

RPC meeting 13 May 2024 - minutes (open session)

Attendees

<p>The Committee Chair: Stephen Gibson Daniel Dalton Caroline Elliott (online) Stephen Gifford Hilary Jennings John Longworth Ryan Williams Andrew Williams-Fry (online)</p>	<p>RPC Secretariat Stuart Sarson – Head of Secretariat</p> <p>Smarter Regulation Directorate Chris Carr - Director of SRD Dora Addei – Deputy Director, Frameworks</p> <p>OECD RPC Tobias Querbach</p>
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A. Minutes of committee meeting 18 March 2024 and matters arising

1. The **minutes of the 18 March 2024 meeting were agreed**. The minutes are 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, when making any public personal statements, they are clear that they are not speaking 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 DBT websites).

A. External presentation: OECD RPC review

4. Tobias Querbach (TQ), policy analyst from the OECD’s Regulatory Policy Division, presented the OECD’s work on better regulation/regulatory policy. Formerly, TQ was in the UK Government’s ‘Better Regulation Executive’ (the predecessor to the Smarter Regulation Directorate) so has a good understanding of the UK RPC and better regulation generally.
5. TQ explained that the OECD has developed a strong normative framework on good regulatory practice, notably in form of ‘recommendations’, to which all members adhere. The 2012 recommendation on regulatory policy and governance sets out 12 key principles that recognised for the first time, ‘Regulatory quality’ as a cross-governmental, not just sectoral, effort.
6. OECD’s work is driven by member countries convened in the OECD Regulatory Policy Committee (DBT’s Smarter Regulation Directorate is the UK delegate). Alongside regular meetings, the *Regulatory Policy Outlook* is the OECD RPC’s flagship publication. It is based on evidence of where countries have made progress in meeting the OECD’s recommendations, based on a set of internationally comparable indicators (indicators of regulatory policy and governance - IREG).
7. Regulatory oversight for the OECD is, in the main, the establishment of mechanisms and institutions to foster regulatory quality. The average number of oversight bodies in each OECD member is 2.4. Further, there is no clear, empirical answer on where scrutiny should sit within governments (i.e. whether this is in the ‘centre’ - Cabinet Office-style - or in individual departments). TQ emphasised that ‘oversight’ and ‘quality control’ tend to be the least-

developed dimensions in the composite indicators measuring good practice in stakeholder engagement, regulatory impact assessments (RIA), and ex-post evaluation. Part of the reason for this is that oversight (scrutiny of better regulation practice) is not fully developed in countries (especially on stakeholder engagement and ex-post evaluation) or may be focused on specific elements (RIAs, for example, focus on costs rather than benefits or alternative options). TQ also pointed out that the broader context matters. Scrutiny bodies need buy-in from decision makers and stakeholders to be effective and this is hard to measure quantitatively, especially compared to metrics around IAs published. More qualitative analysis by OECD could help with this.

8. In response to questions from the Committee, TQ explained that there has been no recent OECD review of the UK's better regulation system overall. The most recent OECD review in the area of regulatory policy focused on international regulatory co-operation. TQ concluded by saying that it was not clear if empirical work had been carried out comparing better regulation/scrutiny approaches and general economic indicators (GDP per capita etc). The OECD RPC also wants to communicate best practice better with its stakeholders.

B. Smarter Regulation update

SRD update

9. Chris Carr provided an update on the Smarter Regulation Programme.
10. The session concluded with a discussion about the impact of the General Election on the regulatory framework.

C. Engagements update

11. A list of engagements in which the Chair and committee members had participated had been circulated in advance of the meeting. The Chair made the following comments:
 - On 28th April, he attended an Institute of Government round table meeting.
 - On 8th May, he had an *MS Teams* meeting with the Forum of Indian Regulators (FOIR). The forum is looking to form an international panel of regulators. The Chair stated that it was important for the RPC to increase involvement with other like-minded bodies.