

RPC meeting 17 July 2023 - minutes

Attendees

<p>The Committee Chair: Stephen Gibson (SLG) Jonathan Cave (JC) Daniel Dalton (DD) Stephen Gifford (SJG) Hilary Jennings (on- line) John Longworth (JL) Derek Ridyard (DR) Andrew Williams-Fry (AWF)</p>	<p>RPC Secretariat Stuart Sarson – Head of Secretariat Secretariat staff</p> <p>Minister Earl of Minto – Minister for Regulatory Reform Private Secretary</p> <p>Better Regulation Executive Rhiannon Harries (RH) – Director BRE staff</p> <p>BOU Chris Carr - Director BOU staff</p> <p>Green Alliance Ruth Chambers</p> <p>UKAS Richard Collin, External Affairs Director. Suzi Daley, External Affairs Manager</p>
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A. Minutes of committee meeting May 2023 and matters arising

1. The **minutes of the May meeting were agreed** [and are now available on the RPC Website.]
2. **Register of interests:** committee members confirmed the accuracy of their entries in the RPC register of interests [available on the RPC website]. Members were reminded of the importance of ensuring that they make it clear that any public personal statements are not made on behalf of the RPC.
3. **Gifts and hospitality register:** committee members confirmed the accuracy of their entries in the gifts and hospitality register [available on the RPC and BEIS websites].

B. Better Regulation Executive (BRE) Update

BOU Update

4. Chris Carr and his team gave an update on progress on what is now the REUL (Retained EU Law) Act. There was a significant change in approach as the Bill made its way through Parliament and the Act contained a schedule that will sunset 578 specified pieces of REUL at the end of 2023 (rather than all REUL not otherwise explicitly retained). There will be three years to end of September 2026 for further REUL to be processed under the powers of the Act.

BRE update

Proposals to reform the Better Regulation Framework

5. Rhiannon Harries informed the committee that DBT had now received collective agreement to the proposed reforms to the Better Regulations Framework (BRF). The new system would be launched in September 2023.

Designation of the RPC

6. It has been agreed with Cabinet Office that the RPC should retain its current status as an advisory non-departmental public body (NDPB).

C. External Presentation: Green Alliance

7. Ruth Chambers from Green Alliance (GA) set out the role and objectives of the organisation. GA is an environmental think tank, engaging with a range of different actors. One of their main projects is the Greener UK coalition, which was set up immediately after the EU referendum to bring together the environmental sector to ensure a coordinated approach to the handling of EU laws and protections relating to the environment.
8. GA works closely with government through biliteral engagement, round table discussions, and consultation. It also engages with select committees in the House of Commons and the House of Lords and environmental regulatory bodies and participates in the parliamentary scrutiny of legislation. They have recently started working with the Office for Environmental Protection.
9. They engage with government at both primary and secondary legalisation level. They noted the following trends:
 - Lack of progress on producing PIRs.
 - Diminishing scrutiny through the increasing use of Bills with broad powers and lack of impact assessments.
 - Government failure to follow through on commitments in environmental legislation.
 - A downward spiral on consultation and engagement.
 - Increased policy fragmentation across the UK, exacerbated by the UK Internal Market Act.
10. The following points were made in discussion:
 - The committee agreed that progress had been slow on REUL and noted that the RPC posted a blog on the RPC website on this.
 - The Committee were aware of the PIRs not being undertaken even though required and had also posted a blog on this. The RPC is planning to work with departments to ensure that quicker progress is made on PIRs.
11. The chair thanked Ruth Chambers for her informative presentation.

D. Ministerial address

12. The Chair welcomed the Minister for Regulatory Reform, the Earl of Minto. The Minister said that he and the Chair had a positive introductory meeting, and that he supports the work of the RPC. He went on to say that the Secretary of State is clear about what she wants to achieve and sees the work on Smarter Regulation as key to supporting business and growth. The Better Regulation Framework, and within it the RPC, has an important role in this agenda.

13. The Chair welcome the Minister's comments, confirming that the RPC sees its scrutiny role as important in improving the regulatory environment for business. The aims of the BRF include encouraging good practice and consideration of non-regulatory options, and keeping regulation to a minimum to reduce the cost to business. PIRs play a crucial role in allowing departments to look back at regulations to see if they were working effectively. The Minister welcomed this approach and thanked the RPC for its work.

E. Engagement Updates

14. A list of engagements in which the chair and the committee members were involved had been circulated in advance of the meeting.

F. Methodology Sub-Group

15. Jonathan Cave gave a report on the Methodology Sub-Group meeting (MSG) held on 22 May. A summary paper had been circulated and agreed. The meeting had covered three areas:
- **Review of medium-sized business (MSB) exemption assessments and treatment of MSB and small and micro business assessments (SaMBA).**
 - **RPC work programme for new Better Regulation Framework.** It was agreed that the Secretariat and Committee leads would take forward this work programme.
 - **RPC guidance.** It was agreed that these would be reviewed and rationalised to ensure it was as useful as possible for the new BRF. The Secretariat and BRE should rearticulate the aims of the SaMBA and MSB assessments under the new BRF.

G. External Presentation: United Kingdom Accreditation Service (UKAS)

16. The Chair welcomed Richard Collins (RC) and Suzi Daley (SDS) from UKAS.
17. RC summarised the role and purpose of UKAS. UKAS is the UK's national accreditation body, whose role is to attest to the competence of organisations carrying out conformity assessment activities such as testing, inspection, verification, and certification to bring trust and confidence to markets and for Government. It is appointed by government as the sole UK National Accreditation Body, is underpinned by regulation and has a Memorandum of Understanding with the Department for Business and Trade on behalf of gov't. UKAS has 330 full time staff including over 200 Assessment Managers with 700 external Technical Assessors. It has over 3,000 accreditations and undertakes 33,000 assessment days per year.
18. Stakeholder engagement is an extremely important element of their work, and they network with both Government and regulators. Member organisations come from four broad groups:
- Government and regulatory bodies;
 - Customer associations;
 - Business and industry; and
 - Professional bodies and other interests.
19. Accreditations is about trust and confidence, which is what the accreditation process seeks to deliver in the UK. UKAS is itself peer evaluated against the international standard for accreditation bodies. Accreditation is the ongoing formal recognition of the competence, impartiality, and integrity of a conformity assessment body to perform specific conformity

assessment tasks. Standards are vital to what UKAS does and UKAS accredits primarily against the requirements of international or ISO standards many of these originate from BSI standards.

20. UKAS is part of the national quality infrastructure with BSI as the national standards body and NPL as the national metrology institute. All these organisations are part of a global network of standards, and accreditation bodies and metrology institutes. UKAS is a signatory to the mutual recognition arrangements (MRAs) of the International Accreditation Forum and International Laboratory Accreditation cooperation, Accreditations carried out by signatories to these MRAs are deemed to be technically equivalent which reduces the need for duplicative testing.
21. UKAS greatly supports government policy, maintaining trust in the supply chain, due diligence and building confidence in the market. UKAS accreditation is used across both the regulated and non-regulated sectors and a significant proportion of its work supports public policy and regulation. Some examples where UKAS works with government and regulators to support public and regulatory policy include Health and Safety Executive (asbestos testing laboratories), food and farm safety, forensics, building regulations, healthcare, drinking water and product safety. It was stressed that UKAS accreditation can enable a risk-based approach to regulation. The presentation was concluded with SD outlining a number of case studies demonstrating where UKAS, complemented or offered an alternative to regulation. These included examples where UKAS is currently working with government.
22. The following comments were made in discussion:
 - The RPC is interested in how self-regulation and co-regulation can be encouraged as alternatives to regulation.
 - The RPC could usefully work with UKAS in the areas of alternatives, which historically have not been properly evidenced in IAs.
 - Encouraging innovation is key to encouraging new markets which embraces quality and standards at the same time.
 - There is scope and opportunity to include mutual recognition arrangements in FTAs from other European countries through the global recognition mutual agreements.
 - The global accreditation and standards networks are good examples of cooperative activity, in the scaling up of standards and enabling the global alignment of regulations and reduction of trade barriers.
23. The Chair thanked the UKAS representatives for their presentation.