Cancellation and Additional Charges)

information and a complaints process	Regulations 2013 to identify any areas where the protections for consumers overlap. b) Subject to the findings of the work set out in 4(a) and the requirements of free trade agreements, consider repealing this element of the legislation based on the following perceptions from respondents: other drivers may place a greater imperative for businesses to comply with these duties; the range of avenues to provide information and complaints permitted in the PoSRs allow for broad compliance; other legislation may provide legal protection for consumers; and service providers largely call for reduced regulation.
Part 3: Duties for competent authorities administering authorisation schemes to provide clear and non-restrictive schemes.	5. Where CAs report to BEIS that conflicts exist between the PoSRs and other legislation, BEIS should work with all involved parties to seek a resolution.
Part 3: Duties for competent authorities administering authorisation schemes to provide clear and non-restrictive schemes.	6. Update PoSRs guidance to provide greater clarity and share good practice by: a) providing clearer information on 'reasonable' timescales for processing authorisation applications. b) highlighting positive changes such as flexible engagement with service providers and more efficient digitised processes. c) adding that competent authorities should regularly review and proportionately enforce compliance with their authorisations to increase their perceived value and scrutiny over the authorisation requirements.
Part 3: Duties for competent authorities administering authorisation schemes to provide clear and	7. BEIS to review whether some non-free trade linked provisions effectively contribute to PoSRs objectives and consider simplifying if needed.

non-restrictive schemes.	
Part 6: Duties for competent authorities to have low burden requirements for documentation, provide electronic processes and not restrict certain activities and advertising of service providers.	8. Government to share good practice for priority CAs (especially local authorities) to complete the transition to online authorisation processes to professionalise service standards for applicants, prioritising high-volume schemes and remaining live to digital exclusion risks.
Part 6: Duties for competent authorities to have low burden requirements for documentation, provide electronic processes and not restrict certain activities and advertising of service providers.	9. Include practical examples in the guidance on where it would be appropriate to restrict commercial activities due to overriding reasons relating to the public interest.
Part 7: Duty for competent authorities to provide clear and unambiguous information on request and report updates on their scheme to the Secretary of State (BEIS)	10. Increase awareness of the need and correct channels to provide scheme updates to BEIS SoS and introduce low burden monitoring of CAs' reporting. This should be undertaken through engagement with CAs and stakeholders that clearly explains the purpose and value of providing this information, i.e.. to enable SPs to navigate the licensing landscape. This could be included in the engagement strategy outlined in recommendation 2.
Part 8: Duty for the Secretary of	11. Review how effective Licence Finder is at enabling SPs to navigate the regulatory landscape. Identify whether SPs are

State to provide an electronic assistance facility for users (Government Licence Finder)	finding this useful, or if there are areas where functionality and coverage could be improved.

2. Introduction

The Department for Business, Energy, and Industrial Strategy (BEIS) engaged Nous Group (Nous) to evaluate the Provision of Services Regulations 2009 (PoSRs) to understand their impact, assess the extent to which they remain fit for purpose, and identify areas for improvement.

2.1. Background and context for the research

The PoSRs transposed the EU Services Directive 2006 into UK law in 2009

The EU Services Directive was adopted in 2006. The Directive was a response to evidence that the EU Single Market for services was not functioning as fully as it should be due to differing regulatory requirements regarding service provision across its members. The Directive aimed to address these barriers and improve the functioning of the Single Market for services.

The original objective of the EU Services Directive was to create consistency in the services sector across the single market, facilitating trade and further opening the market to competition.

By late 2009, all EU countries were required to implement the Directive. In the UK, the PoSRs were the legislation that transposed the Directive into UK law. The Government at the time saw the 2006 EU Services Directive[5] as a positive opportunity to increase UK businesses' access to other Member States' markets, including through driving down the amount of time it takes to start a business to levels closer to those then found in the UK[6]. The policy objectives associated with implementing the PoSRs are outlined in Table 3 and taken from the impact assessment.

Table 3 | Original objectives for the PoSRs implementation

Areas of implementation	Policy objectives
Overall implementation of the Services Directive	Reduce the uncertainty and administrative costs that service exporters currently face, thereby: increasing the level of output and productivity, increase the welfare of individuals in the UK, creating employment opportunities across different service sectors and increasing trade,

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[5] Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market, Eur-Lex, available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32006L0123
[6] Explanatory memorandum to the Provision of Services Regulations, 2009, available at: https://www.legislation.gov.uk/uksi/2009/2999/pdfs/uksiem_20092999_en.pdf

	the choice and quality of services available to consumers whilst maintaining levels of consumer protection.
1. Point of single contact (PSC) UK established the Government Licence Finder, a website that provides information and through which the formalities and procedures can be accessed.	Simplify the legal and administrative processes for service providers, either establishing in the UK or providing services in the UK, by making all the information and support to businesses more readily available.
2. Administrative cooperation UK Established a National Liaison Point (NLP) to facilitate mutual assistance requests by directing regulators in other Member States to the relevant regulator in the UK.	Increase cooperation and the sharing of regulatory supervision between competent authorities across the EU, thereby: enabling a proper and more efficient supervision of services, ensuring control of service activities as well as reducing the burden on both competent authorities and service providers, and facilitating the establishment and free movement of services throughout the EU.
3. Quality of services Establish a 'consumer portal' (Article 21). Information on providers and their services (Article 22) as well as on the settlement of disputes will be made available (Article 27). To ensure that information about labels and quality marks is easily accessible to both providers and recipients, through the introduction of legislation or making it available on a website (Article 26).	Improve the level of information on the quality of services. It aims to promote high quality service provision and easier access to information about consumer rights on cross border trade in services within the EEA (by laying down means for encouraging the resolution of disputes). Increase consumer confidence and their ability to make well-informed decisions when purchasing services, especially from providers based in other Member States.
4. Screening existing legislation Screened national legislation, and for each piece of legislation, determined whether it was 'not in scope', 'in scope – justified' and 'in scope – not justified'. Where the legislation was deemed to be 'in scope – not justified', UK government was responsible for changing the legislation to ensure that it was compatible with the Directive.	Increase administrative simplification so that service providers across Europe will have fewer obligations to comply with, improving the competitiveness of the European services market.

The Government updated the Regulations to reflect the UK's position post EU Exit

The Government amended the legislation in 2018 to bring the original Regulations in line with the UK's pending exit from the EU in January 2020. The key change was to ensure that the PoSRs' deregulatory principles applied only for the benefit of UK nationals, and businesses established in the UK and formed under UK law; previously they applied for the benefit of EEA nationals and businesses. The Provision of Services (Amendment etc.) (EU Exit) Regulations 2018[7] were in turn amended by the Professional Qualifications and Services (Amendments and Miscellaneous Provisions) (EU Exit) Regulations 2020[8]. The PoSRs are retained EU law.

The PoSRs today maintain obligations on UK competent authorities to ensure that their regulation of service activity is proportionate and justified in the public interest (with the exception of 11 specified types of service activity such as financial services and healthcare). Competent authorities are the bodies responsible for setting rules and requirements that businesses must comply with, and those that are involved in authorising service providers. These bodies include local authorities, national regulators, licensing and authorisation bodies and other authorities such as professional bodies or bodies who maintain required registers[9]. The type of competent authority that service providers seek authorisation from depends on the type of service they want to deliver the location where it will be carried out. The operating procedures differ significantly by competent authority. Publicly run competent authorities (e.g., local authorities) may generally face greater resource constraints than those funded by members (e.g., professional bodies).

The PoSRs also contain obligations for service providers, and Her Majesty's Government (HMG). A service provider is a body or individual that provides or offers to provide a service within the UK. The Regulations:

- Prevent competent authorities from imposing disproportionate or unnecessary requirements on businesses established in the UK to provide services in the UK.

- Require competent authorities to, under certain circumstances, notify the Secretary of State for Business, Energy, and Industrial Strategy (BEIS) of new requirements affecting access to, or the exercise of, a service activity.

- Require the UK Government to maintain an online facility for information dissemination and access to authorisation application procedures.

- Set out the duties of businesses, detailing the requirements for contact details and other information to be made available for service recipients.

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[7] The Provision of Services (Amendment etc.) (EU Exit) Regulations 2018, legislation.gov.uk, available at: https://www.legislation.gov.uk/uksi/2018/1329/contents/made

[8] The Professional Qualifications and Services (Amendments and Miscellaneous Provisions) (EU Exit) Regulations 2020, legislation.gov.uk, available at: https://www.legislation.gov.uk/ukdsi/2020/9780348209471/contents

[9] Provision of services regulation guidance, Department for Business, Energy & Industrial Strategy, available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/975587/provision-of-services-guidance-march-2021.pdf

The purpose of the PoSRs today is to '*protect UK businesses and consumer rights*'[10]. The objectives formerly relating to the EEA around addressing barriers to the Single Market are no longer relevant and the Government has not formally updated the intended long-term objectives for the PoSRs. However, the following objectives from the EU legislation still appear relevant:

- A more coherent regulatory landscape in the UK for service delivery;
- Easier market entry for service providers and lower burden on service delivery;
- Increased competition between service providers;
- Increased choice and confidence for consumers in the quality of service provision.

Services covered by the PoSRs can be industrial or commercial in nature, a craft, or the activity of a profession and are normally provided in exchange for remuneration. The service can be business-to-business or business-to-individual activity; examples include serving alcohol, managing waste disposal, or practising as a chartered accountant. As mentioned earlier, a range of services are excluded from these provisions as follows,, which are set out in regulation 2:

- financial services,
- electronic communications services and networks,
- transport services,
- services of temporary work agencies,
- healthcare services,
- audio-visual services,
- gambling services,
- activities connected with the exercise of official authority,
- social services,
- private security services,
- services provided by notaries and bailiffs.

2.2. Evaluation aims and design

The research questions specified by BEIS in the tender for this evaluation were:

- What are the impacts of the PoSRs?
- To what extent are the PoSRs delivering on key objectives?

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[10] Provision of services regulation guidance, Department for Business, Energy & Industrial Strategy, available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/975587/provision-of-services-guidance-march-2021.pdf

The scope of this evaluation is to determine the impact of the PoSRs on competent authorities who administer authorisation schemes for service delivery, and service providers that apply to the schemes and have duties to provide service recipients with information.

This section outlines the conceptual approach to answering these questions and includes the high-level theory of change and evaluation framework which are both underpinned by the detailed programme logic in Appendix C.

The PoSRs theory of change provides the framework to understand effectiveness and impact

Figure 1 shows a high-level theory of change for this evaluation. It outlines the anticipated inputs, outputs and activities, interim outcomes, and long-term outcomes of the PoSRs. It also includes a set of evaluation questions which have guided the research. This provides a high-level view of our more detailed programme logic in Appendix B. The outputs/activities section of the theory of change translates the key obligations placed by the PoSRs on UK competent authorities, service providers and Her Majesty's Government (HMG).

The theory of change provides a basis for understanding:

- How the Regulations are expected to work and what intermediate outcomes must be achieved for them to achieve their overall objectives.

- How to measure implementation quality and quantity to understand why the change did or did not occur.

- The difference between implementation failure from theory or design failure.

Given the change in the operating context, outcomes relating to the liberalisation of the EEA and reducing export costs have not been translated into the theory of change or detailed programme logic.

Figure 1 | High-level theory of change for the PoSRs

INPUTS	OUTPUTS/ACTIVITIES	INTERIM OUTCOMES	LONG TERM OUTCOMES
2006 EU Service Directive applied to all EU countries, including the UK, implementation required by end of 2009 .... Government maintain PoSRs post EU-Exit	**SERVICE PROVIDERS (SPS):** • Understand which services fall under the PoSRs (Part 1) • Provide clear information and routes to complain for service recipients (Part 2) • Provide relevant details to CAs if/when requested (Part 2)	• Service recipients (SRs) have easy access to key details of services • It is easy for SRs to submit complaints • SPs have positive relationships with their customers • Increased competition between SPs due to transparent pricing	Improved ease of doing business and improved perceptions of the UK as a good place to do business .... Reduced barriers to market entry .... Increased competition between SPs .... Increased consumer choice .... Reduced prices (assuming the cost of admin is not passed onto consumers) .... Improved confidence in SRs of SPs .... Increased quality of services .... Increased consumer protection
	COMPETENT AUTHORITIES (CAS): • Understand which services and authorisation schemes fall under the PoSRs (Part 1) • Design conditions for service provider authorisation which are proportionate and justified by the public interest (Part 3) • Administer clear, proportionate, efficient and non-dissuasive authorisation schemes (Part 3, Part 6) • Provide info to BEIS Secretary of State on authorisation schemes and to SPs on request (Part 7)	• CAs have a clear understanding of whether their authorisation scheme falls under the PoSRs • SPs can easily understand and apply for a licence/registration to deliver a service • There are low barriers to market entry for SPs requiring a licence/registration to deliver a service • SPs can expand their business (through varied services), creating employment opportunities and can attract new customers without barriers • Government able to update Licence Finder	
	GOVERNMENT • Develops and maintains Licence Finder (Part 8)	• SPs can find relevant authorisation schemes in one place • SRs can see the required licences for SPs	

KEY EVALUATION QUESTIONS

APPROPRIATENESS		IMPACT & IMPROVEMENTS
Are the desired outcomes for the PoSRs still appropriate?	**EFFECTIVENESS** How effective are the PoSRs in creating the kinds of behaviours intended to achieve the desired outcomes?	What interim and long term impacts have been achieved as a result of the PoSRs? What changes could increase this impact?

Key evaluation questions

The theory of change and detailed programme logic informed our evaluation framework to guide our research. Table 4 below, provides a high-level summary which outlines the key and sub evaluation questions, and how we have addressed them to date. These questions provided a logical approach to structuring survey and interview questions. The analysis in this report is broken down by parts of the PoSRs to demonstrate compliance and the perceived benefits of compliance with different elements of the legislation.

Table 4 | High-level evaluation framework

Key Evaluation Theme	Key Evaluation Question	Sub-questions	Data source
Appropriateness: Are the desired outcomes for the PoSRs still appropriate?	To what extent do stakeholders feel the PoSRs objectives are still appropriate aims for the UK Government?	Which objectives remain relevant and a priority for Government and stakeholders in the post-EU context? What are CA and SP views on these aims?	Meetings with BEIS. Interviews with CAs and SPs
Effectiveness: How effective are the PoSRs in creating the kinds of behaviours intended to achieve the desired outcomes?	To what extent are stakeholders aware of the PoSRs?	To what extent are regulated organisations aware of / and understand the PoSRs? Do regulated stakeholders understand that they are in scope of the Regulations? What other relevant regulations sit within this regulatory landscape?	Desktop research. Meetings with BEIS. Surveys & Interviews with CAs and SPs.
Effectiveness	To what extent do SPs provide clear information and routes to complain to service recipients? (Part 2)	To what extent is this due to the Regulations? What is the time commitment required to provide this level of information to service recipients?	Surveys and interviews with SPs and CAs
Effectiveness	To what extent do CAs design conditions for authorisation which are proportionate? (Part 3)	To what extent is this due to the Regulations? What factors have constrained compliance with regulations? What have been the immediate benefits of adhering to these obligations? What have been the challenges associated with these obligations?	Surveys and interviews with SPs and CAs

Effectiveness	To what extent do CAs administer clear, proportionate, efficient, and non-dissuasive schemes? (Part 3 & 6)	To what extent is this due to the Regulations? What factors have constrained compliance with regulations? What have been the immediate benefits of adhering to these obligations? What have been the challenges associated with these obligations?	Surveys and interviews with SPs and CAs
Effectiveness	To what extent do CAs report updates to BEIS SoS? (Part 7)	To what extent are CAs aware of this requirement? To what extent do CA's update BEIS SoS? To what extent are CA's updating other bodies?	Surveys and interviews with SPs and CAs
Effectiveness	How effective is the Government Licence Finder? (Part 8)	To what extent are stakeholders aware of the Licence Finder? To what extent has it been used by stakeholders? To what extent does it support CAs in administering their authorisation schemes?	Surveys and interviews with SPs and CAs
Impact: What interim and long-term outcomes have been achieved as a result of the PoSRs?	What are the outcomes and impacts of the PoSRs?	What have been the perceived, and actual, long-term positive impacts? E.g., improved customer confidence and service; ease of doing business in the UK What have been the perceived, and actual, long-term negative impacts? E.g., lower barrier to entry resulting in a downturn in service quality	Interviews
Improvements: What changes could increase the impact of the PoSRs?	What changes could be made to support improvements in the service regulatory landscape?	What is the appetite for reform among stakeholders? What suggestions do stakeholders have for positive regulatory reform?	Interviews Surveys

3. Methodology

This section details the key steps taken in our methodology to address the aims of this research, including our approach to sampling and analysis.

3.1. Methodological research tools

Nous used a mixed methods approach to conduct this research, including desktop research, surveys, and interviews to provide qualitative and quantitative data. Each of these methods is outlined in further detail below.

Desktop research

Nous conducted a scoping exercise using desktop research (secondary research which involved collating and summarising data) to understand the PoSRs and the broader regulatory environment in detail. This research informed our theory of change and evaluation questions. The key research questions and documents reviewed are outlined in Table 5.

Table 5 | Desktop research questions and documentation

Research question	Documents reviewed
What are the obligations and intentions of the PoSRs?	The Provision of Services Regulations 2009 UK Guidance on the Provision of Services Regulations BEIS theory of change
What else is in the service regulatory landscape? What complementarity, overlap or conflict might exist in relation to the PoSRs?	The UK Regulators Code[11]; The Scottish Regulators' Strategic Code of Practice[12]; The Code of Practice on Guidance on Regulations introduced by the Northern Ireland Executive and NI Assembly[13] Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013[14] Licensing Act 2003[15]

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[11] Regulators' Code 2014, Office for Product Safety and Standards, available at: https://www.gov.uk/government/publications/regulators-code
[12] Scottish regulators' strategic code of practice 2015, Economic Development Directorate, available at: https://www.gov.scot/publications/scottish-regulators-strategic-code-of-practice/
[13] Code of Practice on guidance on regulations, Department of Enterprise, Trade and Investment, available at: https://www.executiveoffice-ni.gov.uk/code-practice-guidance-regulations
[14] The Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013, available at: https://www.legislation.gov.uk/uksi/2013/3134/contents/made
[15] Licensing Act 2003, available at: https://www.legislation.gov.uk/ukpga/2003/17/contents

	Complaints Handling Rules 2015[16]
	Better Regulation Framework[17]

Details of the research into potential overlaps with other regulatory levers is provided in Appendix A: Desktop research into other regulation.

Surveys

Two separate online surveys were conducted to capture the perspectives of competent authority and service provider stakeholders. Nous designed the survey questions based on the theory of change to provide insights into areas of compliance and non-compliance with the PoSRs as well as the impacts of different provisions and potential areas for improvement. Survey questions asking explicitly about authorisation schemes related to the most administered scheme for competent authority respondents and the most recently applied to scheme for service provider respondents.

IFF Research reviewed, scripted, and managed the survey for service providers via the IFF Industry Pulse Research Panel. Nous scripted and managed the competent authority survey.

Both surveys were open for 3 weeks from 21st March to 8th April. The competent authority survey deadline was extended for a further 2 weeks to 22nd April.

Interviews

Nous conducted semi-structured interviews with competent authority and service provider stakeholders alongside the survey research. This included a small number of pilot interviews designed to test and refine our survey and interview questions.

Interview questions aimed to elicit more detailed insights into competent authority and service provider awareness of the PoSRs, perceptions around optimum authorisation schemes and the key opportunities for improvement in the regulatory landscape to inform recommendations. Interviews also ensured that we heard perspectives of relevant people within stakeholder organisations (i.e., individuals responsible for administering or applying to authorisation schemes).

Each interview lasted between 45-60 minutes and fieldwork was conducted virtually by Nous researchers using Microsoft Teams video conferencing software between 7th February and 29th April 2022.

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[16] Complaints Handling Rules 2015, Ministry of Justice, available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/387882/CMR_Complaints_Handling_Rules_2015_WEB.pdf
[17] Better regulation framework, Gov.uk, available at: https://www.gov.uk/government/publications/better-regulation-framework

3.2. Sampling

Nous set out target samples for competent authority and service provider engagement in the scoping stage of this research. These targets proved challenging to achieve, despite BEIS and Nous pursuing multiple channels and extending survey and interview deadlines to increase engagement. Lower response rates mean many of the policy recommendations included in this report will be subject to additional review or consultation.

Overall engagement with competent authorities was proportionally much higher than engagement with service providers, given a contactable sample of an estimated 500 competent authorities[18] and 2.46 million service providers[19] in scope of the PoSRs. Table 6 shows the percentage of the competent authority and service provider populations covered by discrete engagements (unique survey responses and interviews) in our sample.

Table 6 | Discrete stakeholder engagements as a proportion of population size

Stakeholder group	Discrete engagements	Proportion of population
Competent authorities	46	9.37%
Service providers	128	0.005%

A full engagement summary, including a detailed breakdown of the sampling approach taken can be seen in Appendix D: Engagement summary.

3.3. Methodological limitations

There are limitations in interpreting the findings from this research related to our sample size and sampling methods. These limitations mean that our evaluation findings should be treated with caution, as indicated in Table 7.

Table 7 | Sample limitations and implications for evaluation findings

Type of limitation	Details	Implications for evaluation findings
Survey response rate	The competent authority sample size (n=29) is too low for results to be significant at a 95 per cent confidence	The response rate for competent authorities is too low to extrapolate findings to the wider population. Findings related to self-assessed compliance with the PoSRs and views on the

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18 Based on a contactable sample of Competent Authorities in the UK provided by BEIS.
19 UK business; activity, size and location: 2021, Office for National Statistics, available at:
https://www.ons.gov.uk/businessindustryandtrade/business/activitysizeandlocation/bulletins/ukbusinessactivitysizeandlocation/2021

	level using a +/- 10 per cent margin of error. The service provider sample size (n=126) is significant at a 95 per cent confidence level using a +/- 10 per cent margin of error. However, the subset of respondents who had applied to an authorisation scheme (n=65) is not significant.	impacts and improvements should only be considered reflective of participating stakeholders. Evaluation findings around Part 2 of the PoSRs (duty for service providers to provide contact details, other information, and a complaints process) are more likely to reflect the views and experiences of the wider population because they are based on the total service provider sample size. The response rate for service providers using authorisation schemes is also too low to extrapolate findings to the wider population. Findings related to the experience of applying to schemes and views on impacts and improvements should also only be considered reflective of participating stakeholders.
Survey sampling bias	Survey responses were reliant on volunteers from the competent authority population and from service providers from the Industry Pulse Research Panel administered by IFF Research. This introduces risks of self-selection, non-response and for service providers, pre-screening bias.	Sampling bias limits the ability to use our evaluation findings to make inferences across the wider competent authority and service provider populations.
Interview sampling bias	Interviews were reliant on convenience sampling, based on accessibility and availability. This introduces the risk of both self-selection and non-response bias. Most service provider interviews were also reliant on volunteers from survey respondents, introducing some pre-screening bias.	Sampling bias limits the ability to use our evaluation findings to make inferences across the wider competent authority and service provider populations.
Interview sampling under coverage	We did not receive enough interview volunteers to cover all the relevant variables in our target sample. Notable gaps are provided in Table 18.	Our evaluation findings do not include perspectives from some subsets of the wider competent authority and service provider populations (e.g., service providers operating in Wales and Northern Ireland) who may have different experiences relating to awareness, compliance, and impact of the PoSRs.

Interview coverage of mandatory and voluntary schemes	Service provider interviewees were selected based on responses given to the service provider survey. In the survey, authorisations were defined as schemes where a business or individual needs permission of, or must notify, a competent authority in order to undertake a service activity, therefore covering mandatory schemes to which the PoSRs apply. Despite this definition, some service provider respondents may have been referring to their experience with applications to voluntary schemes.	This needs to be considered when interpreting the findings in this report, as some interview responses reflect experiences with voluntary schemes, not covered by the PoSRs. Nevertheless, experience with applications to any schemes - whether voluntary or mandatory - provides a wealth of considerations that will be applicable to schemes covered by the PoSRs.

3.4. Analysis

The evaluation used a combination of quantitative and qualitative approaches to analyse research outputs, outlined below.

We attempted to establish a counterfactual to help measure the impacts of the PoSRs, (comparing the current state with alternative scenarios, including the removal of the PoSRs), but the fieldwork did not allow for attribution of behaviours to the Regulations, which made this unviable. Our analysis was informed by the perception of impacts as opposed to the measurement of impacts themselves since many of the impacts of the PoSRs cannot be quantified or accurately defined.[20]

Quantitative analysis

Survey analysis was jointly completed by IFF Research and Nous. IFF Research conducted an initial analysis of the service provider survey responses and provided cleaned, anonymised data tables. Nous conducted all data preparation and analysis for the competent authority survey results and produced charts to present the findings of both surveys in this report.

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[20] A high-level cost benefit analysis (CBA) was originally planned to help assess the quantitative impacts of the PoSRs. However, the absence of baseline or monitoring data, the time elapsed since the Regulations were introduced and limited stakeholder awareness of the Regulations made it very difficult to attribute costs or benefits. Both competent authorities and service providers found it difficult to estimate any costs incurred in meeting the requirements of the PoSRs, which would have been key to any CBA. Given any CBA would rely heavily on assumptions and estimates BEIS and Nous determined it would not add value to the evidence base for this research.

Both sets of survey results are unweighted, i.e., adjusted to correct for imbalances between the survey sample and the population.[21] The findings presented are therefore representative of the respondents only.

IFF Research and Nous produced breakdowns of all survey questions by key variables for each stakeholder group. In the report, we have only highlighted breakdowns where there were enough responses to draw out meaningful findings from the survey population, although these still have their limitations. Additional breakdowns that are not included in the body of the report can be found in Appendix C: Quantitative data. 'Don't know' or 'prefer not to say' responses have not been included in some tables and figures for simplicity, as the proportions were often negligible and did not add to the overall narrative. Consequently, not all figures will necessarily sum to a total of 100 per cent. Figures may also not add to a total of 100 per cent if the response allowed for multiple answers. Where all responses have been included, figures may not sum to exactly 100 per cent due to rounding.

Qualitative analysis

Nous analysed all qualitative outputs from the interviews against the key evaluation questions for this research. Nous developed coding frameworks for competent authority and service provider interviews to categorise themes against each question as they arose and to assess the weight of themes overall for each stakeholder group and by stakeholder type. Manual inductive coding was used throughout the process to capture themes.

Open-text survey responses were also analysed and coded separately from the interview outputs. All findings related to these responses are signposted in the report.

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[21] Weighting the results would further reduce the effective sample sizes of the responses and was therefore not considered appropriate due to the already small sample sizes.

4. Findings and discussion

This section outlines the findings from the research against our key evaluation questions:

1. Appropriateness: Are the desired outcomes for the PoSRs still appropriate?

2. Effectiveness: How effective are the PoSRs in creating the kinds of behaviours intended to achieve the desired outcomes?

3. Impact: What interim and long-term outcomes have been achieved as a result of the PoSRs?

4. Improvements: What changes could increase the impact of the PoSRs?

The report discusses each of these below, highlighting areas for further exploration as the research progresses.

4.1. Are the desired outcomes for the PoSRs still appropriate?

To successfully assess the effectiveness of the PoSRs and whether they are delivering on their key objectives, it is important to understand the appropriateness of those objectives today. As outlined in section 1, the PoSRs aim to 'protect UK businesses and consumer rights. In a post-EU Exit context, key longer-term objectives include:

- A more coherent regulatory landscape in the UK for service delivery,

- Easier market entry for service providers and lower burden on service delivery,

- Increased competition between service providers,

- Increased choice and confidence for consumers in the quality-of-service provision.

The underpinning objectives of the PoSRs received support

Most competent authorities interviewed thought that the objectives of the PoSRs remain fair and reasonable today (66 per cent of 15 who answered this question). A common theme was that protecting the public, and the environment, should be the priority aim of any authorisation scheme without creating unnecessary burden. Similarly, 66 per cent of the 12 service providers that responded to this question in interviews cited public safety and ease of doing business as important objectives for the UK Government. One of the respondents highlighted the more pressing need to make it easier to set up and deliver services in the UK following economic challenges post-COVID-19.

Competent authorities and service providers interviewed that disagreed with the claim that the objectives were still relevant, usually referred to the legislation as unnecessary rather than the

objectives themselves. Competent authorities argued that there was more relevant legislation for their sector with similar objectives and those service providers who disagreed with the objectives usually disagreed with the necessity of regulation in this area in principle. A director of a property service provider suggested that changes in the service landscape meant that the UK is 'beyond the principles of these regulations.' This is explored in the next section.

Figure 2 | Comments relating to the PoSRs objectives

"The [PoSRs] objectives are even more important now – businesses had closures or came close to going out of business. It's really important to offer realistic fees and the right information to provide services safely." (Local authority, England, Interviewee)

"The only important thing for us is ensuring environmental and public safety – it's an open door and we'll let you do it as long as you are doing no harm." (Non-departmental competent authority (NDCA, Northern Ireland, Interviewee)

"I think it's a really good idea. Not great that a regulator can just set its own rules, and no one questions how and why it does it. It sounds like a really good thing. De-regulation has greater opportunities for abuse." (Service provider (small), England, Interviewee)

"They are good aims for this extra bit of activity, but it does require that the underlying regulation is desirable and provide a beneficial outcome. The core of the regulation does not do this." (Service provider (micro), England, Interviewee)

The regulatory landscape for services has changed since 2009

The obligations for UK competent authorities and businesses have remained largely unchanged but the regulatory landscape for services has changed significantly since 2009.

De-regulation and better regulation have been a consistent theme of UK Government priorities since the 1980s; however, in the early stages, the focus was on how legislation was developed, rather than the behaviour of regulatory bodies. Milestones on this route include the publication of the Hampton Report on reducing administrative burdens through effective inspection and enforcement (2005)[22], which was followed by a centrally run review of the operations of regulators. A coherent set of expectations of regulators was defined in the Regulators Code, which has been updated, most recently in 2014.

There are several perceived high-level overlaps between the Regulators' Code and the PoSRs (outlined in Table 11 and Table 12 of Appendix A: Desktop research into other regulation). These overlaps are likely to lead to similar outcomes for service providers, although the PoSRs' requirements are statutory, whereas the Regulators' Code is non-binding guidance. For example, Part 3 of the PoSRs sets out criteria for authorisation schemes, which includes principles of proportionality and transparency, as examples. The Regulators' Code sets out similar more general principles which overlap and complement the PoSRs at a high level, such

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[22] Reducing administrative burdens: effective inspection and enforcement, HM Treasury, available at: https://www.regulation.org.uk/library/2005_hampton_report.pdf

as 'regulators should choose proportionate approaches to those they regulate'. Table 12 of Appendix A: Desktop research into other regulation).

Developments in the UK regulatory landscape encouraged the development of EU legislation informed by Better Regulation principles. The UK worked with Germany and other countries to encourage the adoption of best regulatory practices at the EU level, building on initiatives that were deployed at a national level.

Although regulatory environments do not change overnight, the UK has continued its push towards reduced burdens for businesses, under the umbrella of a variety of Better Regulation policy initiatives over the past decade. While the progress of individual initiatives has been variable, there is a consistent drive towards simplification and efficiency, with an increasing focus on the role that regulators play in influencing the environment for economic growth.

These shifts in the landscape suggest that regulators are more likely to be putting in place the sorts of practices that the PoSRs mandate. This raises questions about the role of the PoSRs in achieving their outlined objectives today relative to 2009.

4.2. How effective are the PoSRs in creating the kinds of behaviours intended to achieve the desired outcomes?

This section assesses the effectiveness of the PoSRs through an exploration of awareness and compliance, taking each of the parts of the regulation in turn.

In summary, the data suggests that compliance amongst competent authority and service provider respondents was relatively high despite low awareness of the PoSRs. In the case of service providers, this was usually because they perceived more pressing drivers for providing the information mandated in the PoSRs. For competent authority respondents, this was because compliance was usually a result of adhering to other aligned legislation. However, there were challenges evident, particularly for local authority respondents. Several local authorities raised issues of potential non-compliance due to perceived conflicts in legislation. There were also limits on the effectiveness of practice aligned to the intent of the PoSRs due to capability and resource constraints in some local authorities. The analysis relating to these findings is laid out by parts of the PoSRs below.

Part 1: Awareness of the PoSRs and their coverage was low among competent authority and service provider respondents.

Part 1 of the PoSRs includes definitions, the services that it covers, and those that are exempt from the duties outlined.[23]

This section explores awareness of the Regulations across the sample of competent authorities and service providers featured in this research, including an understanding of the

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[23]The Provision of Services Regulations 2009, Part 1, legislation.gov.uk, available at: https://www.legislation.gov.uk/uksi/2009/2999/part/1/made

services and types of authorisation schemes within the scope of the Regulations. The findings demonstrate low awareness across the stakeholders within the sample and some confusion about whether their business or authorisation scheme was in scope. The analysis is outlined below.

Awareness of the PoSRs was low among interview and survey participants, particularly service providers

Service providers were least likely to demonstrate awareness of the PoSRs, with only 13 per cent of survey respondents stating that they were aware of the Regulations prior to their engagement with this research (Figure 3). Awareness was higher among micro (17 per cent) and large service providers (25 per cent)[24]. Just 1 of the service providers interviewed was aware of the PoSRs and its obligations under them. This firm had a dedicated licensing team who kept abreast of regulatory requirements. A further breakdown of service provider awareness of the PoSRs by sector can be seen in Appendix D.

Figure 3 | Awareness of the PoSRs by size of service provider

Question: Were you aware of the Provision of Services Regulations before you were invited to participate in this survey?

	n = 126	n = 66	n = 41	n = 14	n = 5
Yes	13%	17%	7%	14%	20%
No	83%	80%	90%	79%	60%
Don't know	4%	3%	2%	7%	20%
	All business sizes	Micro <10 employees	Small 10-49 employees	Medium 50-249 employees	Large >250 employees

Base: All respondents

Source: Survey of the IFF Industry Pulse Research Panel managed by IFF
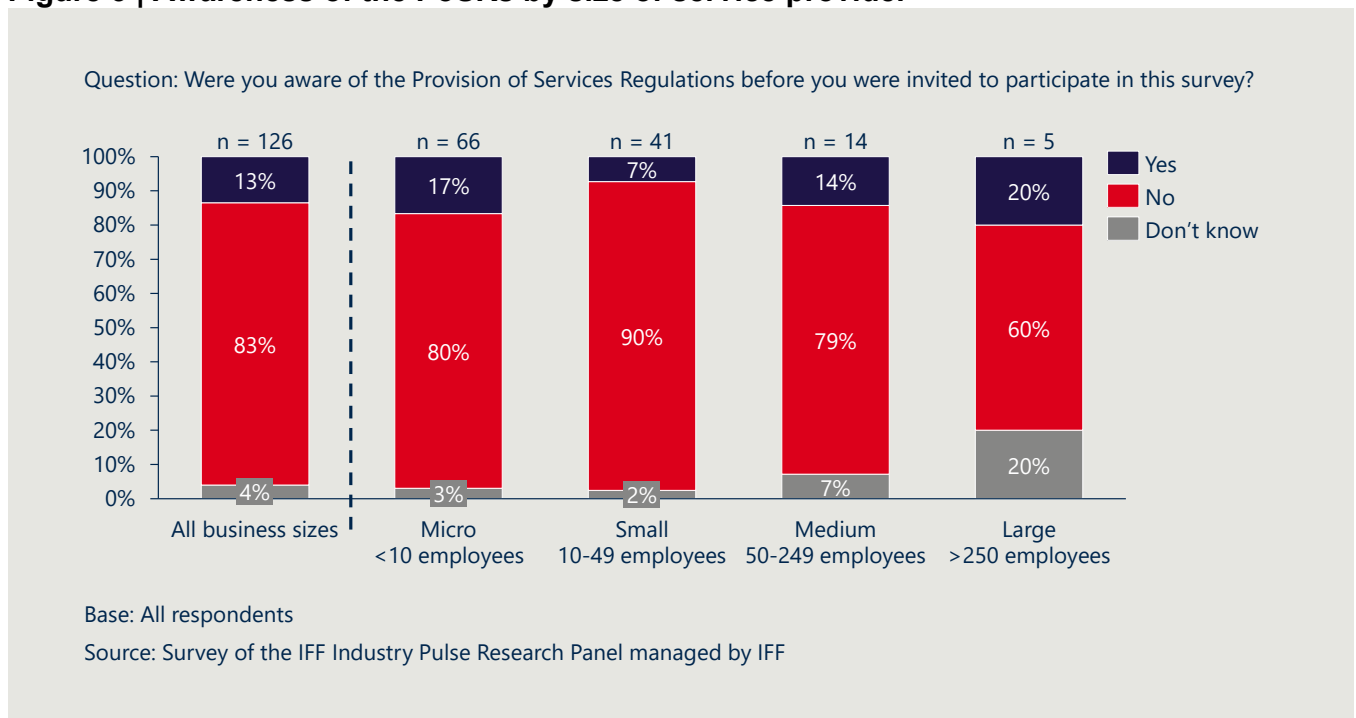
Awareness of the PoSRs among competent authority stakeholders in our sample was higher than among service providers. Over half (55 per cent) of the 29 competent authorities surveyed were aware that their authorisation scheme was in scope of the PoSRs. Local authorities were more likely to be aware than other types of authorities (Figure 4). A significant minority (42 per cent) of competent authorities interviewed were aware of the PoSRs prior to engaging with Nous; however, none were familiar with the content of the legislation having not referred to it for some time. Of the subset of competent authorities interviewed that were aware of the PoSRs, 3 felt it was clear that their scheme, or schemes, were in scope. A further 2 noted that the UK Guidance on the PoSRs made it clear, 1 felt it was opaque on reading the guidance

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[24] Only 5 large service providers responded to the survey, therefore these results should be interpreted with caution.

and others had not engaged with the guidance. The competent authority who felt it was opaque was unclear about the scope of the exclusion for activities connected with the exercise of official authority.

Figure 4 | Awareness that their authorisation scheme was in scope of the PoSRs by type of competent authority

Question: Before today, were you aware that this authorisation scheme falls under the Provision of Services Regulations?

	n = 29 All competent authorities	n = 21 Local authorities	n = 8 Non local authorities
Yes	55%	62%	38%
No	45%	38%	63%

Base: All respondents.

Source: Survey of competent authorities

Figure 5 | Comments relating to awareness of the PoSRs

"When we were part of the EU, we knew we had responsibilities under that Directive, but these didn't impact us too heavily. There is more direct regulation that exists." (NDCA, All of UK, interviewee)

"For some time, there was a question whether property licensing fell within it. It's not immediately obvious – you have to go have a look and investigate. I think the guidance documents are pretty clear." (Local authority, England, Interviewee)

"Not aware of them. However, there are a whole host of laws and regulations that no one has heard of." (Service provider (large), England, Interviewee)

"We have a central management system and a team that provide our staff with information about licences. We also have external advisors on regulation." (Service provider (large), All of UK, Interviewee)

Part 2: Duties of service providers were seen as common practice by respondents, despite low awareness.

Part 2 of the PoSRs outlines a set of statutory duties for service providers to make information available to recipients, including contact details, prices, or access to quotes and provide a

complaints process. The information can be provided via several methods, including through their websites, contracts or, where permitted, on request.[25]

This section explores compliance with the duties set out in Part 2 among the sample of service providers in this research. The data shows that awareness of these requirements was low within this sample and that they perceived other more pressing drivers for sharing information with their customers. The analysis is detailed below.

Compliance with the PoSRs was high among service providers in the sample, but not due to deliberate alignment to the legislation

All service providers interviewed felt that they complied with this part of the PoSRs, by providing information to customers either on their website, via contracts or on request. Survey results highlighted that this information was often shared offline rather than on the website (Figure 6). The provision of contact details on service provider websites was relatively high at 87 per cent amongst those who responded to the survey; however, the provision of other points of information, such as a complaints procedure or regulatory information via the website were at 40 and 47 per cent, respectively. Although formal provision was lower, interviewed service providers cited contact details on their website as the primary route of accepting complaints, which is permissible in the PoSRs.

Figure 6 | Summary of information provided by service providers

Question: Does your business currently provide the following information online for customers?

n = 126

Base: All respondents

Source: Survey of the IFF Industry Pulse Research Panel managed by IFF

Note: The responses for two questions have been combined to produce this information in 'price or quote' column

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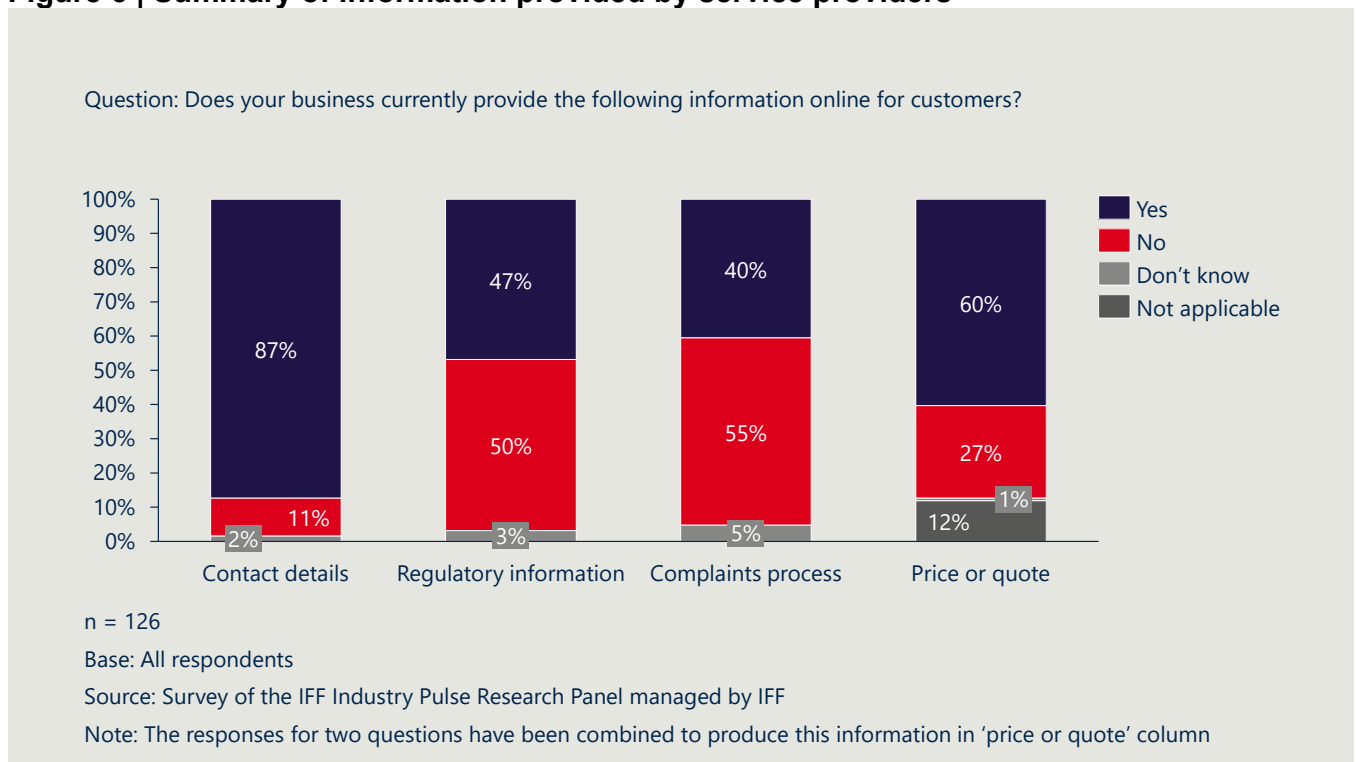
[25]The Provision of Services Regulations 2009, Part 2, legislation.gov.uk, available at:
https://www.legislation.gov.uk/uksi/2009/2999/part/2/made

Figure 7 | Comments relating to obligations of service providers under the PoSRs

"We do provide information on request. People approach us and we give specific details to individuals through phone or email correspondence." (Service provider (small), Scotland, interviewee)

"I provide all information on request as it is all stuff you need to do at the beginning of a job. I set up a website, but I don't use it… I work from home, I'm a one-man band." (Service provider (micro), England, interviewee)

The drivers for service providers' compliance were rarely related to the PoSRs

Feedback from service providers demonstrates that the provision of this information was driven largely by market demand. The majority (79 per cent) of survey respondents that supplied some of or all this information upfront cited improving customer experience and 60 per cent cited the need to attract more customers. A minority (27 per cent) cited compliance with other relevant legislation as a driver and 20 per cent cited the PoSRs; however, this was greater than the number who had cited awareness of the Regulations suggesting this may be overstated. This breakdown can be seen below in Figure 8. No provider stated the PoSRs as the sole driver for providing this information.

Although service providers in our sample did not point to exact legislation (the survey did not include an open-text option and only 1 interviewed service provider broadly referred to legislation as a driver), desktop research suggests that the PoSRs may overlap with the Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013. The potential overlap relates to statutory requirements for service providers to make certain information available to consumers, such as contact details, prices or quotes, complaints processes, etc. Further details are in Appendix A.

Figure 8 | Drivers for providing information to customers

Question: Why do you provide this information to customers?

n = 115

Base: Businesses that provide ANY information online for customers

Source: Survey of the IFF Industry Pulse Research Panel managed by IFF

Note: This question allowed for multiple answers, so the total of the responses may be greater than 100%
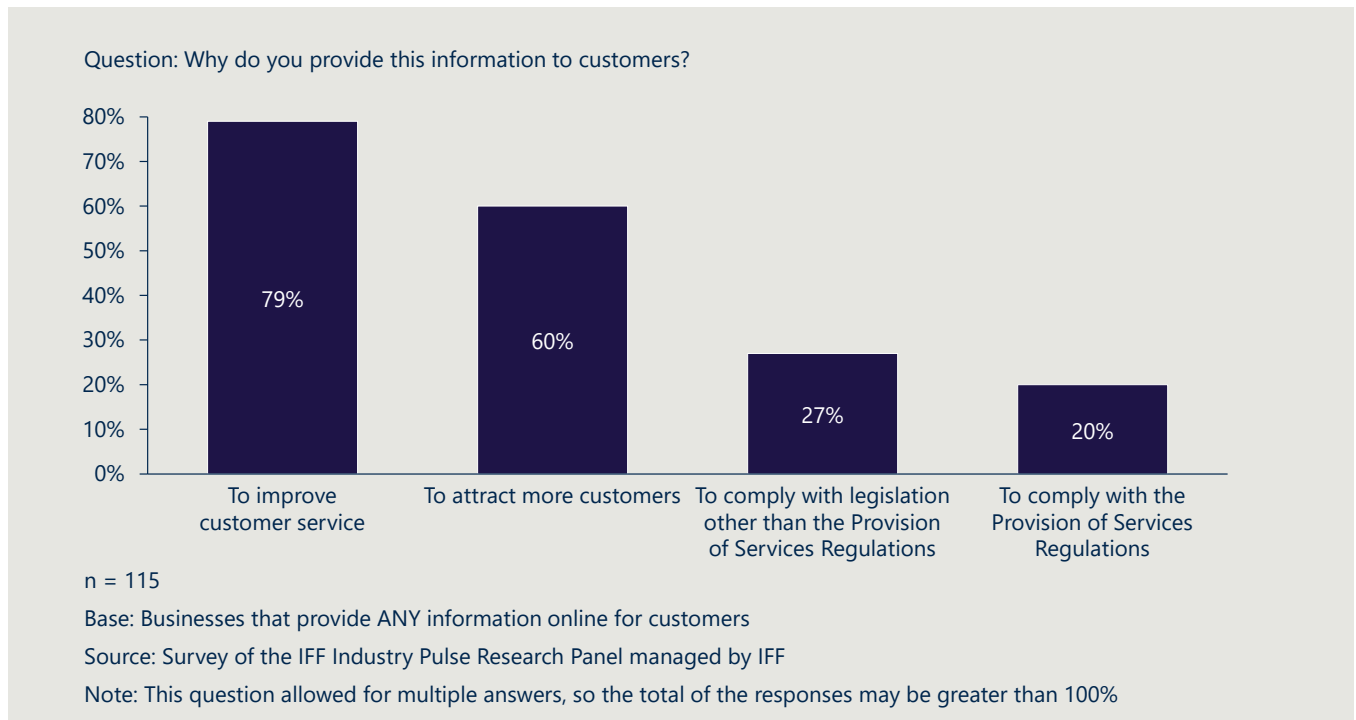
Figure 9 | Comments relating to drivers for providing information to customers

"We don't see [providing this information] as an obligation. It makes commercial sense." *(Service provider (large), England, interviewee)*

"It's what everyone else does. It's the right thing to do. We want to do the minimum. It's common business practice. Why wouldn't you just do the right thing?" (Service provider (small), England, interviewee)

Service providers cited benefits of improved access to and experience for customers

In survey responses, service providers expressed a range of benefits from providing customers with information online. These largely centred around access to customers, engaging with customers and customer experience (Figure 10). Interviews highlighted some of the benefits for customers; 21 per cent of 14 service providers who answered this question discussed how customers had improved ease of contact and reassurance of their service as a result of providing information. One service provider described the time and cost saving of providing information upfront to the customer and subsequently avoiding requests for information.

Figure 10 | Service provider benefits from providing information online

Question: Do you see any of these outcomes from providing the following information online?

Base: Businesses that provide contact details online

Source: Survey of the IFF Industry Pulse Research Panel managed by IFF

Note: This question allowed for multiple answers, so the total of the responses may be greater than 100% and multiple questions have been combined to produce this graph

Figure 11 | Comments relating to benefits of providing information to customers

"Having the information up is a time-saver. We provide all of this information so that people don't need to contact us." (Service provider (micro), Scotland, interviewee)

"I have a very open policy with students. I get far less problems with the more information I give them." (Service provider (micro), England, interviewee)

Most service providers found it relatively low burden to provide information to customers

The average time taken for surveyed service providers to complete three of the requirements under the PoSRs[26] was less than 6 working days each, annually. Half of the 10 service providers interviewed who answered this question underlined that there are infrequent updates to information provision, after the initial setup cost. When asked in interviews, 70 per cent of 10 service providers expressed that the requirement to share information with customers was not burdensome, with service providers referring to this as part of their job as a business. Just under a third (30 per cent) of 10 service providers who gave an interview response described the challenges they faced in providing information to customers due to their size (responses came from small and micro service providers). They described updating their website's

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[26] These were the requirements to provide contact details, regulatory information, and a complaints process

information and receiving calls from customers to require high levels of effort from a small team.

> **Figure 12 | Comments relating to service provider burden**
>
> *"[Providing information is] not burdensome. I have a process within my business, so once its established, that's fine." (Service provider (micro), England, interviewee)*
>
> *"We don't have a good system to collate all the information. It's very fragmented and falls on a small team." (Service provider (small), Scotland, interviewee)*

Most service providers said they would be unlikely to change the information they provide to customers if there was no government requirement

Of 126 service providers surveyed in this research, 71 per cent of them stated that they would not change the information they provide to customers if regulations obliging them to were removed (Figure 13). Only 15 per cent of service providers surveyed suggested they would change the information they provide to customers if it were not regulated and 13 per cent responded that they did not know.

Free-text survey responses showed that 83 per cent of 14 service providers, who indicated that they would change the information they provide, would alter information to be most relevant or accessible for their customers. However, none of these responses underlined a desire to arbitrarily reduce the information provided. From the subset of service providers who were interviewed, all bar 1 said that they would still provide the same information if the PoSRs' requirement was removed. The 1 exception explained that they would remove some of the less relevant information. Providing contact details was seen as fundamental by all service providers interviewed; however, a few service providers stated that they may remove information like terms and conditions or change the way they present prices.

Figure 13 | Desire to change the information provided to customers by size of service provider

Question: Would your business change the information you provide to customers if there were no regulations that required you to provide the following types of information?

	All business sizes	Micro <10 employees	Small 10-49 employees	Medium 50-249 employees	Large >250 employees
n	n = 126	n = 66	n = 41	n = 14	n = 5
Yes	15%	11%	20%	14%	40%
No	71%	80%	66%	57%	40%
Don't know	13%	9%	15%	29%	20%

Base: All respondents

Source: Survey of the IFF Industry Pulse Research Panel managed by IFF

Figure 14 | Comments concerning changes to information provided to customers

"We would provide what we thought was relevant rather than a generic requirement." (Service provider (large), England, interviewee)

"Stating prices for some services can limit the time we could spend on providing an enhanced service." (Service provider (small), England, survey)Part 3A: Respondents reported broad alignment with the conditions for authorisation in the PoSRs but there were limitations for active compliance

Part 3 of the PoSRs sets out general duties for competent authorities concerning authorisation schemes. It is the largest part of the legislation with a wide range of duties which can be broadly separated into 2 groups: 'designing the criteria and rules for authorisation schemes' and 'administering authorisation schemes'.[27]

This section focuses on compliance with the duties set out in Part 3 of the PoSRs relating to designing the conditions and rules for authorisation schemes. The relevant clauses of the PoSRs for this section are below in Table 8.

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[27] The Provision of Services Regulations 2009, Part 3, legislation.gov.uk, available at: https://www.legislation.gov.uk/uksi/2009/2999/part/3/made

Table 8 | Summary of requirements relating to conditions for authorisation

Part 3a: Designing the criteria for authorisation
(14) Schemes must be necessary in the pursuance of a public interest objective and proportionate to that objective.
(15) Conditions for granting authorisation must be based on criteria which are: - justified by an overriding reason relating to the public interest,   - proportionate to that public interest objective,   - clear and unambiguous,   - objective,   - made public in advance,   - transparent and accessible
(16) Authorisations should be granted for indefinite periods (subject to exceptions)
(18) Charges must be reasonable and proportionate to the cost of the procedures and formalities under the scheme and must not exceed the cost of those procedures and formalities.
(21, 22) CAs should apply prohibited requirements to applicants, and should only apply some specific requirements under certain conditions

The data shows that most authorisation schemes from the research were aligned to PoSRs, but areas of perceived conflicting licensing legislation reduced the capacity for local authorities to comply and created additional burden in some cases. This analysis is shown below.

The volume of service providers in the survey data drops from 126 to 65, reflecting the relatively lower number that had completed an application via an authorisation scheme. Findings should therefore be treated as representing the survey population only.

The criteria outlined in the PoSRs reflected good practice common in other regulation and internal policies for most competent authorities

Most competent authorities in our survey sample agreed with the statement that the conditions for granting authorisation were based on criteria which aligned with those specified by the PoSRs, e.g., justified in the public interest, proportionate, unambiguous, etc. Taken as an average across all criteria, 78 per cent of 29 competent authority survey respondents agreed or strongly agreed that they designed their schemes in this way.

In both interviews and the survey, public interest was often cited as the key underpinning principle for any authorisation condition, particularly by local authorities. Individual competent authorities also mentioned practical drivers for considering principles like transparency, such as reducing the volume of freedom of information (FOI) requests and providing a better service experience for applicants. Interviews with competent authorities suggest compliance with the PoSRs criteria was a consequence of adhering to other legislation with the same principles, and wider societal trends, rather than being driven by the PoSRs directly.

Not all stakeholders agreed that conditions for authorisation satisfied these criteria. Survey responses showed that some service providers perceived that the authorisation scheme criteria could be better aligned to the PoSRs (Figure 15). For example, 20 per cent of 65 respondents disagreed that the conditions for obtaining authorisation were clear in advance for their most recent application, and 22 per cent disagreed that the scheme they applied to was proportionate for effective regulation of their services. Only 9 per cent of respondents disagreed that the services they provided should be regulated through an authorisation scheme, suggesting a perception that design improvements would be more useful to service providers than removing the need for authorisation.

Figure 15 | Service provider perceptions of authorisation scheme criteria

Question: To what extent do you agree or disagree with the following statements regarding your business' most recent application for authorisation to provide services?

Statement	Don't know	Strongly disagree	Tend to disagree	Neither agree nor disagree	Tend to agree	Strongly agree
The criteria for obtaining an authorisation were clear in advance	8%	11%	9%	28%	32%	12%
The criteria for obtaining an authorisation were reasonable	8%	3%	12%	28%	35%	14%
The authorisation scheme was proportionate to effectively regulate the activities your business applied for	8%	8%	14%	26%	29%	15%
It is appropriate that the services your business applied for are regulated through an authorisation scheme	8%	3%	6%	20%	35%	28%

100%

■ Don't know ■ Strongly disagree ■ Tend to disagree ■ Neither agree nor disagree ■ Tend to agree ■ Strongly agree

n = 65

Base: Businesses that use authorisations and those that applied unsuccessfully

Source: Survey of the IFF Industry Pulse Research Panel managed by IFF

Local authorities in the sample were less likely than other competent authorities to agree that the conditions for authorisation aligned across all the PoSRs criteria (Figure 16). For example, 28 per cent of 21 local authority survey respondents disagreed or strongly disagreed that changes to their schemes were made public in advance, compared to 13 per cent of other competent authorities. Similarly, 24 per cent disagreed or strongly disagreed that their schemes were transparent and accessible, and 14 per cent strongly disagreed that their schemes were non-discriminatory. In both cases, these were a greater proportion than when compared to all competent authorities. Where this was the case, the majority of interviewed local authorities felt that other prescriptive legislation made it challenging to adhere to the PoSRs, e.g., the Childcare Act 2006 and the Licensing Act 2003.

Figure 16 | Level of agreement that schemes meet design criteria by type of competent authority

Question: To what extent do you agree or disagree with the following statement: We design and administer this scheme based on principles which are:

		Don't know	Strongly disagree	Tend to disagree	Neither agree nor disagree	Tend to agree	Strongly agree	
Non-discriminatory	Local authority	5%	14%		10%	14%	57%	n = 21
	Non Local authority						100%	n = 8
Justified by public interest	Local authority		14%	5%		19%	62%	n = 21
	Non Local authority	13%			13%		75%	n = 8
Proportionate to public interest	Local authority		14%	5%		24%	57%	n = 21
	Non Local authority	13%			13%		75%	n = 8
Clear and unambiguous	Local authority		14%	5%	5%	33%	43%	n = 21
	Non Local authority					13%	88%	n = 8
Objective	Local authority		14%	5%		33%	48%	n = 21
	Non Local authority			13%			88%	n = 8
Changes to this scheme are made public in advance	Local authority		14%	14%	24%	19%	29%	n = 21
	Non Local authority			13%			88%	n = 8
Transparent and accessible	Local authority		14%	10%		29%	48%	n = 21
	Non Local authority						100%	n = 8

Base: All respondents

Source: Survey of competent authorities

Note: Due to rounding some segments may sum to over 100%

Figure 17 | Comments relating to authorisation scheme criteria

"Principles are set out in an EU Directive - it is quite prescriptive. Our principles also come from things like the Regulators' Code, and stem from the culture of the organisation." (Non-departmental public body, UK, interviewee)

"These [principles] are all fed through on our internal principles – I can't see that we wouldn't be applying these. The Board has its own principles that it aims to develop, non-discrimination etc." (Independent regulatory body, UK, interviewee)

Most competent authorities did not apply prohibited tests in their assessments, though there is some evidence of non-compliance

Part 3 of the PoSRs sets out a range of requirements which competent authorities may not apply when assessing applications. These include, for example, an economic test such as proof of market demand. It also sets out requirements which competent authorities may only apply subject to evaluation, for example a minimum number of employees and fixed tariffs, with which service providers must comply.

The majority of interviewed competent authorities did not apply prohibited requirements in the PoSRs (specified across regulations 21 and 22[28]). Public protection and safety were the most cited reasons by interviewed competent authorities for denying authorisation to deliver services, either through a prescribed checklist of requirements (e.g., age-based for alcohol licensing to protect children) or risk-based decisions (e.g., for ex-offender applicants). Other interviewed competent authorities said they would check a business had the requisite resources or financial backing (e.g., through a parent company guarantee) to perform services before approving authorisations. Where appropriately justified and, where necessary, notified to BEIS Secretary of State, these requirements are unlikely to contradict the terms of the PoSRs.

However, a minority of service providers perceived the schemes to be non-compliant regarding these requirements. Only 9 per cent of 65 service provider survey respondents who had unsuccessfully applied to schemes, indicated that they had been denied authorisation due to requirements prohibited in the PoSRs, including requiring proof of market demand and involvement from competing providers[29]. These service providers were within the education, professional, scientific and technical, and accommodation and food service sectors.

A minority of 22 interviewed competent authorities said that they considered demand for services (9 per cent) and involvement of competing operators (14 per cent) within their authorisation conditions. For example, a local authority said it would consider the viability of a business proposition within a given area, including the impact on existing similar businesses. Similarly, an NDCA said it would assess market demand before approving new qualifications, to avoid overcrowding in the market. Interviewees cited public interest to justify these requirements, though the PoSRs make no exemptions that permit the imposition of such requirements. This suggests some competent authorities are either unaware of the prohibited requirements, feel their requirements are justified within the provisions of the PoSRs or have deprioritised them against other objectives.

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28 The Provision of Services Regulations 2009, Requirements which are prohibited or subject to evaluation, legislation.gov.uk, available at:
https://www.legislation.gov.uk/ukdsi/2009/9780111486276/part/3/crossheading/requirements-which-are-prohibited-or-subject-to-evaluation
29 Providers who had been denied authorisation in the past cited the following causes: 2 said quantitative restrictions had been imposed on them, 1 said they had been asked for proof of market demand, 1 said they were required to be pre-registered, 1 required consultation with competing service providers, 1 said that territorial restrictions were imposed on that and 1 said that they were required to have a minimum number of employees. Please note that this question allowed multiple responses.

Nine per cent of 24 interviewed competent authorities said they would require service providers to apply for authorisation to deliver services within their jurisdiction, regardless of whether they hold authorisation in another part of the UK. For example, an independent body based in Wales described how they recognised Welsh and English service providers within their schemes, but not Northern Irish service providers. They cited different processes run by their Northern Irish counterpart as the driver for this distinction. This highlights a potential opportunity for equivalent regulators in devolved administrations to harmonise their authorisation application requirements.

Further to this, 25 per cent of non-local authorities that participated in the survey indicated it would be useful to introduce proof of market demand for a service as a criterion and a smaller proportion of survey respondents also expressed interest in introducing additional prohibited tests (Figure 18). This implies that the PoSRs could provide a useful legal protection against competent authorities introducing new barriers to service provision in the UK.

Figure 18 | Desire to introduce new criteria by type of competent authority

Question: Would it be helpful to introduce any of the following criteria to assess applications to this scheme?

	Local authority, n = 21	Non Local authority, n = 8
None of the above	57%	63%
Other	24%	25%
Proof of market demand for a service	5%	25%
Prices that the applicant charges for its service	10%	13%
Requirements relating to the shareholding of a company	5%	13%
Requirements to have a minimum number of employees		13%
A requirement to be pre-registered to deliver the service	10%	
A requirement to have previously provided services in the UK	5%	
Involvement, or consultation with competing service providers	5%	
Quantitative restrictions	5%	

Base: All respondents

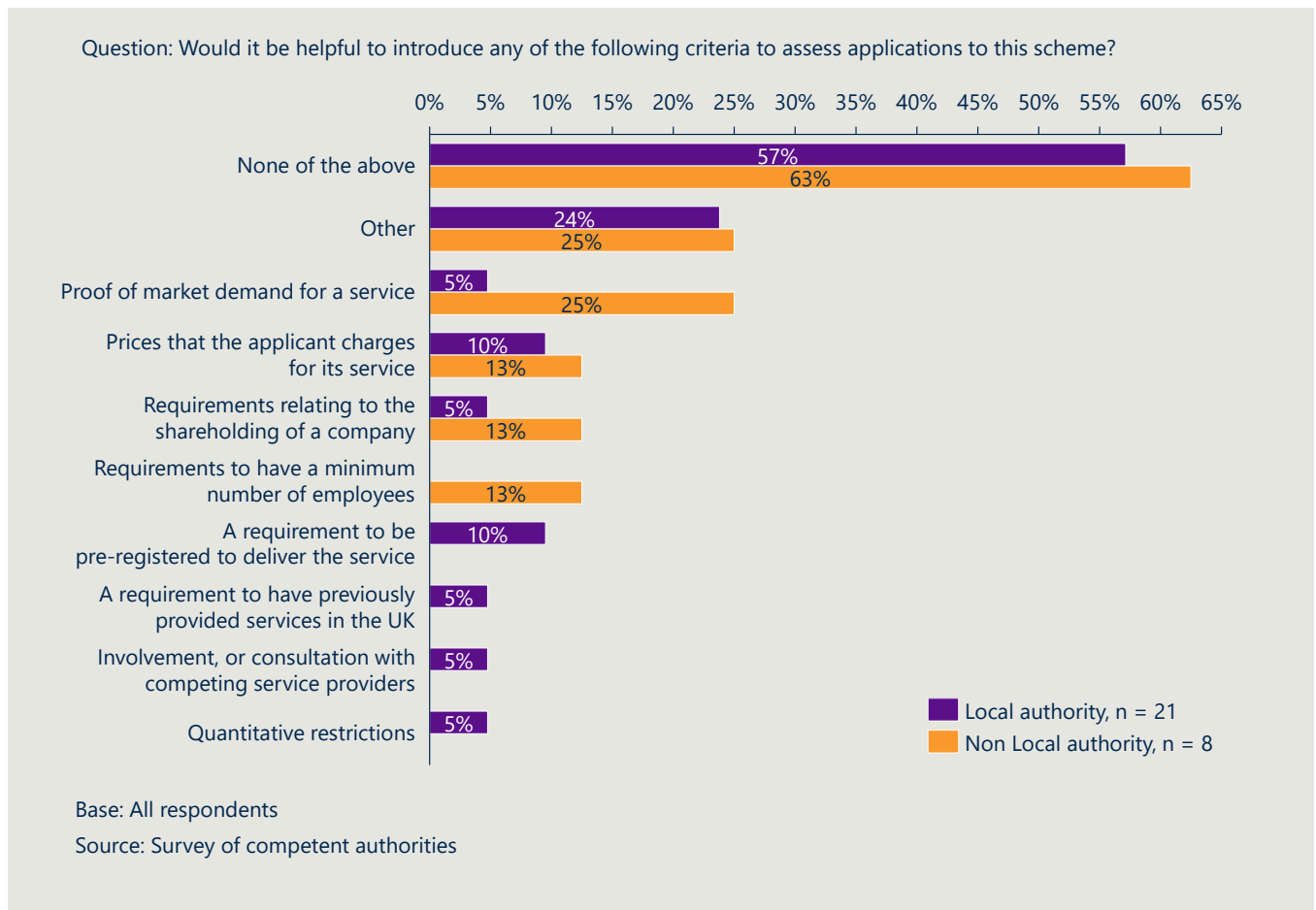Source: Survey of competent authorities

Figure 19 | Comments relating to prohibited tests in application assessments

"We wouldn't have artificial barriers to entry. For example, we won't stop businesses due to their size." (Government arm's length body, England, Interviewee)

> *"Pre-registration will allow a number of prerequisites to be undertaken, such as DBS, right to work and other criteria to be undertaken prior to a full application, as this is the time-consuming aspect of the work." (Local authority, England, Survey)*

Competent authorities thought the fees they charged were reasonable and proportionate, but service providers' perceptions varied

The PoSRs state that any charges which applicants incur under an authorisation scheme must be reasonable and proportionate to the cost of scheme procedures and formalities and must not exceed the cost of those procedures and formalities. This means that competent authorities cannot charge applicants more in fees than the cost of administering their application, precluding the inclusion of enforcement costs.

The majority of interviewed competent authorities said their authorisation fees were compliant. Just under half (44 per cent) of 16 interviewees asked about application fees said they charged applicants on a cost-recovery model, and a further 25 per cent of these competent authorities said they did not charge for applications due to a lack of policy drive to do so. Two local authority interviewees (13 per cent of 15 competent authorities) cited the Hemming v Westminster City Council court case, which considered the PoSRs, as a recent catalyst to justify the cost of their schemes and ensure they were transparent for applicants.

Some competent authorities felt that fee structures enshrined in other legislation were not proportionate to the costs of administering schemes. Just under two thirds (64 per cent) of 14 competent authorities who gave an interview response, 78 per cent of which were local authorities, said that fees for at least 1 of the authorisations they administer were set centrally by other legislation which they have no control over. Some of these fee structures have not been reviewed for over a decade (e.g., alcohol premises license fees have not changed since 2003 according to a local authority) and have not kept pace with inflation. For some authorities, this results in significant losses across schemes such as temporary event notices that receive thousands of applications each year.

When asked to suggest changes that would make the PoSRs more effective, 3 per cent of 65 competent authority survey respondents highlighted the requirement to charge licensing and registration fees in 2 stages (as a result of the Gaskin v London Borough of Richmond and Hemming v Westminster court rulings, which considered the PoSRs) as a complicating factor in housing licence applications, creating undue burden. This burden was associated with increased administrative difficulty to collect proportionate fees because not all applicants make the second stage payment.

Service provider interviews highlighted significant variation in perceptions of application fees. Over a third (38 per cent) of 16 interviewed service providers who answered the question thought the application cost was reasonable and proportionate to the services they delivered, with 13 per cent saying they saw value for money in the quality mark provided through authorisation. However, 13 per cent of 16 providers strongly disagreed. Their responses were linked to perceived issues with fees for House in Multiple Occupation (HMO) licensing, which is applied on a discretionary basis by different councils. For service providers operating across

multiple jurisdictions, they felt these charges had imposed significant costs. One respondent linked high application costs to their perception of competent authority inefficiencies whilst processing their application.

Figure 20 | Comments relating to authorisation scheme fees

"Fees were proportionate. I believe that people have to pay for services. Nothing is for free." (Micro business, Scotland, interviewee)

"The fee charged is disproportionate. It cost us £20k to get the licensing. Very costly, and very complicated." (Small business, England, interviewee)

"[Fees] have not changed for a long time and have not kept pace with costs. I understand this supports businesses, but it transfers the burden onto us." (Local authority, England, interviewee)

"Fees don't come close to cost recovery – it costs us £80-90 per premises license but they pay £21." (Local authority, England, interviewee)

Competent authorities frequently applied time limits to their authorisations, mostly within the bounds of the PoSRs (part 3)

The PoSRs state that authorisation must be for an indefinite period, except in the following circumstances where the authorisation:

- is automatically renewed
- is subject only to the continued fulfilment of requirements
- is limited in number by an overriding reason relating to the public interest, or
- a limited authorisation period can be justified by an overriding reason relating to the public interest.

The intent behind this obligation is to reduce burden for service providers in reapplying and to reduce barriers to market entry as much as possible. However, 67 per cent of 29 competent authority survey respondents said they do apply time limits to their authorisations. Within the subset of 21 local authority responses, the proportion is higher, at 71 per cent (Figure 21).

Figure 21 | Time limits placed on authorisations by type of competent authority

Question: Does your organisation currently place any of the following restrictions on authorised businesses or self-employed individuals under this scheme: Time limits on your authorisations?

	All competent authorities (n = 29)	Local authorities (n = 21)	Non local authorities (n = 8)
Yes	66%	71%	50%
No	28%	19%	50%
Don't know	7%	10%	

Base: All respondents.

Source: Survey of competent authorities
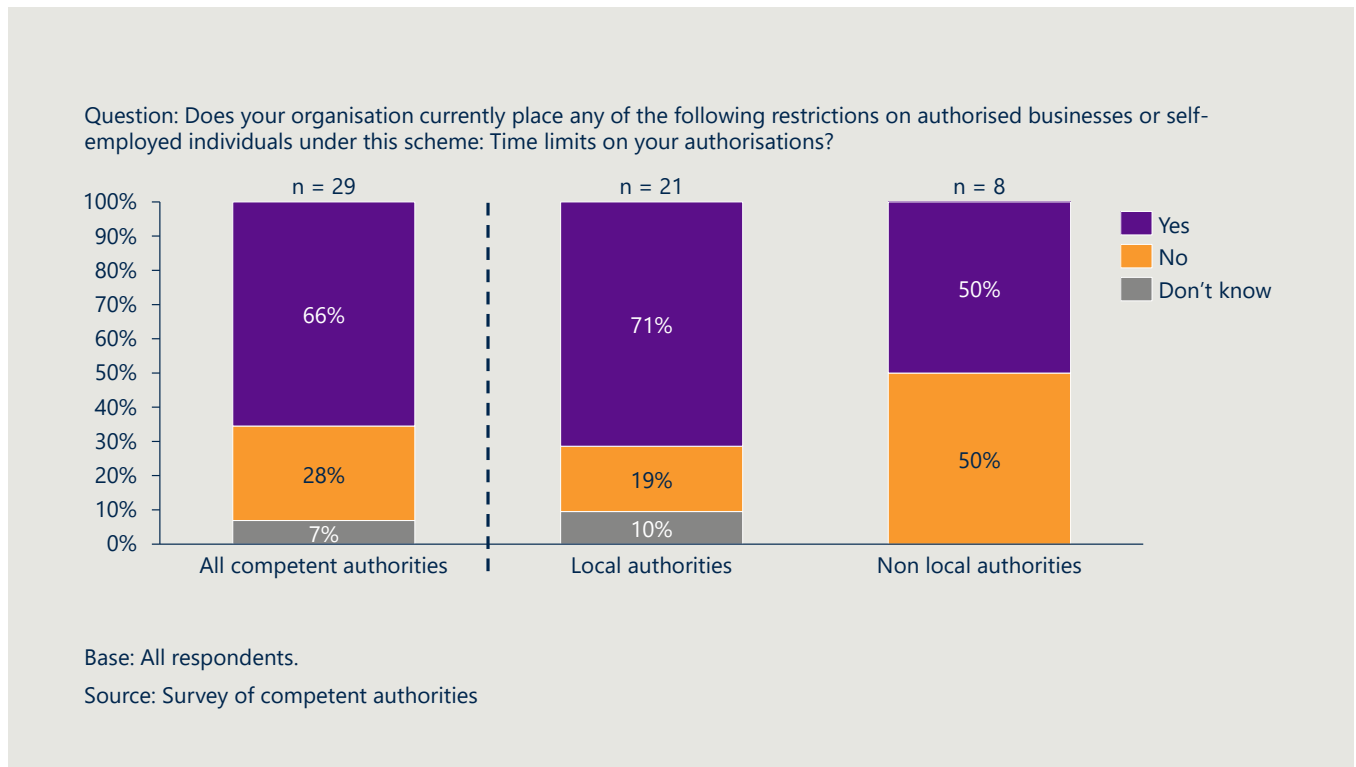
The large majority of interviewed competent authorities also said they set time limits on their authorisations, after which businesses must apply for renewal. Competent authorities indicated these renewal periods were mostly prescribed by other legislation, some of which were justified by public interest objectives. For example, the length of the review period for food premises registration is set by the Food Safety Agency and based on a risk assessment from the previous inspection. Other legislation was perceived to be in direct conflict with this obligation, for example 1 local authority cited a requirement in the Civic Government (Scotland) Act 1982 to operate blanket 3-year renewal periods. The authority had spent multiple years attempting to resolve the perceived conflict with lawyers without resolution, ultimately prioritising other legislation in practice due to enforcement measures. This stakeholder felt that the 3-year renewals created undue burden in relation to both administering and applying for licences.

Service provider feedback also indicated that time limits for authorisations were commonly applied; 42 per cent of 64 service providers survey respondents stated that their business had to reapply; 96 per cent of whom (27 respondents) said that they must periodically reapply for the type of authorisation they hold. Two providers (18 per cent of 11 interviewed who answered this question), both of whom were in the property and real estate sector, said time limits represented a significant cost burden, whereas 27 per cent of providers felt that regular renewals were a useful process for quality assurance.

Figure 22 | Comments relating to time limits for authorisations

"Once you've got it, you've got it, as long as you meet all the requirements. But some permits need renewal." (Local authority, England, interviewee)

> *"Yes [we set time limits], to protect public interest and to comply with other legislation."*
> *(Local authority, England, interviewee)*
>
> *"The HMO is every 5 years. This is just a burden against law-abiding citizens since people who do not comply are not enforced against. The lack of enforcement means there is limited benefit for me." (Micro business, England, Interviewee)*
>
> *"We have to renew annually, it takes some admin time (about 1 day per application per year) but we see the value of regular checks, especially if firms' service models change." (Micro business, England, Interviewee)*

Part 3B: Service providers in the sample were less satisfied that authorisation schemes were administered in line with the PoSRs.

This section focuses on compliance with the duties set out in Part 3 of the PoSRs relating to administering authorisation schemes. It covers the duties outlined in Table 9.

Table 9 | Clauses relating to administering authorisation schemes (Part 3)

Part 3b: Administering authorisation schemes
(18) Authorisation procedures and formalities must be clear, made public in advance and easily accessible.
(18) Schemes must not be dissuasive, or unduly complicate or delay the provision of the service.
(19) Time periods for dealing with applications should be reasonable and made public in advance.

The data shows that competent authorities reported that they administer their schemes broadly in line with the obligations outlined in the Regulations. However, the administration of these schemes was rarely a direct result of active compliance practices; market demand and increasing efficiencies were more common. Despite this, service providers were less satisfied that local authorities particularly were running low burden and non-dissuasive schemes. These findings are described in more detail below.

Some service providers disagreed that authorisation processes were clear, accessible, and non-dissuasive

The PoSRs specify that authorisation procedures and formalities must be clear, made public in advance, easily accessible and non-dissuasive (paragraph 18).

Competent authorities in the sample largely agreed that they administered their schemes in line with this provision of the PoSRs. Figure 23 shows that all competent authorities surveyed (n=29) said they provided information online about how to apply and administer a year-round process, with 97 per cent stating that they included information about required documents. Similarly, 96 per cent of competent authorities interviewed said they provided this information. Survey responses suggest that competent authorities commonly made additional efforts to make application processes accessible, by providing an appeals process (86 per cent). However, interviews highlighted that competent authority respondents did not consider the

PoSRs as driving these practices; 78 per cent of 18 competent authorities who answered this question highlighted that they made the process more efficient for them while 33 per cent of these competent authorities felt that they made it easier for applicants.

Figure 23 | Competent authority perceptions on providing clear information and processes for authorisation schemes they administer

Question: Considering this scheme, does your organisation currently do the following?

Legend: Yes (purple), No (orange), Don't know (grey)

- Provide information online about how to apply for an authorisation: 100%
- Provide information online about what documentation needs to be submitted: 97%, 3%
- Accept applications for authorisation all year round?: 100%
- Provide an appeals process for applicants?: 86%, 10%, 3%
- Provide a process for applicants to check their application status?: 52%, 38%, 10%

n = 29
Base: All respondents.
Source: Survey of competent authorities

Feedback from service providers through the survey, however, suggested that authorisation processes were burdensome for some; 29 per cent either disagreed or strongly disagreed that the process made it easy to deliver their service and 24 per cent disagreed or strongly disagreed that the process was straightforward (Figure 24).

Figure 24 | Service provider perceptions on the ease of applying for authorisation

Question: To what extent do you agree or disagree with the following statements regarding your business' most recent application for authorisation to provide services?

Statement	Don't know	Strongly disagree	Tend to disagree	Neither agree nor disagree	Tend to agree	Strongly agree
Overall the authorisation process made it easy to deliver our service	9%	12%	17%	26%	23%	12%
It was easy to find out how to apply for the authorisation scheme	11%	6%	8%	26%	35%	14%
It was clear which documentation was required to apply	11%	6%	9%	22%	40%	12%
The level of documentation required was appropriate for the service we deliver	9%	6%	18%	18%	37%	11%
The application process was straightforward	8%	9%	15%	22%	35%	11%

100%

Legend: Don't know | Strongly disagree | Tend to disagree | Neither agree nor disagree | Tend to agree | Strongly agree

n = 65

Base: Businesses that use authorisations and those that applied unsuccessfully

Source: Survey of the IFF Industry Pulse Research Panel managed by IFF

Interviewed competent authorities generally felt clear internally when service providers needed to apply for authorisation. For some NDCAs, the pool of applicants to their schemes was relatively small and authorisations were renewed regularly, so there tended to be greater awareness among service providers about where and how to apply. However, there were some challenges in navigating application processes. These included:

- **Complex regulatory landscape**: Some local authority respondents acknowledged that the regulatory landscape is complex and may be unintuitive for businesses. One local authority cited HMO licensing as a major source of confusion for some landlords, given this is discretionary and applied differently across councils. Some service providers echoed that the regulatory landscape can be confusing and described the difficulties in understanding where licensing was necessary, especially across different competent authorities. Local authorities noted that they had free guidance and advice available to help applicants navigate this.

- **Complex requirements**: 67 per cent of 13 interviewed service providers who responded to this question found it easy to find information online, but 33 per cent of these businesses had applied to the same schemes before. The businesses that found it more difficult sometimes used external advisors. The majority (85 per cent) of these 13 businesses found it clear which documentation they needed to provide. However, several recognised the complexity of the process, citing their prior knowledge/experience as the reason for knowing what to do.

When asked about the administrative costs associated with application processes, service provider interviewees were split; 56 per cent of 9 interviewed businesses that responded to this question mentioned a large administrative cost, whereas the other 44 per cent found the process reasonably light touch.

Figure 25 | Comments relating to ease of applying for authorisation

"Yes, it's clear on the website how to apply. But to be honest, this is not driven by the PoSRs, it's driven by market and consumer expectations and good practice." (Independent regulatory body, England and Wales, interviewee)

"All our licensing can be done online, the payments [system is] not great though… Applications are open all year round, and there is good guidance sent out on the application." (Local authority, England, interviewee)

"It is not always clear what licences you need to apply for. The process is not centralised. Some councils need some licences and others don't. It is too open to interpretation. It was complicated because I have had to deal with multiple councils." (Service provider (medium), England, interviewee)

"No, the documentation itself is complicated – because it's complicated, I would have to say no. But to be fair, the council does list all of the documentation you need." (Service provider (micro), England, interviewee)
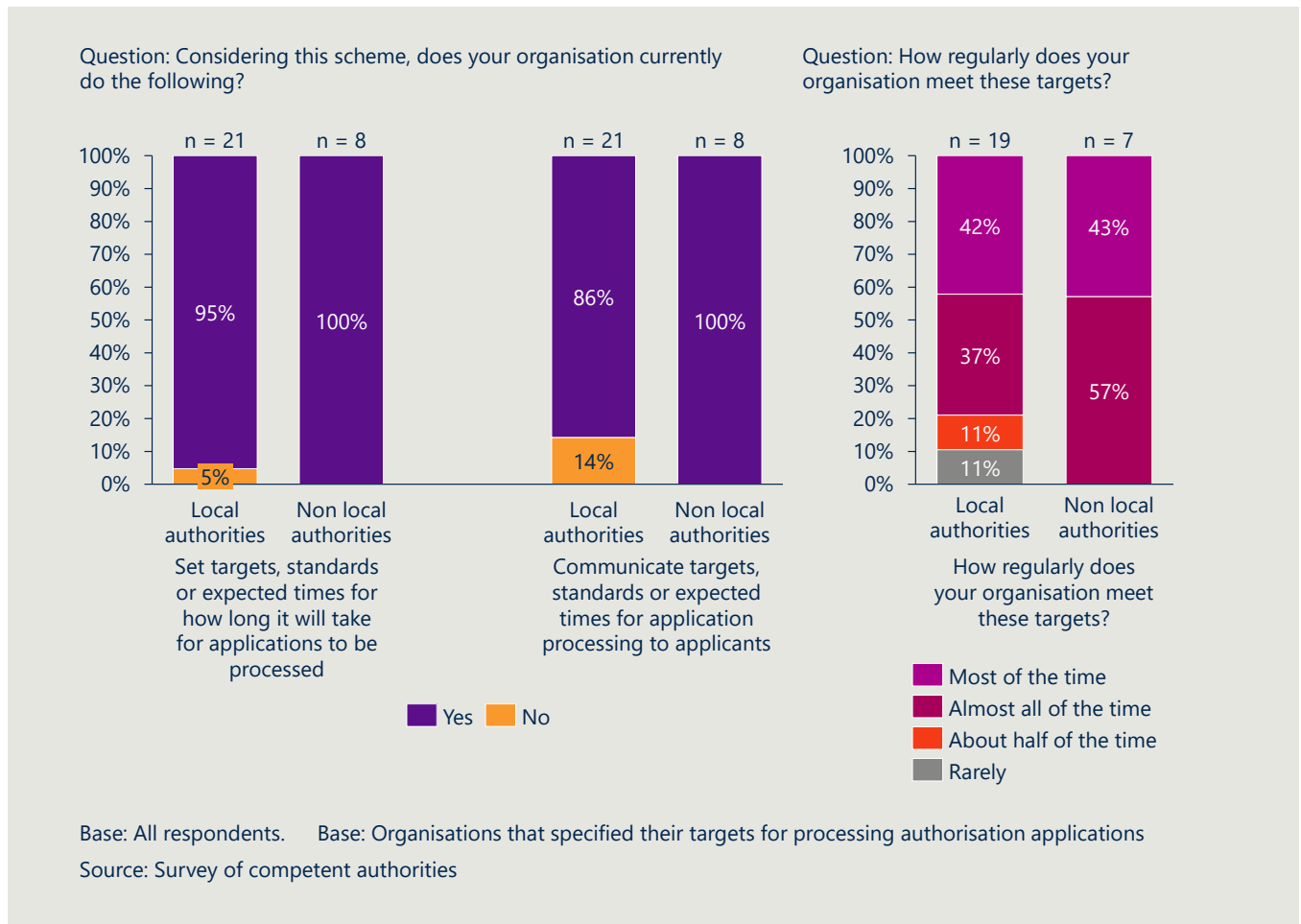
Service providers expressed mixed views on whether the length of time taken by competent authorities to approve applications was 'reasonable' (Part 3)

The PoSRs state that competent authorities must process authorisation applications as quickly as possible and, in any event, within a reasonable timeframe.

Competent authority stakeholders had different perceptions of 'reasonable' timescales to approve applications, and these varied by the type of authorisation scheme. Almost all (97 per cent) of 29 competent authority survey respondents said they set targets, standards or expected times for processing applications. Average targets disclosed by non-local authority survey respondents (29 per cent of the total sample) were considerably longer (90 days compared to 35 days on average) than targets disclosed by local authority respondents (71 per cent of the total sample). Interviews with competent authorities indicated wide variability between schemes, with the smallest target set at 5 working days for petroleum licensing and the largest set at 180 working days for mineral prospecting licensing.

Practices of setting and communicating target timescales for processing applications were common among survey respondents (97 per cent and 90 per cent respectively). Of these competent authorities, 84 per cent stated that they met their targets most of the time or almost all of the time (Figure 26). However, the data suggests that success may vary by the type of competent authority. All non-local authority survey respondents (n=8) said they communicated targets for processing applications to applicants and met these almost all of the time or most of the time. In comparison, 86 per cent of local authority respondents (n=21) communicated their targets to applicants and 79 per cent met them almost all or most of the time.

Figure 26 | Meeting set targets for processing applications by type of competent authority

Question: Considering this scheme, does your organisation currently do the following?

Question: How regularly does your organisation meet these targets?

n = 21   n = 8   n = 21   n = 8

Local authorities	Non local authorities	Local authorities	Non local authorities
95%	100%	86%	100%
5%		14%	

Set targets, standards or expected times for how long it will take for applications to be processed

Communicate targets, standards or expected times for application processing to applicants

■ Yes ■ No

n = 19   n = 7

Local authorities	Non local authorities
42%	43%
37%	57%
11%	
11%	

How regularly does your organisation meet these targets?

■ Most of the time
■ Almost all of the time
■ About half of the time
■ Rarely

Base: All respondents.   Base: Organisations that specified their targets for processing authorisation applications

Source: Survey of competent authorities

Service provider survey respondents highlighted mixed experiences of application timescales; 44 per cent agreed or strongly agreed that their most recent application for authorisation was approved within a reasonable timescale, compared to 28 per cent who disagreed or strongly disagreed. When looking at the 16 responses from service providers that applied to local authorities, only 25 per cent agreed or strongly agreed that the timescales were reasonable and 75 per cent disagreed or strongly disagreed; however, these low numbers make it difficult to draw definitive conclusions.

Of the 126 service provider survey respondents, 37 per cent estimated they spent an average of 23 working days waiting for approval of authorisation schemes, when reporting the amount of time they spent waiting. A service provider interviewed working in property and real estate had submitted an application 12 months prior for a licence and not yet heard back. Multiple service providers perceived inefficiencies in the approval process (Figure 27).

Figure 27 | Comments relating to timeframes for application processing

"No, the timeframe is not reasonable. I find it frustrating that I'm given an ultimatum of a date to submit and then they don't process it for months… The system is completely inefficient." (Service provider (micro), England, Interviewee)

"It takes 6 weeks to complete the licenses. It is ridiculous: the amount of time that it takes, it shouldn't take this long." (Service provider (medium), England, Interviewee)

"We set a target of 60 working days to process applications. This is disclosed on our website. " (Independent regulatory body, England, Interviewee)
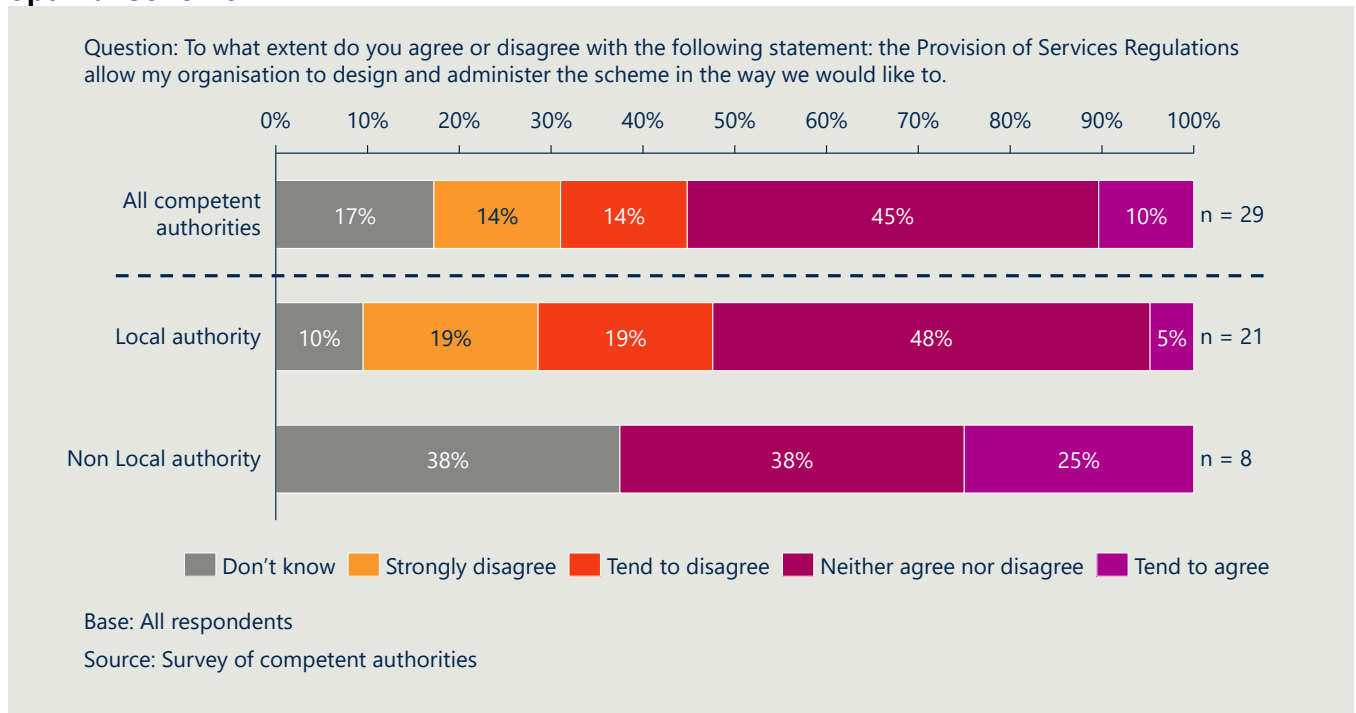
"We set targets for length of application processing time of 90 days and communicate these to applicants." (Local authority, England, Interviewee)

Most competent authorities did not express an opinion when asked whether the PoSRs allowed them to administer their authorisation schemes optimally.

This section explores the overall benefits and challenges of the PoSRs for stakeholders in relation to designing and administering authorisation schemes.

Most competent authorities did not express a clear opinion when asked whether the PoSRs allowed their organisation to administer their authorisation scheme in the way they would like, with 62 per cent of 29 competent authorities answering 'Don't know' or 'Neither agree nor disagree' (Figure 28). This is likely due to low awareness of the PoSRs or a lack of focus on complying with the legislation. Very few competent authorities agreed that the PoSRs allowed their organisation to administer their schemes optimally (5 per cent of 21 local authorities and 25 per cent of 8 non-local authorities). 38 per cent of the 8 local authorities that disagreed or strongly disagreed with this question cited the juggling of seemingly conflicting requirements across the PoSRs and other legislation as the reason in an open response follow-up question.
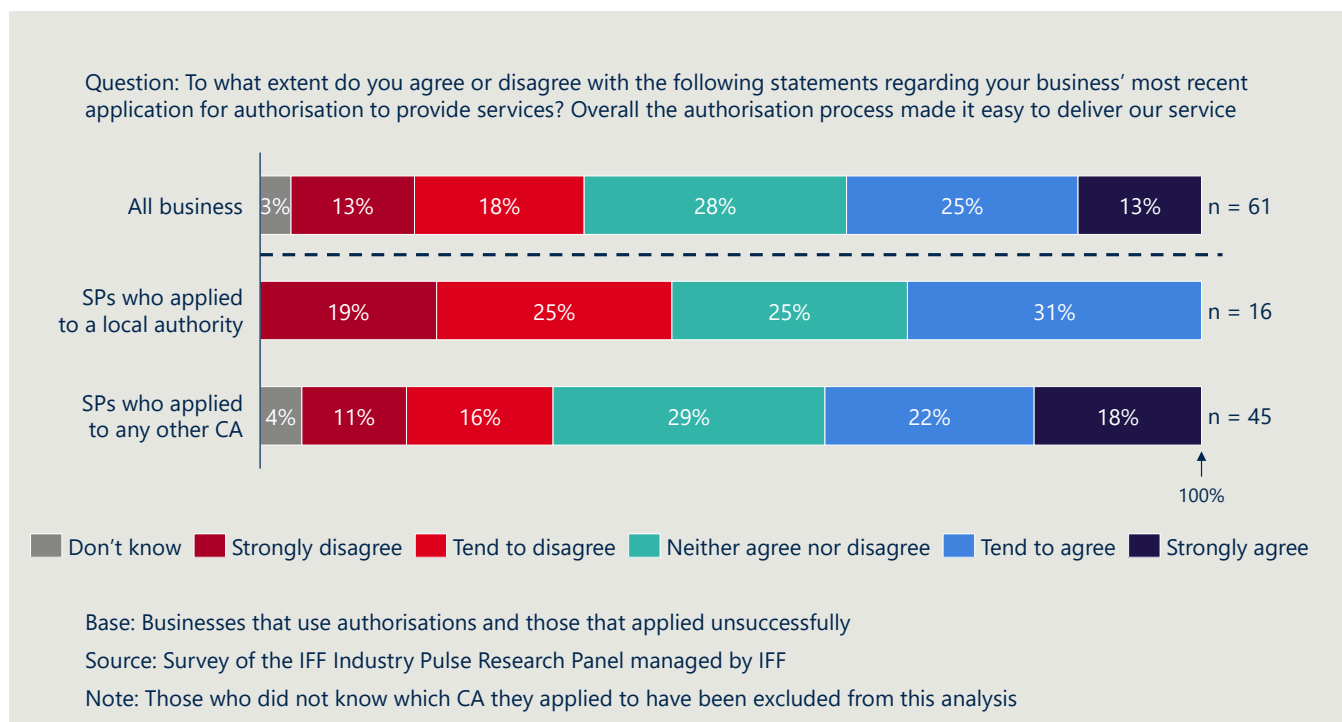
Figure 28 | Extent to which the PoSRs allowed competent authorities to administer an optimal scheme

Question: To what extent do you agree or disagree with the following statement: the Provision of Services Regulations allow my organisation to design and administer the scheme in the way we would like to.

All competent authorities	17%	14%	14%	45%	10%	n = 29
Local authority	10%	19%	19%	48%	5%	n = 21
Non Local authority	38%		38%	25%		n = 8

■ Don't know ■ Strongly disagree ■ Tend to disagree ■ Neither agree nor disagree ■ Tend to agree

Base: All respondents

Source: Survey of competent authorities

Service providers appreciated easy and low burden schemes, which were more commonly associated with professional regulatory bodies

Stakeholders were not able to attribute positive aspects of authorisation schemes to the PoSRs, but half of the businesses interviewed described positive application experiences. Service providers who had applied to professional regulatory bodies described a more positive experience during interviews than those who had applied to local authorities due to more professional processes, quicker response times and clearer information. Service providers who responded to the survey and applied for authorisation through a local authority reported a less positive experience (31 per cent reported positively) than those who applied through other competent authorities (40 per cent reported positively) (Figure 29). In addition, a higher proportion of those who applied through a local authority had a negative experience (44 per cent) when compared to all other competent authorities (27 per cent). For 4 service provider interviewees, the enhanced reputation from holding an accreditation was worth the relatively low burden associated with applying to professional membership bodies.

Figure 29 | Ease of the authorisation process by type of competent authority applied to

Question: To what extent do you agree or disagree with the following statements regarding your business' most recent application for authorisation to provide services? Overall the authorisation process made it easy to deliver our service

All business	3%	13%	18%	28%	25%	13%	n = 61
SPs who applied to a local authority		19%	25%	25%	31%		n = 16
SPs who applied to any other CA	4%	11%	16%	29%	22%	18%	n = 45

100%

■ Don't know ■ Strongly disagree ■ Tend to disagree ■ Neither agree nor disagree ■ Tend to agree ■ Strongly agree

Base: Businesses that use authorisations and those that applied unsuccessfully

Source: Survey of the IFF Industry Pulse Research Panel managed by IFF

Note: Those who did not know which CA they applied to have been excluded from this analysis

Key areas for improving authorisation schemes highlighted by competent authorities interviewed included:

- **Address challenging fee structures**: Authorisation scheme fees were the most cited area where interviewed competent authorities would like to make changes. Fees for many schemes are prescribed by legislation and have not kept pace with inflation, creating resourcing pressures. Multiple local authorities specifically raised the issue of 2-step licence application processes under the PoSRs, which are required following recent court cases, and are inefficient and costly for local authorities, and are also bureaucratic for applicants.

- **Harmonise authorisation schemes across regional areas**: Five competent authorities said it would be useful to harmonise authorisations across different areas -1 interviewee suggested that moving to a model of central administration and local inspections would be preferable. Setting up a national licensing scheme would reduce the burden on itinerant businesses such as street traders and metal dealers to obtain authorisation in every area they operate in.

- **Allow for tailoring of mandatory statutory forms**: One local authority felt that mandatory statutory forms were often difficult to understand and that using plain English would improve their accessibility.

- **Complete transition to fully online delivery**: Some competent authorities flagged resource constraints and low footfall of certain schemes as the main barriers to this process.

> **Figure 30 | Comments relating to improvements to schemes**
>
> *"Our process works. We would just like to increase fees to cover the costs." (Non-departmental public body, England, Wales and Scotland, interviewee)*
>
> *"The only thing I'd say is moving as much as possible online. Due to resource constraint and just making the case, we need to invest half a million pounds here." (Local authority, England, interviewee)*
>
> *"For the [licence managed through the NDCA], it is easy, transparent and easy to understand what is required. For the HMO licensing [managed through the local authority] it is not easy [or] transparent and it is onerous." (Service provider (micro), England, Interviewee)*
>
> *"More guidance about how to complete the forms would be useful. The information isn't clear and transparent – it should be idiot proof." (Service provider (medium), England, interviewee)*

Part 6. The authorisation process was not fully digitised for several competent authorities and some competent authorities restricted provider activities

Part 6 of the Regulations sets out additional statutory duties of competent authorities, including requirements to administer an electronic process for authorisations and to not impose a total prohibition on commercial (marketing and advertising) or (subject to exceptions) multi-disciplinary activities of regulated service providers.[30]

This section considers the extent to which competent authority respondents complied with these duties. The data shows that most, but not all, competent authorities had moved their processes online, but with varying degrees of effectiveness. Some competent authorities did apply restrictions on marketing and advertising or multi-disciplinary activities of service providers but usually to pursue public interest objectives. Further analysis is detailed below.

There were examples of non-compliance with providing electronic procedures, and the efficacy of processes varied (Part 6)

The PoSRs include the provision that competent authorities must ensure that 'all procedures and formalities relating to access to, or the exercise of, a service activity may be easily completed, at a distance and by electronic means (through the electronic assistance facility referred to in regulation 38 or otherwise), and its website affords access to that electronic assistance facility.'

While compliance with providing online procedures was common, 21 per cent of competent authorities surveyed said that they did not currently accept online applications (Figure 31) and this was higher among non-local authorities. Similarly, 17 per cent of service providers

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[30] The Provision of Services Regulations 2009, Part 6, legislation.gov.uk, available at: https://www.legislation.gov.uk/uksi/2009/2999/part/6/made

surveyed stated that they had to complete paper, or in-person processes (Figure 31). However, interviews with 8 per cent of competent authorities and 7 per cent of service providers highlighted that such in-person processes can relate to physical inspections, which are permitted under the PoSRs.

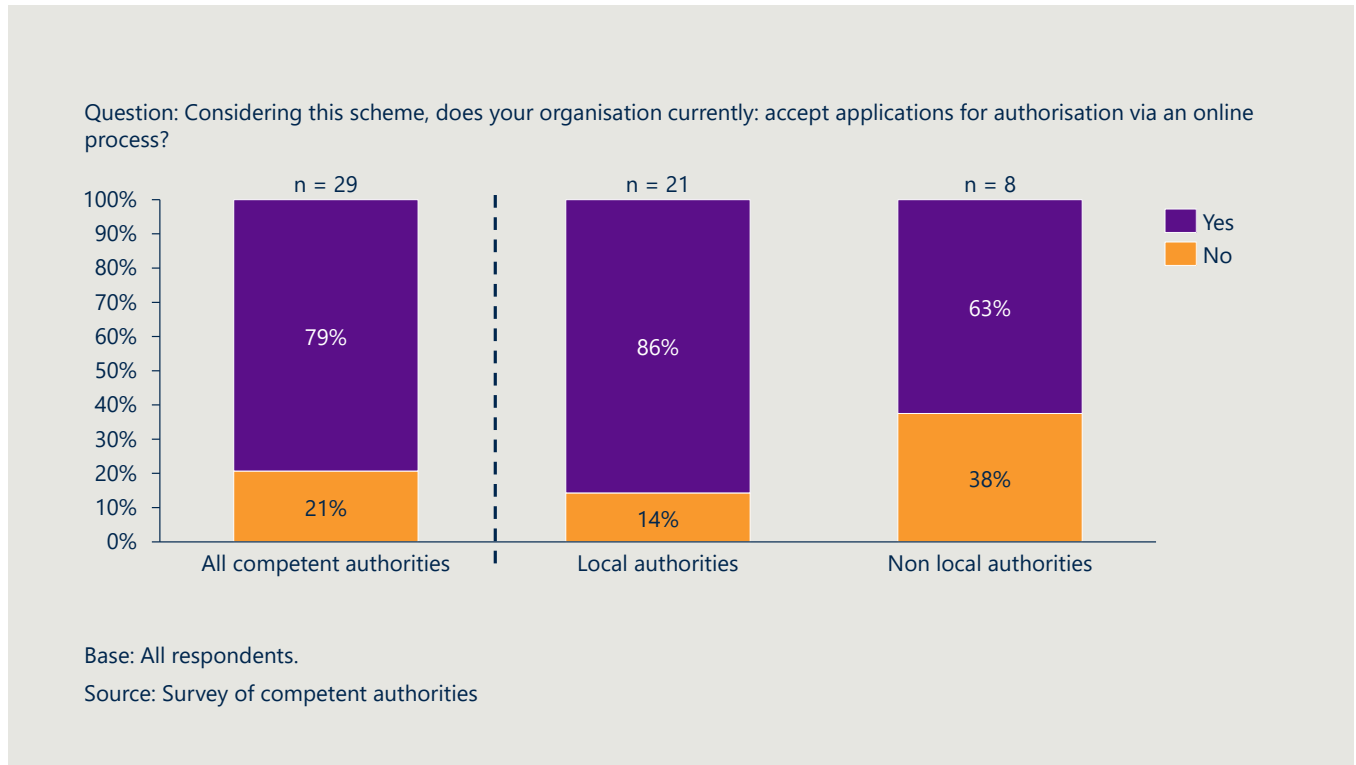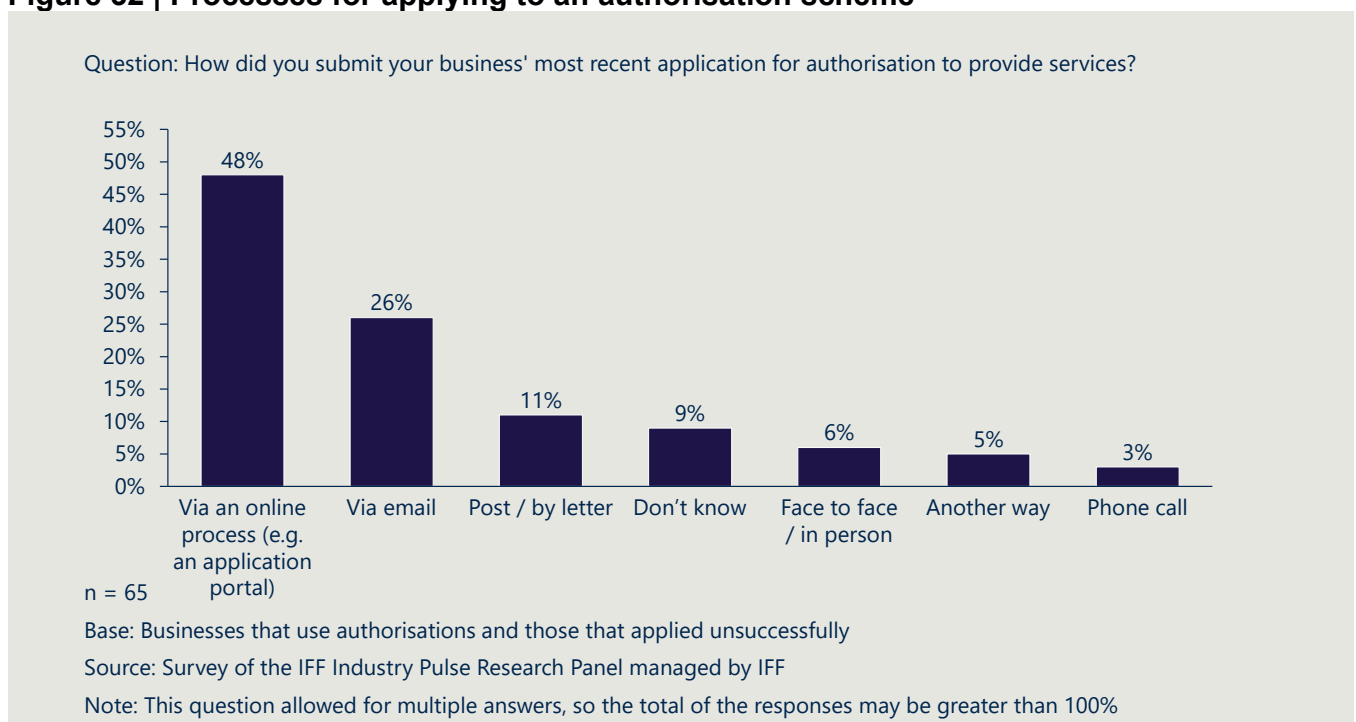**Figure 31 | Accepting applicants via an online process**

Question: Considering this scheme, does your organisation currently: accept applications for authorisation via an online process?

	All competent authorities (n = 29)	Local authorities (n = 21)	Non local authorities (n = 8)
Yes	79%	86%	63%
No	21%	14%	38%

Base: All respondents.

Source: Survey of competent authorities

Figure 32 | Processes for applying to an authorisation scheme

Question: How did you submit your business' most recent application for authorisation to provide services?

Process	Percentage
Via an online process (e.g. an application portal)	48%
Via email	26%
Post / by letter	11%
Don't know	9%
Face to face / in person	6%
Another way	5%
Phone call	3%

n = 65

Base: Businesses that use authorisations and those that applied unsuccessfully

Source: Survey of the IFF Industry Pulse Research Panel managed by IFF

Note: This question allowed for multiple answers, so the total of the responses may be greater than 100%

Twenty per cent of competent authorities interviewed (all of which were local authorities) referenced the PoSRs as a driver for moving authorisation schemes online when the legislation

was first introduced in 2009. However, 1 of these authorities still did not have an online process for all schemes and another cited other legislative drivers. No other stakeholders referred to the PoSRs as a driver for administering an electronic process; rather demand from businesses and internal efficiencies. As an example, 16 per cent of competent authority interviewees only switched to online applications in the last 5 years. Eighteen per cent of the 12 local authorities interviewed highlighted that the Covid-19 pandemic had pushed some authorities to move to an online process and make schemes less burdensome for service providers. Conversely, 1 local authority interviewee described the opposite: the pandemic exacerbated challenges with capacity and resource, slowing down their digitisation process.

The level of ease and efficiency associated with this process varied among competent authority interviewees, but most commonly, they offered a complete online application portal linked to back-end processing (48 per cent of interviewees), or completion of a PDF form (32 per cent of interviewees).

Figure 33 | Comments relating to providing an online application process

"It would be good to move to more of an online system but it's not worth it for the number of applications we process (approximately 6-8 per year)." (Government department, Northern Ireland, interviewee)

"2 years ago, it was paper based; now we're moving to an online PDF that is then sent to the department via email." (Government department, Wales, interviewee)

"Covid had sped up the move online a great deal. We had some IT issues which have been a struggle but going online is the aim. Pandemic has been the catalyst for this change." (Local authority, England, interviewee)

Competent authorities interviewed highlighted the benefits of delivering an online process

The majority (67 per cent) of compliant competent authority interviewees mentioned greater processing efficiencies and 33 per cent emphasised an easier process for applicants. Non-compliant competent authorities recognised these benefits but explained that providing an electronic facility was not a priority for schemes with a low number of applications, or for over-stretched teams. No competent authorities reported that their processes prevented them from effectively handling the demands of service providers.

Figure 34 | Comments relating to the benefits of an online application process

"Our digital form leads to big efficiencies; it informs all consultees automatically and feeds into their systems." (Local authority, England, interviewee)

"In 2009, [the PoSRs] shifted everyone online within a few years – this was amazing, but this is now the way everyone is working." (Local authority, England, interviewee)

Commercial communication was rarely prohibited by competent authorities in the sample, except where public safety took precedence (Part 6)

The PoSRs include the provision that competent authorities 'must not impose a total prohibition on the use of commercial communications by providers of a service who are carrying on a regulated profession.' Any rules that are made in relation to commercial communications by providers of a service who are carrying on a regulated profession must be 'justified by an overriding reason relating to the public interest and proportionate'.

Over two-thirds (69 per cent) of competent authorities in the survey sample did not restrict these activities, and 84 per cent of service providers surveyed were not prohibited (Figure 35). Interviews highlighted that most sampled competent authorities did not view restricting commercial communications as falling within their remit. In some instances, competent authorities did prohibit businesses from using commercial communications due to principles of public safety. As an example, 22 per cent of the 21 surveyed local authorities highlighted that they restricted aspects of advertising by certain licence holders. Interviews revealed that some competent authorities were not clear whether banning aspects of advertising, was permissible under the PoSRs.

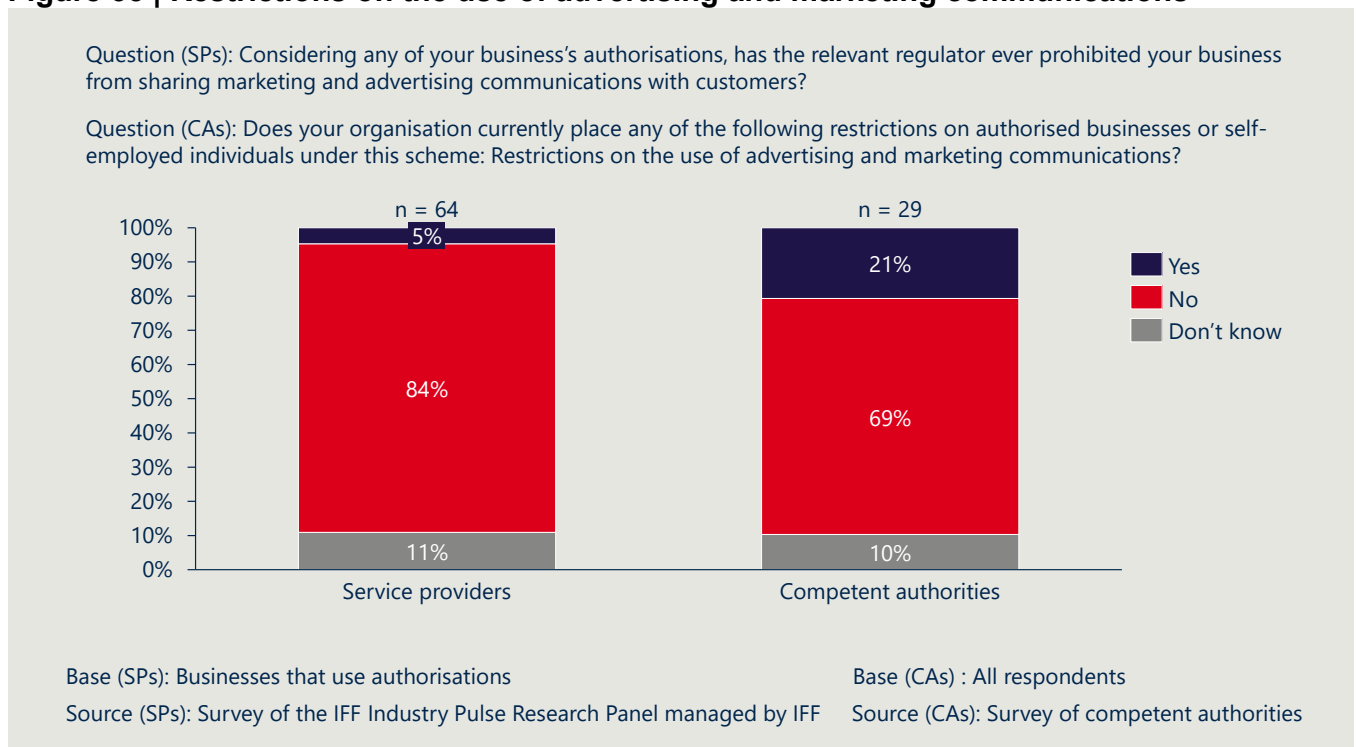**Figure 35 | Restrictions on the use of advertising and marketing communications**

Question (SPs): Considering any of your business's authorisations, has the relevant regulator ever prohibited your business from sharing marketing and advertising communications with customers?

Question (CAs): Does your organisation currently place any of the following restrictions on authorised businesses or self-employed individuals under this scheme: Restrictions on the use of advertising and marketing communications?

	Service providers (n = 64)	Competent authorities (n = 29)
Yes	5%	21%
No	84%	69%
Don't know	11%	10%

Base (SPs): Businesses that use authorisations

Source (SPs): Survey of the IFF Industry Pulse Research Panel managed by IFF

Base (CAs) : All respondents

Source (CAs): Survey of competent authorities

Figure 36 | Comments relating to restrictions on marketing and advertising

"In terms of advertising, no, though there will be restrictions around sexual entertainment licensing, e.g., window displays." (Local authority, Wales, interviewee)

"We don't place commercial restrictions on anyone. There is other legislation that enables us to control advertising. It's a permissive scheme, so they are allowed to do what they want unless it is prohibited." (Local authority, England, interviewee)

The few competent authorities that reported restricting multi-disciplinary activities likely fell within the PoSRs' exclusions (Part 6)

The PoSRs aim to protect business activity by providing that competent authorities cannot subject service providers to requirements that prevent them from carrying out activities outside of the regulated service. The Regulations provide however that such restrictions are permitted for regulated professions where 'justified in order to guarantee compliance with the rules governing ethics and conduct in that profession' and 'necessary in order to ensure the impartiality and independence of that profession'.

It was not standard practice for competent authorities in the sample to prohibit service providers from delivering multi-disciplinary services. Almost all competent authorities that answered this question (95 per cent of the 20 interviewee respondents) emphasised that they would never restrict this activity as it would sit outside their role. The majority (78 per cent) of service provider survey respondents agreed that their regulator did not prohibit them from providing services outside of their authorisation scheme (Figure 37).

The few exceptions where competent authorities in our interviews sample did restrict multidisciplinary activities usually related to public safety and other primary legislation. A regulator of childcare services reported in an interview that they may restrict certain activities if they were deemed inappropriate while offering childcare services. Another who responded to the survey reported imposing restrictions on providing services outside of the authorised scheme under the Food Safety Act 1990. Such restrictions may be permissible under the PoSRs due to relevant exclusions.

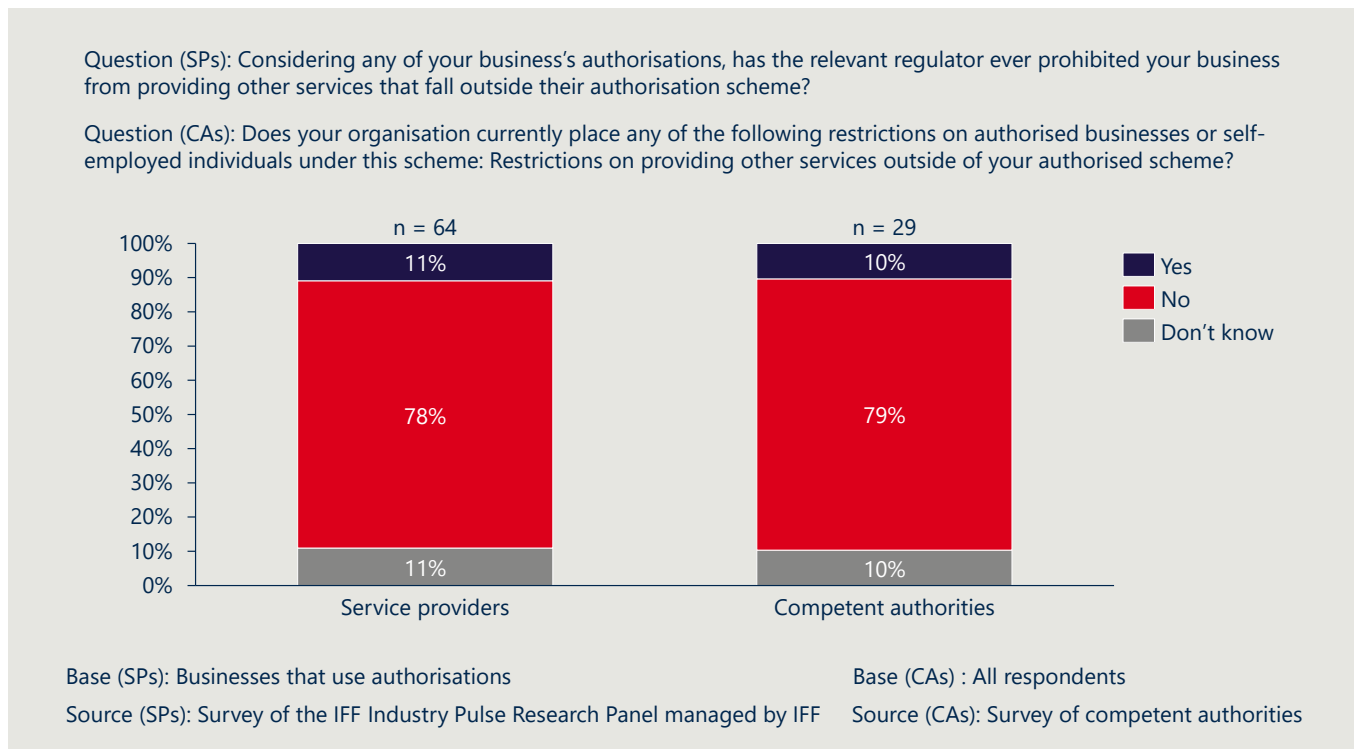**Figure 37 | Restrictions on multi-disciplinary activities**

Question (SPs): Considering any of your business's authorisations, has the relevant regulator ever prohibited your business from providing other services that fall outside their authorisation scheme?

Question (CAs): Does your organisation currently place any of the following restrictions on authorised businesses or self-employed individuals under this scheme: Restrictions on providing other services outside of your authorised scheme?

Base (SPs): Businesses that use authorisations

Base (CAs) : All respondents

Source (SPs): Survey of the IFF Industry Pulse Research Panel managed by IFF

Source (CAs): Survey of competent authorities

> **Figure 38 | Comments relating to restrictions on multi-disciplinary activities**
>
> *"There is no restriction on a professional doing work outside this scheme. It may be an issue for insurance liability, but this is outside of our job." (Independent regulatory body, UK, interviewee)*
>
> *"We only regulate licensable activity, we can't say you must exclusively work as x,y,z." (District council, Wales, interviewee)*

Part 7: There was little evidence that competent authorities reported scheme updates to the BEIS Secretary of State

Part 7 requires competent authorities to provide information to the BEIS Secretary of State (SoS) and keep this updated.[31]

None of the 29 competent authority survey respondents reported scheme changes to BEIS SoS, despite 69 per cent of the surveyed authorities making changes to their scheme in the last 5 years. Some did report scheme changes outside of BEIS, shown in Figure 39, including to other government departments (competent authorities interviewed mentioned Department for Work and Pensions and Department for Environment, Food and Rural Affairs) and to oversight regulators (competent authorities mentioned Food Standards Agency, Legal Services Board, and Financial Policy Committee). However, the largest proportion of survey participants responded 'other' and when probed further in a follow up question, 53 per cent of 17 service providers who responded stated that they reported their scheme changes to the public, customers, or applicants. Just 8 per cent of competent authorities interviewed reported sharing scheme changes to BEIS, but not to a shared point of contact. Competent authorities operating in devolved administrations were less likely to see this requirement as relevant; 10 per cent of interviewees reported their scheme changes to their devolved administration instead (competent authorities mentioned reporting to the Scottish or Welsh governments). A further 14 per cent worked with their counterparts in other regions (either in England or other devolved administrations) when making scheme changes to ensure there was consistency across all regions.

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[31] The Provision of Services Regulations 2009, Part 7, legislation.gov.uk, available at: https://www.legislation.gov.uk/uksi/2009/2999/part/7/made

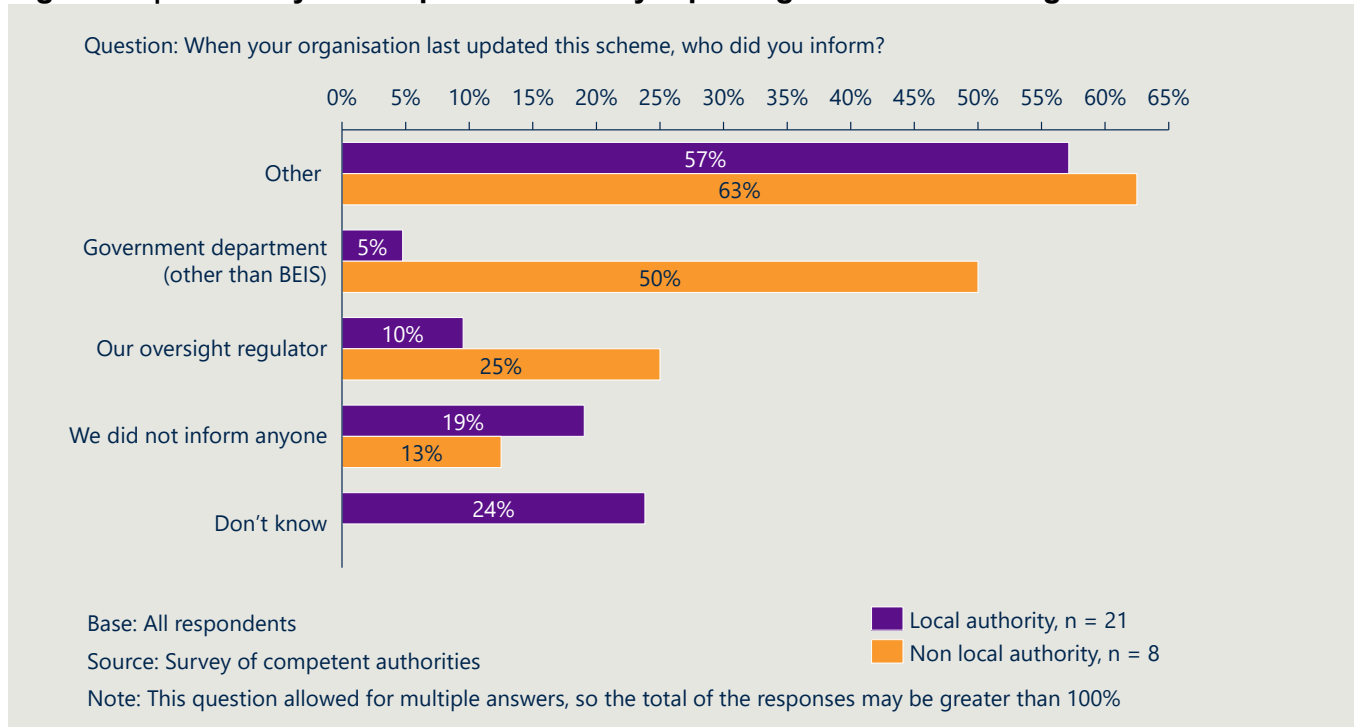**Figure 39 | Summary of competent authority reporting on scheme changes**

Question: When your organisation last updated this scheme, who did you inform?

Category	Local authority	Non local authority
Other	57%	63%
Government department (other than BEIS)	5%	50%
Our oversight regulator	10%	25%
We did not inform anyone	19%	13%
Don't know	24%	

Base: All respondents
Source: Survey of competent authorities
Note: This question allowed for multiple answers, so the total of the responses may be greater than 100%

Local authority, n = 21
Non local authority, n = 8

Figure 40 | Comments from competent authorities on reporting scheme changes

"We have no contact with UK central government [in relation to the PoSRs]. Only the Scottish government." (Non-departmental public body, Scotland, interviewee)

"We are in almost constant dialogue with colleagues at BEIS – we could enter a process of dialogue and they would know from the outset, and it wouldn't go unnoticed." (Independent regulatory body, All of UK, interviewee)

"Businesses requiring a [certificate] were informed/[made] aware of the changes." (Local authority, England, survey)

Competent authorities used means such as consulting with service providers, reporting updates on websites and social media channels, and sending out reports (both internally and externally) to share changes to their schemes with stakeholders.

Part 8: There was limited use and awareness of the Licence Finder among competent authority and service provider respondents

Part 8 of the PoSRs include the requirement for the Secretary of State to provide an electronic assistance facility (the Government Licence Finder) for service providers and recipients.[32]

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[32]The Provision of Services Regulations 2009, Part 8, legislation.gov.uk, available at: https://www.legislation.gov.uk/uksi/2009/2999/part/8/made

The Licence Finder received an average of 120,000 visits per year between 2019-2021[33]; however, awareness and usage among respondents in this research was low. Most (94 per cent) of 62 surveyed service providers had not heard of it. Only 1 service provider interviewed (8 per cent of sample size) was aware of it and had used it. Similarly, 71 per cent of competent authorities interviewed said they did not use the Licence Finder tool. Interviewed competent authorities were unclear around the distinction between Licence Finder and Licensify, the GOV.UK portal that accepts online applications on behalf of competent authorities, which is out of scope for this review. From the Licence Finder, users are directed to apply for certain licences (mainly those overseen by local authorities) through the separate Licensify system. Just under a third (29 per cent) of competent authority interviewees described their use of Licensify in response to an interview question relating to Licence Finder.

Engagement with service providers, who had used Licence Finder, indicated that its functionality could be improved. One service provider interviewee who unsuccessfully used Licence Finder said that they were directed to the wrong information; another service provider survey response suggested reform to the search function. Competent authorities also raised functionality issues, such as incorrect weblinks, out of date contact details, and ease of access on GOV.UK but their comments may relate to Licensify, and not Licence Finder.

Figure 41 | Comments relating to the government licence finder

"I've never heard of the government licence finder. We know where we need to go."
(Business, England, interviewee)

"Licence finder is really useful. We've accepted and promoted it since 2009. There will be an unnecessary cost across the country if all local authorities need to build their own platforms, seems a backstep to remove it." (District council, England, interviewee)

4.3. What interim and long-term outcomes have been achieved as a result of the PoSRs?

This section draws on survey and interview data to assess the directly attributable impacts associated with the PoSRs today.

A current important impact of the PoSRs is that elements of the Regulations allow the UK Government to make and meet its international trade commitments; however, a detailed exploration of this was outside of the scope of this research. The rest of this section explores the views of outcomes relating to stakeholders.

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[33] From 20 December 2019, Government digital services only have Google Analytics data for users who consent to cookies. The amount of data is limited by this so data after this date may not be fully representative.

Stakeholders perceived some positive interim and long-term outcomes of the PoSRs, albeit in the context of limited awareness of the Regulations.

Due to the time that has elapsed since the PoSRs were introduced in 2009 and current low levels of awareness among respondents, it is difficult to accurately assess impacts on behaviour immediately after their introduction (the interim outcomes in the theory of change).

A positive impact cited by 22 per cent of competent authorities during interviews was the shift to online schemes when the legislation was introduced in 2009. However, one of these competent authorities also referred to other legislative drivers for the shift. These stakeholders did not feel that the Regulations remained a key driver for this, citing other pressures of efficiencies and meeting service providers' expectations.

A significant minority of service provider and competent authority survey respondents identified the PoSRs as a driver for the way they either design and administer their schemes or provide information to customers (as referenced in sections relating to Parts 2, 3 and 6).

When asked about general perceptions of the PoSRs, 79 per cent of 19 competent authority interviewees that responded felt they had little or no impact – for many this was due to low awareness, but other reasons cited included lack of enforcement or because they felt that other legislation or guidance had superseded them. Roughly a third (32 per cent) of the 19 interviewees agreed that the principles were sound but the legislation itself lacked impact. Two responses (11 per cent) highlighted that the broad nature of the Regulations rendered them impractical for local authorities due to the wide range of underlying legislation that also applies to a particular service activity, which they perceived to be conflicting. One interviewee suggested that the PoSRs support ease of access to market by preventing authorities from blocking applications; however, their view was that other legislation hinders progress towards this objective.

When asked specifically about the potential impact of removing the PoSRs today, 91 per cent of 22 competent authority interviewees who answered this question said there would be no positive or negative impact. Another suggested there would be no immediate impact, but it could lead to authorities running schemes that are 'unfriendly' for businesses in the longer-term. An additional response highlighted a risk that some smaller authorities would stop administering their schemes online. Only 2 service providers interviewed provided a response to this question due to low awareness. One was in favour of keeping the PoSRs as a form of protection, while the other believed the impacts would be achieved through good practice.

The current limited awareness of the Regulations means that accurately assessing attributable long-term outcomes, e.g., quality of services for recipients and ease of doing business in the UK was not possible.

The provisions in the PoSRs were generally seen as good practice

The evidence outlined in this report shows that the provisions mandated by the PoSRs were today generally regarded as good practice by competent authorities and service providers who took part in the research. Stakeholders pointed to a range of benefits related to the behaviours

that the PoSRs mandate. The aims of the legislation, including those to protect consumers and reduce burden on businesses were also supported, but there was a sense that some issues outlined in this report relating to the Regulations and how they were implemented in practice were limiting their impact. The next section explores recommended changes to increase effectiveness and impact of the legislation.

Figure 42 | Comments relating to authorities' perceptions of the PoSRs

"A lot of the PoSRs would be considered standard good practice in 2022." (NDCA, England, interviewee)

"In 2009, we rushed to get things online. But most obligations were already met as good practice. It was just the shift to online." (Local authority, England, interviewee)

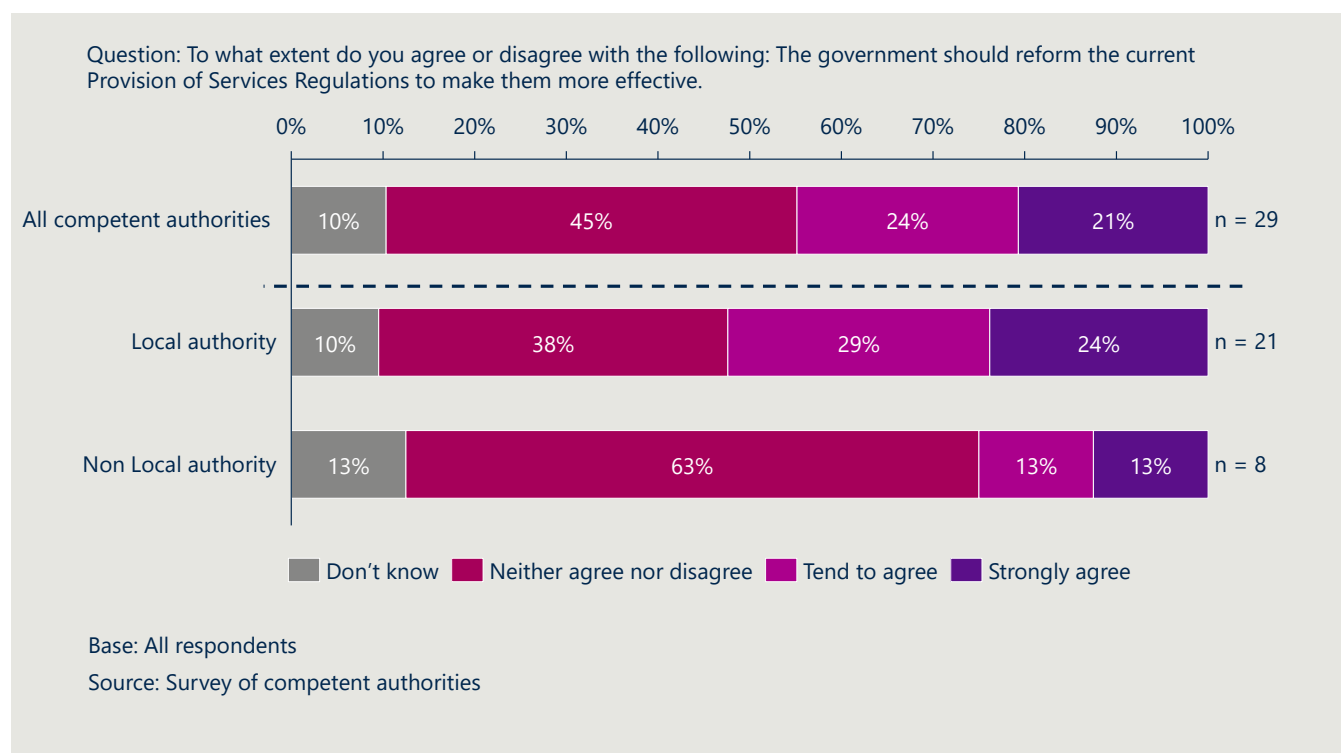# 4.4. What changes could increase the impact of the PoSRs?

This section provides an assessment of the appetite for reform among the stakeholders and their ideas for positive change in the regulatory landscape.

The evidence in this report suggests that despite low awareness of the PoSRs, there were areas where stakeholders felt that the Regulations could bring benefits if they were delivering more impact. Suggestions from stakeholders provide two avenues; using the PoSRs as a vehicle to reduce regulatory burden and removing the PoSRs as a route to reduce regulatory burden. This is explored below.

There was appetite for reform of the PoSRs among our sample.

No competent authorities surveyed disagreed that the Government should reform the current regulations to make them more effective and 53 per cent of the 21 local authorities surveyed either agreed or strongly agreed, as shown in Figure 43. Over half (55 per cent) of the 29 competent authorities did not express an opinion, likely reflecting low awareness.

Figure 43 | Support for reform of the PoSRs by type of competent authority

Question: To what extent do you agree or disagree with the following: The government should reform the current Provision of Services Regulations to make them more effective.

	Don't know	Neither agree nor disagree	Tend to agree	Strongly agree	
All competent authorities	10%	45%	24%	21%	n = 29
Local authority	10%	38%	29%	24%	n = 21
Non Local authority	13%	63%	13%	13%	n = 8

Legend: Don't know · Neither agree nor disagree · Tend to agree · Strongly agree

Base: All respondents

Source: Survey of competent authorities

The suggestions for changes made by stakeholders in this research are outlined below.

Increase awareness of the PoSRs and what they mean in practice for competent authorities and service providers: 48 per cent of competent authorities surveyed in a multiple-choice question agreed, or strongly agreed that improved awareness, guidance, and support around the PoSRs would be beneficial.

Simplify the legislation and guidance: through interviews and surveys with competent authorities, 6 shared that service providers/customers could be better supported through more digestible legislation or increased awareness about required authorisations.

Simplify the regulatory landscape and share practice: through interviews and surveys with competent authorities and service providers, 4 called for streamlined documents, guidance and services which support licensing schemes, e.g., shared licensing across local authorities and shared fit and proper person checks.

Encourage competent authorities to develop more efficient and cost-effective schemes: Approximately a third (32 per cent) of 65 surveyed service providers shared that their competent authority's application process for an authorisation scheme was not online, and they would like it to be. Separately, 61 per cent of the 9 service providers who provided an open text response to the survey would like the application process, guidance and support to be clearer and simpler.

Use reform of the PoSRs as a catalyst to review and update other non-compliant and outdated legislation: 2 competent authorities identified this as a possible strength.

Repeal parts or all of the legislation: 16 per cent of the 32 service providers who shared ideas for how the PoSRs could be changed to be more effective in an open-text survey response suggested the PoSRs should be part repealed or removed as they create unnecessary layers of regulation. However, it is worth noting that only 2 service providers explicitly suggested that the PoSRs should be repealed completely.

Figure 44 | Comments relating to suggestions made by stakeholders

"The burden that this red tape [2-stage licensing fees under the Housing Act 2004] is placing on local authorities and applicants is not benefitting anyone and is adding unnecessary costs for both the regulator and the regulated […] this review of the Provision of Services Regulations provides an opportunity to remove this burden." (Local authority, England, survey)

"The PoSRs could be used as a catalyst to get the Scottish Government to look at Civic Government Act 1982 - it doesn't resonate with how businesses operate - if the Directive could influence a review of that legislation, it would be useful. It risks non-compliance." (Local authority, Scotland, interviewee)

"If the result of this study is the PoSRs should stay, there should be greater awareness amongst LAs about PoSRs. Forums such as Local government association forums, better business for all, strategic regulatory network." (Local authority, England, interviewee)

"Look at an integrated regulatory regime that provides a minimum for information sharing as part of all contracts under 1 piece of legislation." (Local authority, England, survey)

"Explain the added benefit of the PoSRs requirements over and above the regulatory framework & Regulator's code requirements." (Local authority, England, survey)

"I am all in support of reducing the regulatory burden on businesses as long as we can be assured the core priority of protecting the public is maintained. Collaborative working between agencies is key to this and as such a consistent communication system between agencies would be the jewel in the crown of a golden thread to link all officers together." (Local authority, England, Survey)

5. Recommendations

This section provides a range of recommendations based on the findings outlined in this report. It focuses on enhancing the role of the PoSRs to better achieve intended outcomes, to reduce burden for service providers and competent authorities, and to raise awareness of the enforceable rights associated with the Regulations.

Table 10 details the recommendations by part of the PoSRs, identifying whether they relate to either legislative or practice changes. These recommendations provide a range of potential options for BEIS. While they are generated from the insights developed in this report, most recommendations should be subject to further review or consultation prior to implementation to assess risks and suitability. This includes consideration of the UK's free trade agreements, which have been outside of the scope of this research. The table includes considerations against each recommendation to support risk assessment and any next steps.

Table 10 | Recommendations

Part of the regulations	Recommendations	Type of recommendation	Considerations	Evidence and rationale from research
Overarching	1. Make the PoSRs guidance easier to digest by organising the duties into a more logical set of requirements, e.g., authorisation criteria; administration process; reporting etc. to improve interpretation (as per the evaluation framework).	Practice (Guidance)	No major considerations	The structure of the guidance jumps between different steps of designing, administering, and reporting on authorisation schemes across different Parts, making it less clear. The guidance for competent authorities currently follows the structure of the legislation, which is less intuitive. Several competent authorities engaged highlighted that improved guidance around the PoSRs would be beneficial.
Overarching	2. Develop an Engagement Strategy to: a) Explain the short and long-term objectives of the PoSRs to stakeholders post EU Exit to improve clarity on their purpose and to raise their profile to ensure compliance.	Practice (Awareness raising)	Risks creating confusion around perceived conflict with other legislation.	Now that the legislation is operating outside of the context of the single market, it is appropriate for the UK to define its goals for this legislation. The guidance describes aims of consumer protections and burden

	b) Increase awareness of PoSRs amongst competent authorities through communication and training on the practical application of the Regulations to improve overall compliance. Prioritise delivery to groups of competent authorities based on the greatest expected impact for service providers and consumers (risk based, proportionate approach). Use existing local authority forums and establish forums for NDCAs. c) Share the findings from the legislative review to make it clear how the PoSRs interact with other legislation where there have been perceptions of conflict.			reduction, but objectives (short and long-term) are not clearly stated. CAs reported that improved guidance and support around the PoSRs would be beneficial. Low awareness of the PoSRs among CAs reduces the likelihood of compliance.
Part 1: Details on definitions, including of 'service' and 'competent authority'	3. Improve information in legislation and/or in guidance around exemptions, including clarity on what exemptions mean in practice, e.g., 'official authority' to avoid accidental non-compliance.	Practice (update guidance) Legislation (PoSRs)	A legal assessment of exemptions will be required. Some CAs may be deemed non-compliant following this update, who were formerly	Lack of clarity around exemptions in the PoSRs was evident for a minority of CAs and SPs, potentially leading to non-compliance of some CAs.

			assuming an exemption.	
Part 2: Duty for service providers to provide contact details, other information, and a complaints process	4. a) Review other legislation e.g., consumer rights and Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013 to identify any areas where the protections for consumers overlap. b) Subject to the findings of the work set out in 4(a) and the requirements of free trade agreements, consider repealing this element of the legislation based on the following perceptions from respondents: other drivers may place a greater imperative for businesses to comply with these duties; the range of avenues to provide information and complaints permitted in the PoSRs allow for broad compliance; other legislation may provide legal protection for consumers; and service providers largely call for reduced regulation.	Legislation (PoSRs)	Given the broad avenues for providing information within this provision, it is difficult to assess the extent of compliance. In the absence of other consumer protections, there is a risk that dissatisfied service recipients could be without a means of legal redress. A risk assessment will need to be carried out.	There was very low awareness among businesses of needing to provide information to customers under this legislation. Businesses provide information for other important reasons (market demand primarily) and evidence suggests very few would alter their behaviour in ways which would damage the customer experience if the PoSRs were repealed. Businesses were keen to reduce regulation where possible.
Part 3: Duty for competent authorities administering	5. Where CAs report to BEIS that conflicts exist between the PoSRs and other legislation, BEIS should work	Legislation (other)	This would be beyond the scope of the PoSRs team and would need to	There are perceived conflicts with other legislation by competent authorities, particularly around renewals

authorisation schemes for service delivery to provide clear and non-restrictive schemes	with all involved parties to seek a resolution.		form part of a wider review of Better Regulation. It may also require legal input.	periods. Competent authorities implement obligations under other legislation which enforce compliance. Some CAs reported the perception that fee structures are not proportionate to costs of administering schemes. Likely implications of this are lower service standards as authorities try to cut costs and reduce monitoring and enforcement.
Part 3	6. Update PoSRs guidance to provide greater clarity and share good practice by: a) providing clearer information on 'reasonable' timescales for processing authorisation applications. b) including examples of positive changes such as flexible engagement with service providers and more efficient digitised processes.	Practice (guidance)	Perceptions on 'reasonable timescales' vary, and the public interest will be a complicating factor. This could add additional burden to both competent authorities and service providers if	Some service providers reported lengthy time periods for processing of their applications (by local authorities particularly). SPs reported confusing, burdensome, and slow processes by some CAs, largely local authorities. Some businesses felt they were spending a

	c) adding that competent authorities should regularly review and proportionately enforce compliance with their authorisations to increase their perceived value and create greater scrutiny over the authorisation requirements.		it does not trigger simplification of the authorisation process.	disproportionate amount of resource applying for and renewing authorisations to deliver services that were never monitored – and saw other businesses delivering the same services without authorisation.
Part 3	7. BEIS to review whether some non-free trade linked provisions effectively contribute to PoSRs objectives and consider simplifying if needed.	Legislation (PoSRs)	There is a risk that this fragments commitments across multiple pieces of legislation to meet the UK's FTA.	The range of principles outlined in the PoSRs appeared common sense to CAs in our sample who either felt they complied due to other legislation; due to regulator's code or other internal professionalisation.
Part 6: Duty of competent authorities to outline all necessary documentatio n requirements to applicants, administer an	8. Government to share good practice for priority CAs (especially local authorities) to complete the transition to online authorisation processes to professionalise service standards for applicants, prioritising high-volume schemes and remaining live to digital exclusion risks.	Practice (Infrastructure)	This is beyond the scope of the PoSRs.	Many authorities have been slow to move online (with some still paper-based) – and for many local authorities they did not have an end-to-end digitisation process. Improving the technology to speed things up was a request from both CAs and SPs.

electronic process and not restrict advertising or the delivery of other services for their licence or reg holders	9. Include practical examples in the guidance on where it would be appropriate to restrict commercial activities due to overriding reasons relating to the public interest.	Practice (Guidance)	Low risk	Some CAs highlighted areas where they restricted commercial activities due to public interest and some confusion as to whether they were compliant with the PoSRs in this respect.
Part 7: Duty for competent authorities to provide clear and unambiguous information on request and report updates on their scheme to the Secretary of State (BEIS)	10. Increase awareness of the need and correct channels to provide scheme updates to BEIS SoS and introduce low burden monitoring of CAs' reporting. This should be undertaken through engagement with CAs and stakeholders that clearly explains the purpose and value of providing this information, e.g., to enable SPs to navigate the licensing landscape. This could be included in the engagement strategy outlined in recommendation 2.	Practice (Awareness raising) Practice (Monitoring and enforcement)	Competent authorities will likely see this as high burden for low reward unless the central support for licensing applications through the Licence Finder is markedly enhanced.	Lack of enforcement around the PoSRs means very few updates are reported to BEIS, creating limitations in the licence finder tool and automatic deferral to other legislation over the PoSRs.
Part 8: Duty for the Secretary of State to	11. Review how effective Licence Finder is at enabling SPs to navigate the regulatory landscape. Identify whether SPs are finding this useful, or if there	Practice (Licence Finder)		Few stakeholders in our sample had successfully used the licence finder and

provide an electronic assistance facility for users (Government Licence Finder)	are areas where functionality and coverage could be improved.			some felt that improvements could be made.

These groups are separated into sub-types in Table 11 below.

Table 11 | Recommendation type description

Type of recommendation	Sub-type or regulatory lever	Description
Legislation	PoSRs	Updates, amendments, or repeals to aspects of this legislation.
Legislation	Other	Reviews and triggered amendments to other related legislation within the service landscape.
Practice	Guidance	Changes to the guidance to improve clarity and interpretation of the legislation.
Practice	Awareness raising	Campaigns to raise awareness of the legislation and any updates.
Practice	Monitoring and enforcement	Monitoring of PoSRs compliance to better enforce compliance
Practice	Regulatory infrastructure	Changes to the regulatory infrastructure, e.g., supporting partnership working or shared systems between CAs (particularly local authorities).

| Practice | Licence finder | Changes to Government licence finder. |
| Practice | Training | Training for target groups to improve interpretation and compliance with the legislation. |

These recommendations provide BEIS with a path to improving the effectiveness of the PoSRs based on the data gathered in this research. When considering the options presented in this report, it is important to also consider the limitations of the data collected. These include the limited nature of the engagement with competent authorities and survey providers, and the lack of a counterfactual to compare the outcomes of the PoSRs with. In an ideal scenario, this report would have used baseline measures and a counterfactual to assess the impacts and outcomes of the PoSRs, and wider, more representative engagement with competent authorities and service providers to create a more robust evidence base.

Appendix A: Desktop research into other regulation

Table 12 shows perceived overlapping requirements of the PoSRs with other regulatory levers (it excludes Part 1 and 8 due to no overlaps). Within these broad overlapping areas, the table highlights some specific elements of the PoSRs that are not likely to be covered. To note, the table is not comprehensive. Rather, it stems from regulatory levers highlighted through interview and survey responses.

The Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013 apply to contracts made both on and away from business premises. They require businesses to give service recipients certain information and are perceived, from our findings, to overlap significantly with Part 2 of the PoSRs.

The Regulators' Code provides a clear, flexible, and principles-based framework for how regulators in the UK should engage with those they regulate. It overlaps at a high-level with the PoSRs as both regulatory levers have similar intended outcomes. However, the Regulators' Code does not provide the same level of protection that the PoSRs do; the PoSRs are binding, and their requirements are more specific and wide-reaching to ensure that a minimum standard of service from competent authorities is delivered. The Regulators Code also does not contain obligations on service provider and HMG as is seen in the PoSRs.

The Code of Practice on Guidance on Regulations (in Northern Ireland) and the Scottish Regulators' Strategic Code of Practice both set out guidance for regulators in their respective regions. Some perceived overlaps are noted in Table 12.

Table 12 | Comparison of requirements of the PoSRs with other regulation

Part of the PoSRs	Description of provisions	Regulation and region	Part of regulation	Description of requirement	Areas of potential overlap	Distinct elements
Part 2	Service providers have a duty to provide their contact details and other	The Consumer Contracts (Information, Cancellation	Part 2, Chapter 1, Regulations 9(1) and 10(1a).	Before the consumer is bound by an on-premises/off-premises contract, the trader must give the consumer the information listed in Schedule ½ in a clear and	The Consumer Contracts Regulations overlap considerably with the PoSRs (duplicate statutory	The Consumer Contracts Regulations do not ask for businesses to make the

	information to service recipients, along with processes for submitting complaints.	and Additional Charges) Regulations 2013 (UK legislation).	(Schedule 1 and 2).	comprehensible manner. Schedule ½ includes but is not limited to the identity of the trader; the geographic address at which the trader is established and, where available; the trader's telephone number, fax number and email address; the total price of the services or where the nature of the services is such that the price cannot reasonably be calculated in advance, the manner in which the price is to be calculated; the time by which the trader undertakes to perform the service; the arrangements for the trader's complaint handling policy.	requirements) and will lead to similar outcomes for businesses bound by this regulation.	following information available to customers: professional liability insurance, if required by the SP; and the particulars of the competent authority where the business's activity is subject to an authorisation scheme.
Part 3	Competent authorities are required to provide a clear process for their authorisation scheme. Businesses cannot be prohibited from delivering a services activity	Regulators' Code (UK).	Provision 6.1, 6.2 and Provision 1.1.	Regulators should publish a set of clear service standards, setting out what those they regulate should expect from them. Regulators' published service standards should include clear information on; a) how they communicate with those they regulate and how they can be contacted; b) their approach to providing information, guidance, and advice; c) their approach to	The overlap is at a high-level, but the Code and the PoSRs should ensure similar standards of service and prevent CAs from placing unfair burdens or restrictions on SPs.	The PoSRs directly impacts the way that CAs run their schemes, whereas the Regulator's Code provides only guidance that CAs should publish clear and comprehensive service standards. For example, the

	due to an economic test, involvement of competing operators or other specified requirements.			checks on compliance; d) their enforcement policy; e) their fees and charges, if any; f) complaints route. Regulators should avoid imposing unnecessary regulatory burdens through their regulatory activities and should assess whether similar social, environmental, and economic outcomes could be achieved by less burdensome means.		Regulators' Code does not explicitly say that CAs should not prohibit service provider from activity due to the criteria in the PoSRs, e.g., economic tests,. The PoSRs therefore provide clearer instruction as to how CAs should act, and greater protection to SPs from malpractice
		Code of Practice on Guidance on Regulations (Northern Ireland).	Rule 4 and 5.	Rule 4. Easy for the intended users to understand. Guidance will be written in clear language appropriate to the intended audience. The easier the guidance is the more likely it is to be followed correctly. The language used should be as clear as possible. Rule 5. Designed to provide an appropriate understanding of how to comply with the law. Businesses	The Code of Practice and PoSRs overlap at a high-level as they both aim to ensure that CAs set out clear processes for their schemes.	The Code of Practice does not cover anything other than guidance on authorisation schemes, so overlap is fairly limited here.

				should be confident that the guidance will help them understand how to comply with the law by providing a clear explanation of the law.		
Part 6	Competent authorities must have low burden requirements for documentation and certificates. They must provide certain information and accept applications through an electronic facility. Competent authorities cannot impose a total prohibition on the use of commercial communications by providers of a service who are carrying on a regulated	Regulators' Code (UK guidance).	Provision 5.2 and Provision 1.1.	Regulators should publish guidance and information in a clear, accessible, concise format, using media appropriate to the target audience and written in plain language for the audience. Regulators should avoid imposing unnecessary regulatory burdens through their regulatory activities and should assess whether similar social, environmental and economic outcomes could be achieved by less burdensome means.	The overlap is high-level, but both levers should lead to similar outcomes for SPs– proportionate documentation requirements, an online portal, and proportionate regulation	The Regulators' Code does not explicitly state that CAs provide documentation requirements or an online application portal. It does not place a ban on prohibition of SPs' commercial activities.
		Code of Practice on Guidance on Regulations (Northern Ireland guidance).	Rule 7.	Rule 7. Easy to access. Guidance should be easily available to the user. It will be accessible principally via NIBusinessInfo.co.uk.	The overlap is high-level and over a specific area; both levers aim for documentation guidance to be easily available for SPs.	The Code of Practice only covers a very specific area around guidance, so does not include the requirement for an online application portal

	profession or (subject to exceptions) oblige the provider to exercise a specific service activity exclusively or restrict the exercise, jointly or in partnership, of different activities.					or any of the restrictions around prohibiting SPs' commercial activities.
Part 7	Competent authorities must ensure that the Secretary of State is updated with the most current information on the authorisation scheme they administer, and the requirements that are applicable to	Regulators' Code (UK guidance)	'Monitoring the effectiveness of the Regulators' Code'	The Government will monitor published policies and standards of regulators, subject to the Regulators' Code, and will challenge regulators where there is evidence that policies and standards are not in line with the Code or are not followed.	Both guidance and legislation require the government to keep up to date with authorisation schemes.	Unlike the PoSRs, the Code includes a non-binding provision for the government to monitor and enforce its guidelines.

	providers of the service.					

Table 13 outlines areas of potential overlap between the Regulators' Code with the PoSRs criteria for authorisation schemes, based on desktop research. Multiple competent authorities cited the Code as a driver for designing their authorisation schemes, rather than the PoSRs (note the Regulators' Code is guidance). Local authorities also consistently referred to the Licensing Act 2003; however, this legislation is limited in scope so has not been included in the table below.

Table 13 | Perceived overlaps with PoSRs authorisation scheme criteria

PoSRs authorisation scheme criteria	The Regulators' Code (2014) (guidance)	Perceived overlap
Justified by an overriding reason relating to the public interest	'It is in the wider public interest that regulators are transparent and proportionate in their approaches to regulation'	Significant overlap
Proportionate to that public interest objective	'Regulators should choose proportionate approaches to those they regulate'	Significant overlap
Clear and unambiguous	'Regulators and those they regulate will have a clear understanding of the services that can be expected'	Significant overlap
Objective	'Regulators should provide an impartial route to appeal against a regulatory decision'	Limited overlap as impartiality is only discussed in the context of making an appeal. In addition, the term impartiality can be interpreted differently to objectivity depending on the context

Made public in advance	Information published should be easily accessible on the regulator's website and it should be kept up to date	Different requirements but encourage similar behaviours within regulators
Transparent and accessible	'Regulators should ensure that their approach to their regulatory activities is transparent' 'Regulators should publish guidance and information in a clear, accessible format' 'Information published should be easily accessible'	Significant overlap

Appendix B: Detailed theory of change

Table 14 shows the theory of change for the PoSRs. It outlines the activities, outputs, outcomes, and long-term impacts of the PoSRs. The input for the PoSRs was the creation of the 2006 EU Service Directive which applied to all EU countries, and the maintenance of the Regulations post-EU Exit. The table builds on BEIS' theory of change, drawing directly from the legislation and indicates the findings from the research where these are available.

Table 14 | A detailed theory of change for the PoSRs

Theory of Change (ToC) hypotheses with the level of support from the evaluation findings (Not assessed, Generally not supported, Generally supported but not in all cases Supported)				
Part of the PoSRs	**Activities**	**Outputs**	**Interim outcomes**	**Long term outcomes**
Part 1	- UK Government draws a list of sector exclusions for the PoSRs. - The same sector exclusions are retained after exiting. - Requirement for SPs/CAs to adhere to PoSRs provision is included in the regulation.	- Clear and justified list of exclusions. - Regulated CAs and SPs are aware and understand whether they fall within or out of the scope of PoSRs. - **(CAs and SPs were not always clear on their status as exempt or not).** - Other legislation covering exempted sectors is unimpeded by the PoSRs. **(Not assessed).** - No conflicting regulations for any sector.	- All CAs/SPs in sectors where legislation is appropriate are in scope **(Not assessed).** - There is clarity on other legislation covering exempt CAs/SPs **(Not assessed).** - All CAs/SPs are clearly covered by legislation without duplication or conflict **(Not assessed).**	- Comprehensive, coherent and clear regulatory landscape **(Some confusion over exemptions in the PoSRs from CAs and SPs).**

		(Not assessed, but some suggestion of perceived conflicts from CAs).		
Part 2	- Service providers must provide their contact details and other information to service recipients through specified channels, clearly and unambiguously. **(SPs were largely compliant in providing contact details to customers, although not all contact details were provided through their websites).** (Compliance was driven by market demand, not the PoSRs). - SPs must provide a complaints process, including through the provision of contact details **(SPs were largely compliant in providing a complaints procedure, although the route for**	- Service recipients have clear information on how to contact service providers is available. - Service recipients have a clear route to lodge a complaint with service providers. - Service recipients can expect to receive an accurate price estimate. **(Research with service recipients was not conducted. Evidence suggests they would be able to receive any information they need at least on request within the bounds of the PoSRs).**	- SPs are easily contactable by service recipients and competent authorities. - SRs can voice dissatisfaction and receive responses to complaints. - Service recipients can compare prices with ease. **(Research with service recipients was not conducted. Evidence suggests they would be able to receive any information they need at least on request within the bounds of the PoSRs).**	- Increased consumer confidence in SPs due to accurate information, transparent quotes and complaints procedures. **(Not assessed).** - Transparent pricing due to the provision of quotes encourages a competitive market environment and the protection of consumer interests. **(SPs expressed that consumer protection and competition were benefits of providing pricing information).** (Drivers of transparency in price were not perceived to be a result of the PoSRs). - Resources are needed to provide information, quotes and complaints procedures which

86

complaints was usually via contact details and not expressly advertised).

(Compliance was driven by market demand, not the PoSRs).

- Where there is a price for a service, the provider must provide, on request, the price of the service or a method for estimating the price where there is not a sufficiently detailed estimate available.

(SPs are largely compliant with providing pricing information).

(Compliance is due to market demand).

- Service providers that are regulated professions must state the regulated profession, and the regulating body, and, where requested, share information on the professional rules that apply to them.

increases cost. This may be passed on to SRs.

(Most SPs found providing price information relatively low burden. Some SPs suggested that only the most relevant information should be required to be provided to allow greater time for business enhancements).

- Service providers face increased price competition from other service providers.

(SPs were not able to attribute increased price competition to the PoSRs).

- Competition between service providers can reduce prices for SRs

(SPs were not able to attribute decreased prices for SRs to the PoSRs).

	(SPs usually provided information about regulatory bodies via contracts or on request). **(Information provided partly due to the PoSRs, but also due to market demand).**			- SRs have increased confidence in service providers due to accurate information **(Not assessed).** - SRs can attain the best value for money and plan spending **(Not assessed).**
Part 3	- Competent authorities must apply conditions for authorisation that are justified by overriding reason of public interest, proportionate to public interest objective, clear and unambiguous, objective, made public in advance, and transparent and accessible. **(CAs largely applied the criteria outlined in the PoSRs for designing authorisation schemes and saw them as good practice that is mandated in other**	- The Government can review authorisation processes and principles with ease. **(Not assessed).** - SPs understand the criteria for obtaining authorisation and when it is necessary. **(Majority of SPs agreed that they understood the criteria for obtaining authorisation and when it was needed).** - SPs are assessed against requirements that are proportionate to the public interest.	- Government can intervene where necessary to redress issues of non-compliance. **(CAs reported no instances of intervention from HMG).** - CAs administer high quality authorisation schemes. **(SP's perceptions of authorisation schemes were mixed, with some poor experiences, particularly in relation to local authority provision).**	- CAs are following authorisation principles (e.g., principles of public interest and proportionality) which encourage openness, transparency, and ease of doing business in the markets for service provision. **(Most SPs were satisfied that CAs made it easy to do business with some notable exceptions).** **(Stakeholders did not attribute the ease of doing business to the PoSRs).**

	regulation and internal policies). - Competent authorities may not prohibit businesses from delivering service activities due to certain economic tests, involvement of competing operators or other requirements. **(Some reported non-compliance of applying prohibited tests, particularly relating to economic tests and competing providers).** - Competent authorities have a duty to grant authorisation for indefinite periods, although exceptions apply. **(Widespread use of automatic renewals of authorisation).** **(Some perceived conflict with legislation as SPs reported having to periodically reapply for authorisation).**	**(Most CAs felt their schemes were proportionate to public interest).** **(Some SPs felt that the authorisation schemes for their services were disproportionate).** - SPs do not need to reapply for authorisation and CAs do not need to renew authorisations unless in specified circumstances. **(Renewals of authorisations were widespread, mostly aligned to the PoSRs exemptions, but there were potential instances of non-compliance).** - SPs understand when and how to apply for authorisation to deliver services. **(Most SPs agreed that they understand when and how to apply for**	- CAs need resources to provide information and ensure criteria is met resulting in increased cost. **(Most CAs saw the requirement to provide scheme information as a necessity, irrespective of the PoSRs and not overly burdensome).** - SPs face low barriers to entering the market. **(SPs expressed frustration in applying for authorisation in some cases but very few had failed to gain authorisation).** - SPs and CAs save time and resources due to not renewing authorisations unnecessarily. **(The majority of authorisation schemes required renewal).**	- SPs have improved access to obtaining authorisations and reduced regulatory burden on service providers results in increased ease of market entry, resulting in increased competition for existing service providers. **(SPs were not able to tell if outcomes relating to reduced regulatory burden were being met, nor link them to the PoSRs).** - Increased number of providers competing in the market can lead to reduced prices, more choice, better quality of service. - Public interest criteria ensures that the interests of service recipients (e.g., safety, high quality services) are met. **(SPs were not able to tell if outcomes relating to**

	- Competent authorities have a duty to provide a clear process for their authorisation schemes. **(Some dissatisfaction among SPs that this was not the case, particularly when applying to local authorities. Local authorities were stretched in terms of capacity and funding).** - Competent authorities have a duty to ensure applications are authorised as quickly as possible and within a reasonable time period. **(Majority of CAs met their targets for addressing applications but some SPs felt timescales were unreasonable).**	**authorisation of services).** - SPs experience low burden and reasonable timescales when applying for authorisation. **(Some SPs felt timescales were unreasonable, particularly when applying to local authorities).**	- SPs find it easy and low burden to apply for authorisation. **(SPs expressed frustration in applying for authorisation in some cases but very few had failed to gain authorisation).**	**public interest were being met, nor link them to the PoSRs).** - SPs need fewer resources to apply for authorisations/renewal of authorisations, resulting in reduced costs **(High proportions of SPs were required to apply for renewals of authorisations, however, the impact on SPs has been unable to be assessed).**
Part 6	- Competent authorities must apply low burden documentation requirements and accept alternative documents	- SPs face low barriers in providing necessary documentation for their application.	- Application process sped up and resource needs reduced for SP applicants due to low	- Increased participation in the market is encouraged (through increased ease of

from SPs as part of the application. **(Most SPs reported no issues with documentation requirements for authorisation applications).** - Competent authorities must provide for the completion of applications through an electronic facility. **(The move to online had been slow and varied in effectiveness for CAs– the PoSRs had driven this for some in the past but not today).** - Competent authorities must not impose total prohibitions on the use of commercial communications by providers of a service who are carrying on a regulated profession. **(Some prohibitions were imposed on SPs by CAs**	**(Most SPs were satisfied with the documentation required in applying for authorisation).** - Service providers can understand how to apply and submit an application for authorisation via an online process, except in certain circumstances. **(Some local authorities had struggled to fully digitise their processes and some SPs still had to post or deliver evidence for their application).** - SPs can use some forms of commercial communication without adverse impact on authorisation. **(Most SPs were not prohibited from using commercial communications).** - SPs can perform unrestricted other services	burden requirements for evidence of certification. **(Most SPs were satisfied that evidence required for scheme applications was low burden)** - CAs administer high quality authorisation schemes. **(Some SPs disagreed, and local authorities particularly struggled with resource constraints).** - CAs need increased resources to initially set up and update electronic processes for displaying information transparently. - CAs see increased efficiencies from reduced admin burden and costs of running efficient online processes. **(Some CAs reported resource pressures in**	acquiring the right authentication). **(SPs did not feel that there were barriers to market or that requirements were overly onerous).** **(SPs could not link ease of market entry to the PoSRs).** - SPs have improved ease of access to obtaining authorisations and reduced regulatory burden on SPs results in increased ease of market entry, resulting in increased competition for existing service providers. **(SPs were not able to tell if outcomes relating to reduced regulatory burden were being met, nor link them to the PoSRs).** - Increased number of providers competing in the market can lead to reduced prices, more

related to the public interest). - Competent authorities do not oblige the provider to exercise a specific service activity exclusively and restrict the exercise, jointly or in partnership, of different activities (subject to exceptions). **(Some prohibitions were imposed on SPs by CAs related to the public interest).**	without adverse impact on authorisation. **(Most SPs were not prohibited from delivering services outside of their scheme).**	**moving online due to the PoSRs but now seen as common practice and beneficial for efficiencies. Some did not see the value of moving online due to small application volume).** - CAs have reduced flexibility on rule-setting. **(For the majority of CAs, the PoSRs were not seen as impacting rule setting).** - SRs see increased contact from providers due to reduced commercial communication restrictions. **(Not assessed).** - SPs can provide a wider range of services due to reduced CA restrictions. **(SPs did not feel constrained on the services they could offer but CAs did not**	choice and better quality of service. **(SPs were not able to tell if outcomes relating to consumer choice or price were being met, nor link them to the PoSRs).** - CAs see increased efficiencies from reduced admin burden and costs of delivering online. **(CAs agreed that they have seen increased efficiencies, and some but not all could attribute this to the PoSRs).** - SRs have access to increased information and choice through commercial communication. **(Not assessed).** - SRs may have a negative experience (overwhelmed, being convinced to spend more than able to etc). **(Not assessed).**

			recognise the role of the PoSRs).	- SPs see reduced barriers to entry into other service sectors. (SPs did not attribute the ease of entering other markets to the PoSRs).
Part 7	- CAs must provide BEIS SoS with the most current information on the authorisation scheme they administer, and the requirements that are applicable to providers of the service. (CAs did not identify reporting scheme changes to BEIS as standard practice). - CAs must provide certain infromation on request to SPs and service recipients, in a manner which is clear, unambiguous, and shared via electronic means. (Not assessed).	- The requirement to update BEIS SoS encourages CA's compliance with duties. - The SoS receives information needed to update the electronic facility (Government Licence Finder) from CAs. - SPs and service recipients can request and receive information on request from CAs. (All outputs relating to requests for information and benefits from licence finder are limited due to lack of awareness of reporting requirements to HMG and licence finder).	- The Government can provide up to date information on CAs to meet Part 8 requirements. - HMG can see information on competent authorities and intervene when instances of non-compliance are found. - CAs need increased resources to provide information of any changes to HMG resulting in increased cost - SPs and SRs can hold CAs to account for perceived non-compliance with the PoSRs.	- Ensures accuracy and transparency of information which creates a robust evidence base. - Shifts the responsibility of accurate information to CAs resulting in reduced bureaucratic/administrative burden for the Government. - Supports ease of access to market for SPs through up-to-date Licence Finder. (All outputs relating to requests for information and benefits from licence finder are limited due to lack of awareness of reporting requirements to HMG and licence finder).

			(All outputs relating to requests for information and benefits from licence finder are limited due to lack of awareness of reporting requirements to HMG and licence finder).	
Part 8	- The BEIS SoS is required to provide an electronic assistance facility (i.e., Government Licence Finder) **(This facility is provided by HMG).**	- HMG faces an ongoing requirement to provide information on authorisation schemes - The requirement for a facility provides HMG with an option of extending license finder to include sectors that are not otherwise included in PoSRs. - SPs and SRs can look up licensing/authorisation requirements with ease online and find relevant CAs. - CAs can rely on the Licence Finder to point	- SPs can easily identify which authorisations are required to provide services and who they need to contact. - Reduced requirement for CAs to advertise their authorisation schemes to potential applicants. - Government resources are needed to collate information and maintain online platform. **(Users have some difficulty using Licence Finder).**	- The facility helps to increase compliance and therefore public safety & assurance. - HMG is improving the ease of doing business directly by facilitating the tool. - Some administrative burden shifted from CAs to Government. - Reduced admin/bureaucratic costs for SPs and reduced risk of non-compliance. - SRs have increased assurance in service provision. **(Not directly assessed).**

		SPs towards their authorisation schemes. **(Licence Finder receives a relatively large volume of visits but evidence from the research suggests utility could be improved).**		

Appendix C: Engagement summary

A summary of the engagement approach is shown below. This includes details on the survey and interview sampling approaches.

Survey sampling

Table 15 compares our achieved survey samples with our target survey samples. Target samples reflected the sample size required for each stakeholder group to deliver research findings significant at a 95 per cent confidence level using a +/- 10 per cent margin of error. This would mean we could be 95 per cent certain that the results lie between +/- 10 per cent of the real value.

Table 15 | Target survey sample compared to actual survey sample

Stakeholder group	Target survey sample	Actual survey sample
Competent authorities	81	29
Service providers	97	126
Service providers who had applied to an authorisation scheme	97	65

As part of the survey, service providers were asked whether they had applied to an authorisation scheme. Of the 126 respondents, 65 had applied to a scheme and were therefore able to respond to questions about this experience. This subset of responses is not significant at a 95 per cent confidence level using a +/- 10 per cent margin of error.

Further detail on the profile of competent authority and service provider survey respondents is provided below.

BEIS and IFF Research distributed the surveys via multiple channels to try to increase survey responses, outlined in Table 16.

Table 16 | Survey distribution methods to stakeholder groups

CA survey channels	Service provider survey channels[34]
Main channel: distributed the link to the survey via BEIS' and OPSS (Office for Product Safety and Standards) generic email address using the contact details held for competent authorities. Reminders were sent at the beginning of each week after initial distribution. Additional channels: In the case of Local Authorities in their role as Competent Authorities, the survey link was also distributed via the LGA newsletter, Licensing Policy forum, OPSS Local Government forum and newsletters, Welsh LGA mailing lists and DLUHC engagement newsletter.	Main channel: distributed to businesses via the IFF Industry Pulse Research Panel. Reminders were sent at the beginning of each week after initial distribution.

Table 17 includes the breakdown of competent authority survey respondents by type of competent authority and by region.

Table 17 | Breakdown of competent authority survey respondents by type and by region

Industry	England	Scotland	Wales	Northern Ireland	>1 region
Non-department competent authority			1		6
Devolved administration department				1	
Local Authority	19		2		
Grand total	**19**	**0**	**3**	**1**	**6**

Table 18 includes the breakdown of non-department competent authority (NDCA) survey respondents by region and industry. An NDCA is an encompassing term to describe all competent authorities that are not local authorities or government departments. Industries given are based on priority sectors, that were given by BEIS.

Table 18 | Breakdown of NDCA survey respondents by region in the UK

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[34] For the service provider survey, we considered the Interdepartmental Business Register (IDBR) as an alternative channel to identify a representative sample from which we could link to a database of contacts via Experian or a similar company. However, the relatively poor quality of contact details available via this route for relatively high associated costs made it less viable. The Nous and BEIS team determined that the IFF Industry Pulse Research Panel would likely yield higher responses.

Industry	England	Scotland	Wales	Northern Ireland	>1 region
Construction, Housing and Property					1
Education			1		1
Information and communication					1
Professional and business services					1
Other service sectors					2
Grand Total			**1**		**6**

Table 19 includes the breakdowns of local authority survey respondents by region and type.

Table 19 | Breakdown of local authority survey respondents by region in the UK

LA type	England	Scotland	Wales	Northern Ireland
County Council	2			
District Council	7			
London Borough	4			
Metropolitan District	1			
Principal Council		2		
Unitary Authority	5			
Grand total	**19**	**2**		

Table 20 and Table 21 include breakdowns of service provider survey respondents by business size and region, respectively. Industries given are based off the sectors given in the IFF survey.

Table 20 | Breakdown of service provider survey respondents by business size

Industry	Micro	Small	Medium	Large
Agriculture, forestry and fishing	3	2		
Mining, energy and utilities	2			
Manufacturing	6	5	1	1
Construction	5	2		
Wholesale and retail	10	4	3	2
Accommodation and food services	4	2	1	
Real estate	4	5	1	
Professional, scientific and technical	16	8		1
Administrative and support	2	2	1	
Education	9	6	1	1
Arts, entertainment, and recreation	1	1	3	
Other	4	4	3	
Grand total	**66**	**41**	**14**	**5**

Table 21 | Breakdown of service provider survey respondents by region in the UK

Industry	England	Scotland	Wales	Northern Ireland
Agriculture, forestry, and fishing	5			
Mining, energy, and utilities		1		1
Manufacturing	9	3		1
Construction	5			2
Wholesale and retail	16		3	
Accommodation and food services	6	1		
Real estate	8	1		1
Professional, scientific, and technical	22	2		1
Administrative and support	4			1
Education	9	1	3	4
Arts, entertainment, and recreation	4			1
Other	8	2		1
Grand total	**96**	**11**	**6**	**13**

Interview sampling

Nous conducted 40 interviews with competent authorities and service providers, compared to a total target number of 61 - 65 interviews. Most of the shortfall related to interviews with service providers, as well as 4 target interviews with service provider membership bodies as shown in Table 22.

Table 22 | Target interview sample compared to actual interview sample

Stakeholder group	Target interview sample	Actual interview sample
Competent Authorities	Total = 27 - 29 25 (plus 2-4 pilot interviews)	Total = 24 20 (plus 4 pilot interviews)
Service Providers	Total = 30 - 32 28 (plus 2-4 pilot interviews)	Total = 16 14 (plus 2 pilot interviews)
Service provider membership bodies	4	0

We conducted interviews via self-selection and convenience sampling. We initially identified a target sample of competent authorities based on a range of relevant variables, including region, sector and type and targeted a long list of competent authorities directly via BEIS. However, due to low take up we ultimately relied on an open invitation and self-selection.

For service providers, the sample was drawn from volunteers via the business survey. This was the case for all but our 2 pilot interviews. While we aimed for a spread of business sizes (based on number of employees), region and sector, we did not receive the sufficient volume of volunteers to achieve this. We intended to interview service provider membership bodies to add sector-wide views on how the PoSRs were interpreted and experienced but struggled to invite any to interview.

Nous and BEIS used additional convenience sampling routes to try and increase the total number of interviews, which included:

- Approaches to BEIS sector teams, BEIS contacts in business representative organisations and competent authorities for additional service provider contacts,
- Individual email invitations to 14 service provider membership bodies,
- Approaches to LGA forums and individual email invitations to 12 Local Authority CEOs to source additional interviews from devolved administrations,
- Approaches to personal competent authority and service provider contacts for pilot interviews.

Table 23 illustrates the breakdown of the interview sample by survey follow-up and direct contact.

Table 23 | Breakdown of interview sample by survey follow-up and direct sampling routes

Stakeholder group	Survey follow-up	Unique engagements	Total interviews
Competent Authorities	5	19	24
Service Providers	14	2	16

While our actual interview samples achieved a broad coverage of different stakeholder categories, they contained notable gaps compared to our target samples. A summary of these gaps is provided in Table 24.

Table 24 | Interview sample gaps compared to target samples

Competent Authority interview gaps	Service provider interview gaps
Non-departmental competent authorities authorising schemes for Media and Creative Services; and Mining, Energy and Utilities Councils in Northern Ireland and Scotland Principal Councils in Wales	Medium sized service providers Service providers working in Mining, Energy and Utilities; Administrative and Support Services; and Arts, Entertainment and Recreation sectors Service providers operating in Wales and Northern Ireland

Further detailed breakdowns of our actual interview samples compared to our target samples is provided in Table 26, Table 27 and Table 28.

Table 25 includes the total number of survey responses and interviews for both competent authorities and service providers.

Table 25 | Final totals of survey responses and interviews

Stakeholder group	Total number of survey responses	Total number of interviews
Competent authorities	29	24 (4 were pilots)
Service providers	126	16 (2 were pilots)

Table 26 includes the breakdown of competent authority interviews by type of competent authority and by region.

Table 26 | Breakdown of competent authority interviews by type and by region

Type	England	Scotland	Wales	Northern Ireland	>1 region
Non-departmental competent authority	2	1	2		5
Internal government team		1			
Devolved administration department				1	
Local Authority	11	1			
Grand total	**13**	**3**	**2**	**1**	**5**

Table 27 includes the breakdown of non-department competent authority interviews by region and industry. Industries given are based on priority sectors, that were given by BEIS.

Table 27 | Breakdown of NDCA interviews by region in the UK

Industry	England	Scotland	Wales	Northern Ireland	>1 region	All UK
Agriculture, forestry, and fishing		1			1	
Arts, sports, and recreation	1		1			
Construction, Housing and Property						1
Education	1		1			

					1	1
Professional and business services					1	1
Cross-Sector Mandate					1	
Grand Total	**2**	**1**	**2**	**0**	**3**	**2**

Table 28 includes the breakdowns of local authority interviews by region and type.

Table 28 | Breakdown of local authority interviews by region in the UK

LA type	England	Scotland	Wales	Northern Ireland
County Council	4			
District Council	6	1		
London Borough	1			
Grand total	**11**	**1**		

Table 29 and Table 30 include breakdowns of service provider interviews by business size and region, respectively. Industries given are based off the sectors given in the IFF survey.

Table 29 | Breakdown of service provider interviews by business size

Industry	Micro	Small	Medium	Large
Construction		1		1
Accommodation and food services	1			
Real estate	1	2		

Professional, scientific, and technical	2	1		1
Education	4			
Other	1		1	
Grand total	**9**	**4**	**1**	**2**

Table 30 | Breakdown of service provider interviews by region in the UK

Industry	England	Scotland	Wales	Northern Ireland	>1 region
Construction	1				1
Accommodation and food services	1				
Real estate	2	1			
Professional, scientific, and technical	4				
Education	2	1		1	
Other	2				
Grand total	**12**	**2**	**0**	**1**	**1**

Appendix D: Quantitative data

Our survey research collected multiple quantitative data points relating to the time and resource requirements for stakeholders to comply with the PoSRs. This data is provided as an appendix because the response rate is too low to draw any significant or meaningful conclusions. However, these results can be used as a baseline for any future research into the burden that the PoSRs impose on service providers and competent authorities, or as a starting point to measure the impact of any actions taken to make the PoSRs more effective.

Relevant results for service provider survey respondents include:

- Time taken to provide information for consumers online, including contact details, regulatory information, a complaints process, and prices and/or quotes for services (Figure 45)

- Time taken to apply for authorisation (Figure 46)

Figure 45 | Average number of working days spent by service providers updating information online annually

Question: How many working days does it take your business annually to maintain the following information that you provide online for your customers?

n = 78
5.4
Contact details

n = 38
5.3
Regulatory information

n = 35
4.7
Complaints process

n = 32
7.1
Set price

n = 34
16.7
Quotes

■ Average number of working days spent updating information online

Base: Businesses that provided the above information to customers. Participants who responded "Don't know" have been excluded from this data set.

Source: Survey of the IFF Industry Pulse Research Panel managed by IFF

Figure 46 | Average number of working days taken to apply for authorisation by size of service provider

Question: How many working days did it take your business to apply for your most recent authorisation to provide services?

Base: Businesses that use authorisations and those that applied unsuccessfully. Participants who responded "Don't know" have been excluded from this data set.

Source: Survey of the IFF Industry Pulse Research Panel managed by IFF

Relevant results for competent authority stakeholders include:

- Target times to process applications, referring to the most applied to authorisation scheme they administer (Figure 47)

- Time taken to update online information and processes related to authorisation schemes, including information on how to apply to schemes, documentation requirements, and maintaining and updating online application processes (Figure 48).

Figure 47 | Target times for applications to be processed by competent authority type

Question: What are your organisation's targets for how long it will take for applications to this scheme to be processed? In full-time working days.

Base: Organisations that set targets, standards or expected times for processing authorisation applications

Source: Survey of competent authorities
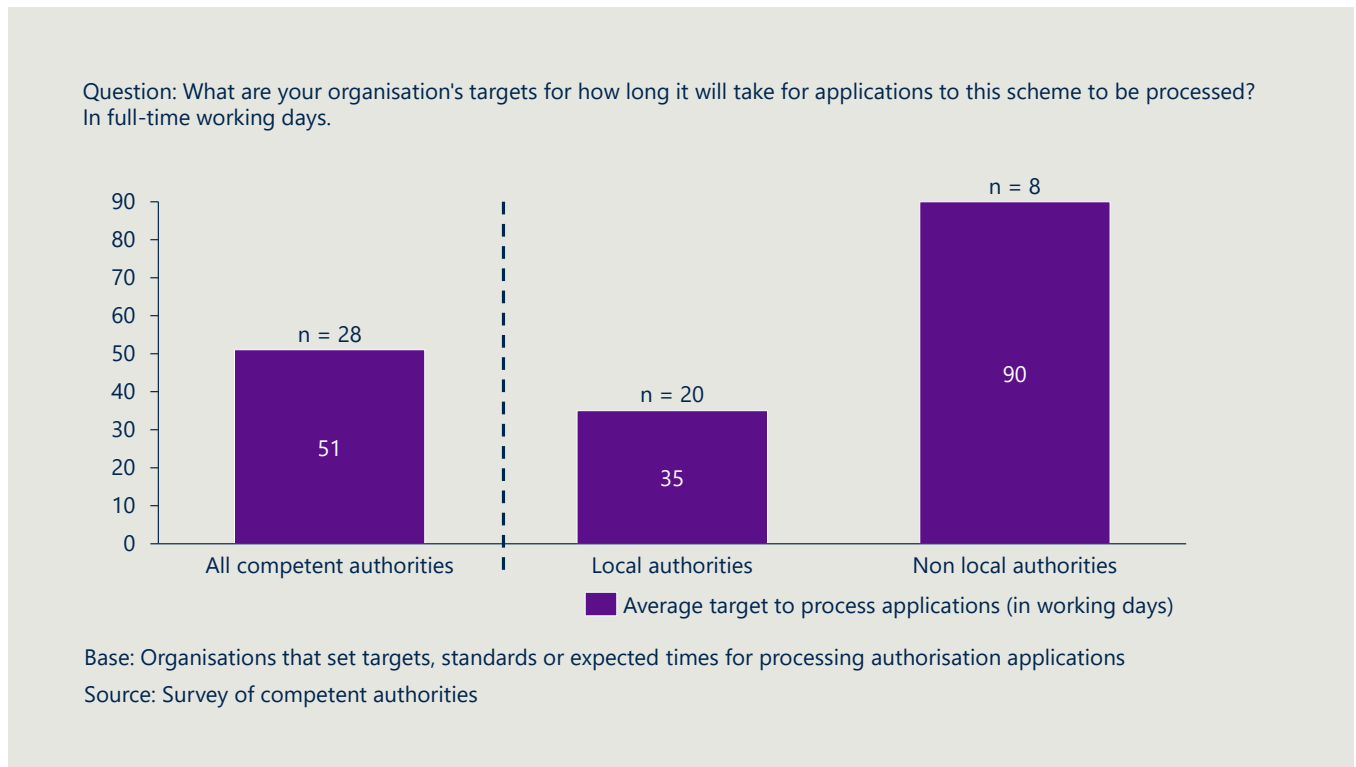
Figure 48 | Average number of working days taken for competent authorities to update online information and processes

Question: On average, how much working time does it take your organisation each year to do the following? (In working days)

Base: Organisations that provide the above information AND the driver for this is to comply with the Provision of Services Regulations. Participants who responded "Don't know" have been excluded from this data set.

Source: Survey of competent authorities
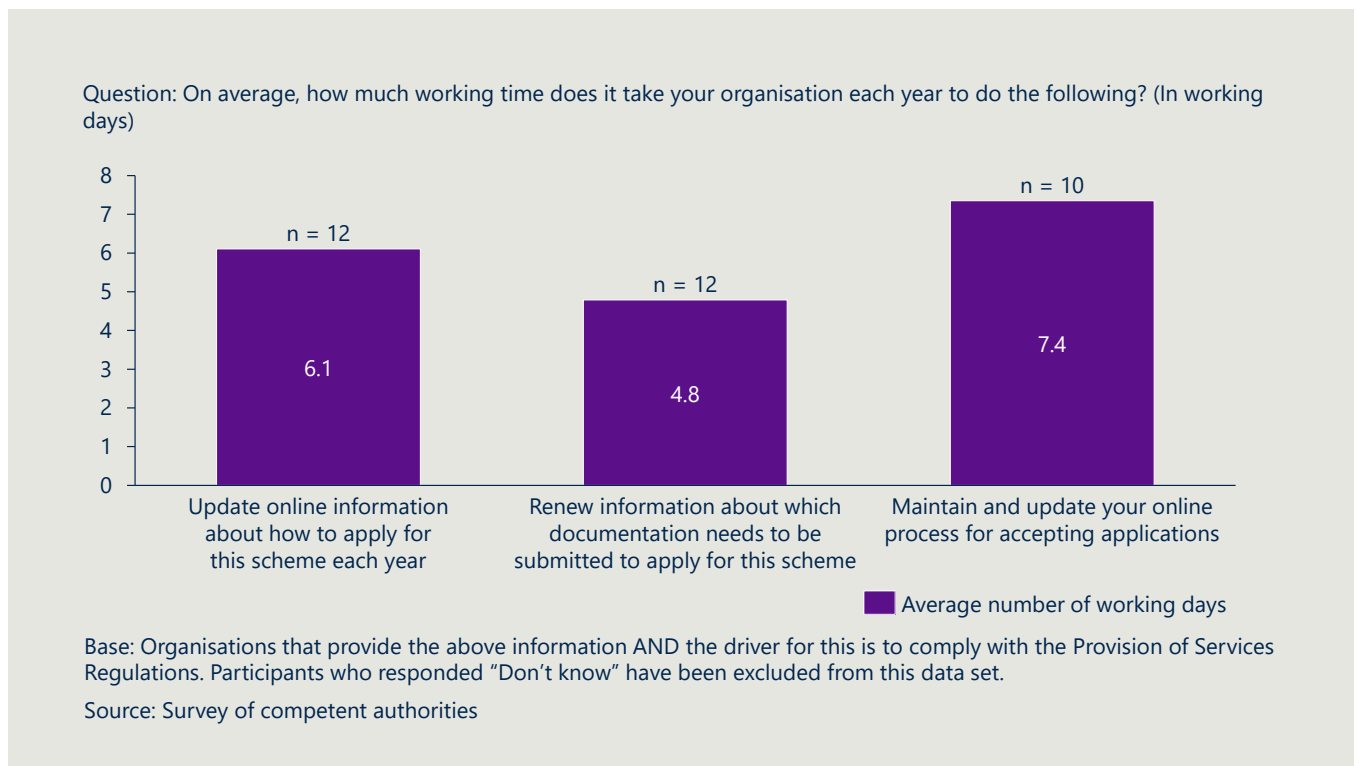
In addition, our survey research has provided a number of data points relating to the awareness and desire to change the information that businesses share with customers. This information is shown below, with the awareness of the PoSRs broken down by sector and the desire to change information broken down by both sector and size.

Figure 49 | Awareness of the PoSRs by sector of service provider

Question: Were you aware of the Provision of Services Regulations before you were invited to participate in this survey?

Sector	Yes	No	Don't know	
Professional, Scientific and Technical Activities	20%	72%	8%	n = 25
Wholesale and Retail	21%	79%		n = 19
Education		94%	6%	n = 17
Manufacturing	8%	92%		n = 13
Other Service Activities	9%	73%	18%	n = 11
Real Estate Activities	20%	80%		n = 10
Construction	14%	86%		n = 7
Accommodation and Food Service	29%	71%		n = 7
Agriculture, Forestry and Fishing		100%		n = 5
Administrative and Support Service Activities	20%	80%		n = 5
Arts, Entertainment and Recreation		100%		n = 5
Mining, Utilities		100%		n = 2

Base: All respondents

Source: Survey of the IFF Industry Pulse Research Panel managed by IFF

Figure 50 | Desire to change the information provided to customers by size of service provider

Question: Would your business change the information you provide to customers if there were no regulations that required you to provide the following types of information?

	All business sizes	Micro <10 employees	Small 10-49 employees	Medium 50-249 employees	Large >250 employees
n	n = 126	n = 66	n = 41	n = 14	n = 5
Don't know	13%	9%	15%	29%	20%
No	71%	80%	66%	57%	40%
Yes	15%	11%	20%	14%	40%

Base: All respondents

Source: Survey of the IFF Industry Pulse Research Panel managed by IFF

109

Figure 51 | Desire to change the information provided to customers by sector of service provider

Question: Would your business change the information you provide to customers if there were no regulations that required you to provide the following types of information?

Sector	Yes	No	Don't know	n
Professional, Scientific and Technical Activities	8%	72%	20%	n = 25
Wholesale and Retail	5%	74%	21%	n = 19
Education	18%	71%	12%	n = 17
Manufacturing	31%	62%	8%	n = 13
Other Service Activities	36%	64%		n = 11
Real Estate Activities	20%	80%		n = 10
Construction		71%	29%	n = 7
Accommodation and Food Service	29%	71%		n = 7
Agriculture, Forestry and Fishing		100%		n = 5
Administrative and Support Service Activities	20%	40%	40%	n = 5
Arts, Entertainment and Recreation		80%	20%	n = 5
Mining, Utilities		100%		n = 2

Base: All respondents

Source: Survey of the IFF Industry Pulse Research Panel managed by IFF

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