Department
for Environment,
Food & Rural Affairs

Government response

to the Office for Environmental Protection review of Environment Agency inspections in the waste operations and installations sector in England

September 2026

Department for Environment, Food & Rural Affairs

Government response to the Office for Environmental Protection review of Environment Agency inspections in the waste operations and installations sector in England

Presented to Parliament pursuant to section 29(6) of the Environment Act 2021

We are responsible for improving and protecting the environment. We aim to grow a green economy and sustain thriving rural communities. We also support our world-leading food, farming and fishing industries.

Defra is a ministerial department, supported by 34 agencies and public bodies.

© Crown copyright 2026

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit nationalarchives.gov.uk/doc/open-government-licence/version/3.

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at www.gov.uk/official-documents.

Any enquiries regarding this publication should be sent to us at defra.helpline@defra.gov.uk

ISBN 978-1-5286-6774-6

E03667425 09/26

Printed on paper containing 40% recycled fibre content minimum

Printed in the UK by HH Associates Ltd. on behalf of the Controller of His Majesty's Stationery Office

Contents

Introduction **2**

The Government's response to the OEP's recommendations **2**

Recommendation 1. Develop an improved performance indicator 3

Recommendation 2: Review the design of compliance system 4

Recommendation 3: Publish objectives and standards for compliance activity 5

Recommendation 4: Focus inspections on delivery of environmental outcomes 6

Recommendation 5: Quality assurance and quality control 7

Recommendation 6: Availability of compliance information 8

Conclusion **9**

Annex 1 OEP Recommendations **10**

Recommendation 1: The Environment Agency, working in collaboration with Defra, should develop and implement more effective key performance indicators. 10

Recommendation 2: The Environment Agency should review the design of its compliance system to ensure that it enables effective inspection planning and delivery, and it can achieve its intended outcomes. 10

Recommendation 3: The Environment Agency should publish its objectives and standards for planning and evaluating its compliance activity 11

Recommendation 4: The Environment Agency should improve how it can make its inspections more focused on delivering environmental outcomes 11

Recommendation 5: The Environment Agency should strengthen and maintain internal quality assurance and quality control 12

Recommendation 6: The Environment Agency and Defra should improve the transparency, timeliness, and accessibility of compliance information 12

Introduction

On 14 May 2026 The Office for Environmental Protection (OEP) laid a report 'A review of Environment Agency (EA) inspections in the waste operations and installations sector in England' before Parliament under section 29 of the Environment Act 2021.

This is the statutory response of the Secretary of State for the Environment, Food and Rural Affairs to that report pursuant to the Act.

Government welcomes the report, acknowledging the OEP's resources given to its in-depth study of waste and installation inspection forms and stakeholder surveys. The OEP's study supports the findings from internal EA reviews, that have formed the basis of the improvements the EA are already putting in place.

Government accepts the OEP's findings and recommendations, noting that it is based on data from within the 2018-2022 timeframe. The matters raised were already recognised and are being addressed through the EA's wider regulatory improvement programmes. Government welcomes the OEP's recognition that improvements have been made by the EA since 2022.

Amendments to regulatory practices are being introduced in stages ensuring they are piloted and embedded effectively whilst allowing the EA to continue its work and deliver in a prioritised manner, taking note of resource constraints.

The Government's response to the OEP's recommendations

Since the period covered by the report, progress has already been made by the EA in areas identified by the OEP. Specific improvements include the introduction of the Methodology for Assessing Compliance in 2022, the publication of more than 8,000 Compliance Assessment Reports on the public register, improving accessibility and timeliness of compliance information, and embedding quality assurance for Compliance Assessment Reports

The Government's response is underpinned by these existing improvements and the coherent programme of continued regulatory reform being led by the EA. At its core is the EA's Model for Effective Regulation, which provides the overarching framework for a more risk based, outcome focused approach. This is being implemented in practice through Regulatory Control Plans, supported by strengthened data and digital capabilities such as the Regulatory Compliance Service. Alongside this, improvements to regulatory capability, guidance and assurance are being embedded. The introduction of the Chief Regulator role in 2024 has strengthened strategic oversight of regulatory performance and transparency, with the Chief Regulator's annual report[1] providing a clear and consistent account of regulatory outcomes. The responses that follow set out how this programme is addressing the OEP's recommendations in a structured and consistent way.

[1] https://www.gov.uk/government/collections/environment-agency-data-on-business-environmental-performance

Recommendation 1. Develop an improved performance indicator

Summary of OEP Recommendation 1

The EA, working in collaboration with Defra, should develop and implement more effective key performance indicators. The current compliance metric is misleading due to overstating performance, partly due to the automatic assignment of Band 'A' to uninspected sites. The EA should have a more accurate performance indicator that reflects real environmental outcomes and regulatory effectiveness. Any new metric should draw on the system that tracks actions taken to move sites from non-compliance to compliance, providing a clearer measure of impact.

Government response

The Government is committed to working with the EA to ensure that reporting is clear, transparent and accountable. The EA recognises its current key performance indicators, which measure compliance at permitted waste and installation sites, are not meeting the standard that the EA or the public expect. The Government accepts the OEP recommendation to have a better performance indicator.

Improving these indicators is in line with recommendations relating to measurable outcomes from both the National Audit Office's (NAO) report into Environmental Regulation report published in January 2026[2] and Defra's Corry Review into Defra's regulatory landscape published in April 2025[3].

The EA has prioritised its ongoing work to develop new key performance indicators, which will be introduced in 2027. These will focus on improving compliance and the assessment of compliance levels. This includes addressing limitations in the current system, such as how unassessed sites are categorised and reported, to ensure that performance reporting more accurately reflects regulatory activity and compliance.

Alongside this, the EA is establishing minimum assessment frequencies for different types of waste sites, which will complement the new key performance indicators. The EA will continue to use the annual Chief Regulator's report to communicate outcomes effectively.

Together, these actions will enable clearer, more consistent and unambiguous reporting. Ultimate approval of the EA's performance reporting lies with the EA Board. Defra officials will work alongside the EA to ensure that the EA's key performance indicators including associated targets are sufficiently robust and appropriately ambitious.

[2] https://www.nao.org.uk/reports/environmental-regulation/
[3] https://www.gov.uk/government/publications/delivering-economic-growth-and-nature-recovery-an-independent-review-of-defras-regulatory-landscape

Recommendation 2: Review the design of compliance system

Summary of OEP Recommendation 2

The EA should carry out a full review of its compliance system to ensure it effectively supports inspection planning, delivery, and intended regulatory outcomes. The current system lacks a clear, coherent, and transparent link from legal requirements through to operational practice, and it is unclear whether it remains effective given changes in risk-based regulation.

The review should ensure the system:

- integrates charging, planning, and delivery so resources are directed based on environmental risk,
- clearly defines the purpose of routine compliance activity,
- allows flexibility to focus on serious or persistent non-compliance,
- promotes rapid correction of non-compliance,
- incorporates inspection insights to improve risk models and prioritisation, and
- provides transparent information on compliance levels to support better decision making.

Government response

The Government accepts the OEP recommendation that the EA undertake a full review of its compliance system. While the current system has evolved to manage a complex regulatory landscape, improvements are required to ensure a clearer and more transparent link between legal requirements, risk-based prioritisation and operational delivery.

This recommendation also aligns with recommendation 17 from the Corry Review and recommendations from the NAO report which highlight the need for improved data, stronger risk-based regulation and more effective decision-making. The Government recognises that similar challenges in compliance monitoring arise across different regulatory regimes within environmental regulation and across a number of Defra-group regulators.

In response to Corry Review recommendation 17, Defra has initiated targeted analytical work to learn more about where environmental compliance monitoring is operating effectively and where challenges remain. These findings will share best practice where it is found and improve understanding of how monitoring operates across regulators to inform a shared, internal Defra-Group approach on compliance monitoring. This will support stronger risk-based targeting, more effective use of data and digital tools, greater transparency and systematic evaluation. The EA will take steps to align with the Defra position.

The EA has already delivered improvements since the data timeframe of the OEP report, including the introduction of the Methodology for Assessing Compliance in December 2022 to clarify the purpose and expected outcomes of routine compliance activity, and enhancements to the Site Prioritisation Matrix to support more consistent, risk-based decision-making.

The EA is implementing its Model for Effective Regulation as the overarching framework for regulatory delivery, including the rollout of Regulatory Control Plans in priority sectors from 2026 and across all sectors by March 2028. These integrate permissions, compliance,

enforcement and incident response to be more outcome focussed, enabling greater flexibility to target serious or persistent issues and support rapid remediation. This is supported by continued investment in data and digital systems, guidance workforce skills and confidence and developing the regulatory profession.

The EA will continue to progress regulatory transformation by developing a common compliance system underpinned by a refreshed risk methodology; strengthening feedback loops through improved data and digital capability, including the Regulatory Compliance Service; and improving the quality, consistency and transparency of compliance data through a clearer performance framework.

Taken together, these reforms represent a comprehensive and systematic response and will deliver a more coherent, risk-based and outcome-focused compliance system.

Recommendation 3: Publish objectives and standards for compliance activity

Summary of OEP Recommendation 3

The EA should publish clear objectives and standards for how it plans and evaluates its compliance activities. Currently, the lack of defined minimum standards for inspections leads to inconsistent and sometimes infrequent checks, reducing the effectiveness of regulation. Setting out transparent expectations would ensure inspections have a clear purpose, focus on outcomes, add value, and improve consistency, effectiveness, and transparency across the regulatory system.

Government response

The Government accepts this recommendation, which aligns with recommendation 17 of the Corry Review. That recommendation includes a call for regulators to publish information on their monitoring approach, and to draw up plans to make detailed, up-to-date monitoring information more accessible to the public. It also aligns with NAO recommendations. The Government recognises evidence of weaknesses in compliance monitoring. In response, Defra is working with the EA and others on a targeted approach (including the permitted waste sector) to test improvements and inform a shared Defra Group position on environmental compliance monitoring.

The EA is setting minimum assessment frequencies for different types of waste sites in 2026 whilst ensuring that higher risk sites are inspected more often. These frequencies will be published in due course. The baseline, in combination with Regulatory Control Plans, will support a more differentiated, risk-based approach, where the frequency and type of compliance intervention are driven by data and intelligence, site performance, and environmental outcomes. This will establish a clearer balance between onsite inspections and alternative regulatory tools, including remote compliance checks, desk-based audits, and earlier intervention to prevent non-compliance escalating. The work to redefine the EA's Key Performance Indicators will support this.

The EA has no statutory requirement to carry out minimum assessment frequencies for sites that fall outside the Industrial Emissions Directive. However, we recognise that the absence of a legal requirement does not remove the EA's responsibility to better protect the environment.

Recommendation 4: Focus inspections on delivery of environmental outcomes

Summary of OEP Recommendation 4

The EA should ensure that its inspections lead more reliably to real environmental improvements. This means clearly defining and tracking the actions that follow non-compliance, ensuring inspectors apply them consistently, and improving how actions are recorded and monitored.

To be effective, inspectors need training, experience, and strong professional judgement, supported by assurance processes that check actions are properly recorded and followed up. The Agency should also make root-cause analysis a routine part of inspections, reporting, and follow-up, ensuring that long-term issues are addressed rather than symptoms. Although the EA is committed to this approach and has begun refresher training, embedding it fully will require enhanced workforce capability, continuous feedback, structured oversight, and consistent application in practice.

Government response

The Government accepts that EA inspections must more consistently deliver meaningful and sustained environmental improvements. This reflects findings from previous OEP reports, the NAO and the Corry Review, which identified a need for greater consistency in the application and follow-up of compliance actions, clearer expectations for inspectors, and a stronger focus on addressing the root causes of non-compliance.

The EA has already begun to strengthen its approach. Enhancements to training and quality assurance of Compliance Assessment Reports are improving the consistency of how non-compliance is recorded and followed up, helping to ensure that required actions are clear, proportionate and effectively delivered.

Further improvements are being taken forward through the Model for Effective Regulation, which will establish clear internal standards and support the continued development of the regulatory profession. This will strengthen inspectors' capability and judgement while ensuring greater consistency in the application of regulatory tools. The introduction of Regulatory Control Plans will provide clearer, more structured frameworks for compliance, enforcement and follow-up across sectors.

Digital improvements are also supporting this shift. The introduction of a new digital Regulatory Compliance System for recording and tracking compliance activity will strengthen oversight and enable better identification of root causes. These systems have been introduced in the Water Quality regime and will be expanded further. Performance measures are also being refined to place greater emphasis on environmental outcomes and the effectiveness of interventions.

The Government is clear that, inspections should primarily be targeted based on an assessment of risk in order to achieve the best environmental outcome. This necessarily requires prioritisation, while recognising expectations for visible regulatory activity, including site inspections.

Together, these measures will improve consistency, strengthen follow-up and embed a more outcome-focused approach, ensuring inspections more reliably deliver environmental improvements.

Recommendation 5: Quality assurance and quality control

Summary of OEP Recommendation 5

The EA needs to strengthen and maintain its internal quality assurance and quality control to ensure its regulatory activities consistently meet required standards and deliver intended environmental outcomes. Strong assurance processes are essential for identifying gaps, correcting issues, and ensuring consistent regulatory practice.

The review found that existing assurance systems have significantly weakened, leading to guidance not being followed in many inspections. The Agency's plans to embed robust assurance into routine operations and management instructions are therefore crucial. Quality assurance should be an ongoing, integral part of the regulatory process to ensure long term, sustained improvements.

Government response

The Government accepts the OEP's recommendation to strengthen and maintain internal quality assurance of regulatory activities. The EA has made significant progress since the 2018–2022 period referenced in the report, and this work continues as part of a wider programme of regulatory reform.

Early improvements include enhanced assurance arrangements for Waste and Installation Compliance Assessment Reports, which have improved quality and consistency and are now operating at business-as-usual levels. Greater transparency has also been achieved through performance dashboards, providing clear visibility of trends and assurance outcomes across the organisation. These strengthened processes support more consistent application of guidance in inspections, ensuring regulatory expectations are clearly understood and applied in practice.

The Government recognises this is part of an ongoing effort. The establishment of the EA's Chief Regulators Group in 2024 reinforces the priority placed on regulatory quality and consistency. It is complemented by Operations Portfolio teams, who play a key role in tracking performance, strengthening oversight and supporting delivery across regulatory activities.

To support sustained improvement, the EA is developing a Model for Effective Regulation, which will set clear internal quality standards across all aspects of regulatory activity. This includes workforce capability, guidance, permissions, risk-based approaches and oversight mechanisms. Bringing these elements together will enable more systematic assurance, improve visibility of performance, and support earlier identification of issues.

Regulatory Control Plans will form a central component of this model, providing structured, sector- and regime-level frameworks to assess performance, support consistent delivery and test whether regulation is targeted and effective over time. These will be rolled out across priority sectors from 2026 and across all sectors by March 2028.

Together, these measures will embed quality assurance more consistently and ensure regulatory activity delivers intended environmental outcomes.

Recommendation 6: Availability of compliance information

Summary of OEP Recommendation 6

The EA and Defra should significantly improve the transparency, timeliness, and accessibility of compliance information. Current reporting is slow, hard to access, and unclear, which limits public trust and accountability. To address this, the EA should publish a single, accessible compliance monitoring policy; ensure all required data is entered into the public register; provide more visible and timely compliance information through dynamic reporting tools; and learn from international best practice to improve usability. Better collection and use of compliance data will support stronger regulatory oversight, improve engagement, and help target resources to drive environmental improvements.

Government response

The Government accepts that transparency, timeliness, and accessibility of compliance information must be improved to strengthen public trust, accountability, and regulatory effectiveness.

Significant progress has already been made. In September 2024, the EA launched the Compliance Assessment Report (CAR) online publishing project, enabling the proactive publication of CAR forms through the public register. This now includes water discharge, waste operations, and installations data, supported by improved search functionality that allows users to identify relevant permit and compliance information more easily.

As of April 2026, more than 8,000 waste and installations CAR forms have been published. This represents a substantial improvement in the transparency of regulatory activity. Alongside publication, the EA has strengthened the quality and consistency of CAR forms and introduced internal assurance processes to support reliable and timely release of information.

Further expansion of publication is underway. Remaining areas, including radioactive substances regulation, groundwater and pesticides, and flood risk activities, are being progressed to ensure comprehensive coverage across regimes.

Building on this progress, the EA launched an Intelligent Data Publishing programme at the end of 2025. This programme has a broader remit to review and improve how information is made available across all public register duties, with the aim of making compliance data more accessible, timely, and user focused.

The EA continues to work closely with Defra on wider reform. Defra is currently reviewing compliance monitoring and reporting practices as part of implementing Corry Recommendation 17, including how regulators publish compliance information. Further steps will be agreed following this review.

Together, these actions represent a step change in the transparency, timeliness, and accessibility of compliance information and will support improved regulatory oversight, stronger public engagement, and better environmental outcomes.

Conclusion

The Government accepts the OEP's recommendations and recognises the importance of strengthening the effectiveness, consistency and transparency of the EA's inspection and compliance regime for waste operations and installations. The OEP's report identifies important weaknesses in the historic system, including limitations in performance reporting, the need for clearer standards and objectives, inconsistent follow-up of non-compliance, weakened assurance arrangements and insufficiently accessible compliance information. Since the period covered by the review, the EA has already taken action to address these issues, including the introduction of the Methodology for Assessing Compliance, strengthened quality assurance of Compliance Assessment Reports, publication of more compliance information through the public register, and improved oversight through the Chief Regulator role.

The Government will continue to work with the EA to embed a more coherent, risk-based and outcome-focused regulatory approach. This will include developing improved performance indicators, setting minimum assessment frequencies for waste sites, implementing Regulatory Control Plans, improving data and digital capability through the Regulatory Compliance Service, strengthening workforce capability and assurance, and improving the timeliness and accessibility of compliance information. Taken together, these reforms provide a structured response to the OEP's recommendations and will support more targeted regulatory activity, stronger accountability, greater public confidence and better environmental outcomes.

Annex 1 OEP Recommendations

Recommendation 1: The Environment Agency, working in collaboration with Defra, should develop and implement more effective key performance indicators.

The 97% metric is masking underperformance. The Band ‘A’ default reversion for sites which have not received any inspection needs to be replaced. It does not measure compliance effectively.

The Environment Agency would benefit from a better collection of indicators covering its own performance and the compliance of regulated sectors, to highlight areas of both strong and poor performance. Alongside its sponsoring Department, it should consider new metrics that better reflect both environmental outcomes associated with inspections and the overall effectiveness of regulatory activity. A fuller understanding of the impact of its regulation, such as assessing performance in terms of the value added by compliance interventions, would also strengthen the evidence base for decision-making and resource allocation.

The new Environment Agency system of tracking action completion, and showing how sites move from non-compliance to compliance, should form the basis of a more meaningful performance indicator that better reflects environmental outcomes.

Presenting data in a more transparent way than is currently the case would also provide a more accurate picture of regulatory performance and be easier for everyone to understand. Input could be sought from the UK Statistics Authority to ensure the approach meets best practice standards.

Recommendation 2: The Environment Agency should review the design of its compliance system to ensure that it enables effective inspection planning and delivery, and it can achieve its intended outcomes.

Any compliance system should operate with a clear line of sight from statutory and legal requirements, through policy and guidance, to operational delivery. We do not think implementation of the current system is underpinned by a coherent and transparent framework and we do not know if it is achieving its intended outcomes.

Our recommendation is not simply to direct the Environment Agency to improve delivery of the existing model. Incremental changes to risk-based regulation since the system’s introduction warrants a review of whether it remains effective, is aligned with modern regulatory principles, and remains workable for the EA at both national and operational levels.

As part of this review the Environment Agency should ensure that its compliance system:

a. aligns charging, planning and delivery to ensure that these processes operate effectively together, so resources are targeted based on environmental risk,

b. clarifies what routine compliance activity is designed to achieve,

c. enables flexibility to focus on sites with significant or persistent non-compliance,

d. encourages swift rectification of non-compliance, allowing it to focus on persistent or serious issues,

e. ensures insights from inspections feed back into risk models to improve prioritisation and decision-making, and

f. provides clarity and transparency on compliance levels, to inform decision making.

Recommendation 3: The Environment Agency should publish its objectives and standards for planning and evaluating its compliance activity

Compliance activity, whether routine or targeted, announced or unannounced, on-site or remote, plays a vital role in effective regulation. Yet the absence of clearly defined minimum standards and objectives for undertaking appropriate and periodic inspections can allow for infrequent inspections and inconsistent practices. Inconsistency has at times reduced the value of compliance efforts for both the Environment Agency and the businesses it regulates.

By publishing clear expectations and objectives, the EA can avoid inspections undertaken without a defined purpose, ensuring regulatory effort is outcome-focused and demonstrably value-adding. It would also improve consistency, effectiveness, and transparency across the regulatory system.

Recommendation 4: The Environment Agency should improve how it can make its inspections more focused on delivering environmental outcomes

We are aligned with the National Audit Office and Corry Review on the importance of regulation delivering on environmental outcomes. We found that inspections were not always resulting in non-compliance being remedied, even though the intention of the Environment Agency was to base its delivery on achieving environmental outcomes.

The Environment Agency has said it will implement changes on how it records and monitors any actions arising from non-compliance detected on inspections. At present, there is limited clarity on the purpose of these actions (for example, whether they are intended to reduce immediate environmental risk, or to secure long-term compliance with permit conditions). The changes outlined by the Environment Agency above will provide greater compliance assurance, better traceability, and a stronger focus on achieving outcomes.

Setting effective actions can be challenging and will require training, experience, and good professional judgement. As set out in Recommendation 5, the Environment Agency should ensure that assurance processes include checks that inspections are recording, describing, and tracking actions correctly.

The Environment Agency should also make identifying the root causes of non-compliance a core part of inspections, reporting, and follow-up actions. This will deliver long-term value by addressing underlying compliance issues rather than symptoms, reducing repeat incidents and improving regulatory effectiveness. It would help ensure regulatory actions are targeted, proportionate, and focused on achieving sustainable compliance. Our review found this was often absent from inspection records or approached inconsistently by inspectors.

The Environment Agency has indicated its continuing commitment to addressing the root causes of environmental non-compliance. It has already provided inspectors with refresher

training on compliance. We support this commitment, although effective root cause analysis requires a specific regulatory skill set, ongoing professional development, and significant experience. To fully embed and deliver a root-cause approach, the Environment Agency will need to implement a range of measures that strengthen workforce capability. This includes continuous feedback, structured assurance, and regular oversight to ensure that inspectors are consistently applying the approach in practice.

Recommendation 5: The Environment Agency should strengthen and maintain internal quality assurance and quality control

A functioning regulatory framework needs quality assurance and quality control to confirm that its objectives and standards are consistently delivered. It is essential that the Environment Agency can assess whether its guidance and regulatory activities are being implemented to the required standard and achieving the intended outcomes. This will mean it can identify and investigate any gaps, implement corrective measures where necessary, and ensure it can support stronger environmental outcomes and improved experiences for permit holders. Quality assurance and quality control can also help ensure a consistent approach for industry irrespective of geography.

Our review found that assurance systems had been significantly eroded. The impact of this is evidenced in our review of inspection reports, showing that guidance is not being followed in many inspections.

The Environment Agency has provided plans to embed assurance within its business-as-usual processes and within its instructions to inspectors and managers. In our view, this shift to reinstate and strengthen internal quality assurance and quality control is essential to ensuring that improvements are sustained over the long term.

Assurance should not be a one-off exercise but an integral and ongoing part of the regulatory process.

Recommendation 6: The Environment Agency and Defra should improve the transparency, timeliness, and accessibility of compliance information

We agree with the Corry Review's conclusion that opening data to the public is essential to foster transparency and trust. The Environment Agency and Defra should improve how compliance information is communicated to operators and the public. Current reporting is often delayed, difficult to access, and lacks clarity on monitoring expectations, reducing transparency and limiting accountability.

The Environment Agency should:

a. Publish a single, accessible compliance monitoring policy, as envisaged by the Regulator's Code, setting out inspection frequency, how risk and performance influence planning, and how compliance data informs priorities (as recommended in our 2025 report on environmental inspections and to which Defra responded saying it is reviewing and intends to agree next steps in Spring 2026),

b. Ensure that all data that must be included on the public register is entered on to the register and made available for public inspection as required,

c. Make compliance data more visible and available in a timely fashion, for example by using more dynamic reporting and tools such as alerts for changes in compliance status, and

d. Learn from best practice in other jurisdictions to improve engagement and usability.

Effectively capturing and using compliance data has the potential to strengthen the impact of duty of care legislation and enable more strategic use of regulatory resources to drive environmental improvements.

E03667425

978-1-5286-6774-6