



Assessing Regulation

An independent report on the evidence
and analysis supporting regulatory
proposals,
January-August 2012

November 2012

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Ministerial Foreword

By the Rt Hon Michael Fallon MP



Regulation plays an important role in supporting markets, innovation and growth, whilst unnecessary regulation can significantly hinder and damage an economy. It is therefore vital that any changes to UK regulations are only introduced when they are supported by a robust evidence base and a detailed analysis of the associated costs and benefits.

As part of its strategy to support growth, the Government is committed to ensuring that the burden of regulation on business and civil society organisations should not increase over the course of the Parliament. To help achieve this aim we have introduced the One-In, One-Out (OIOO) rule and report on our progress via the regular Statements of New Regulation (SNRs).

The Regulatory Policy Committee (RPC) plays a pivotal role both in terms of OIOO and in supporting the Government's Better Regulation regime. On this basis, the RPC was reconstituted this year as an advisory non-departmental public body (NDPB), sponsored by the Department for Business, Innovation and Skills (BIS), with an expansion of its membership and expertise.

In addition, in recognition of the Committee's success so far, I have recently extended their role by asking the RPC to look in more depth at the rules and regulations that are holding back our most forward-thinking entrepreneurs and to publicly make recommendations to Ministers when they identify potential regulatory barriers to growth.

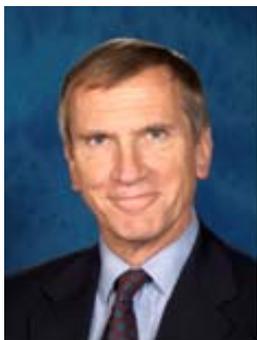
As this report demonstrates, the independent scrutiny provided by the RPC is delivering clear results and I would like to take this opportunity to thank the Committee for their continuing efforts.

A handwritten signature in black ink that reads "Michael Fallon".

The Rt Hon Michael Fallon MP
Minister of State for Business and Enterprise

Chairman's Foreword

By Michael Gibbons OBE



This is the Regulatory Policy Committee's (RPC) fifth Report and covers our work over the first eight months of 2012.

I am pleased to report that Ministerial commitment to the better regulation agenda and the work of the RPC remains high. A clear indication of this is the strengthening of the RPC status to a Non-Departmental Public Body in April, at which time the Committee was expanded to comprise eight members, including two professional economists and an increased expertise in business. The RPC continues to provide Government with balanced, independent Opinions on the impact assessments within its scope, and scrutinises the estimated net costs to business of all regulatory measures that feature in the Government's Statements of New Regulation.

In 2012 the new Committee has faced an extremely challenging period, with the level of IAs submitted to us increasing. As a result we have issued 447 Opinions in the first eight months of 2012, compared to 367 over the same period last year.

Ministers have recently decided to introduce a new fast track system for all deregulatory measures and those measures with a cost to business and civil society organisations under £1 million pa. Under this system we will still validate the net cost to business and civil society organisations of all measures that fall within the scope of OIOO. The purpose of this report is to review the impact of our work throughout the 2011-12 period under the previous system, introduced in January 2011, and to outline our role in the future.

In addition to the recent changes to the IA scrutiny processes, the RPC has also been given an expanded remit. Ministers have asked the RPC to investigate where businesses seeking to enter new markets or expand, are being unjustifiably hampered by regulations, and report publicly our findings. We look forward to taking on this new challenge.

This report sets out how we have undertaken our independent scrutiny role to date (Chapter 1), the results of this work and departmental performance (Chapter 2), as well as details of the new system and our expanded remit (Chapter 3). It also includes the latest recommendations we have made to Ministers on how the UK regulatory framework could be enhanced (Chapter 4).

It is clear that the RPC, over the past two years, has played a key role in raising departmental performance in terms of the quality of the evidence and analysis supporting regulatory proposals. There has been a substantial increase in the proportion of Impact Assessments reviewed by the RPC being considered as "Fit for

Purpose”, rising from 56 per cent in 2010, to 72 per cent in 2011, and again to 81 per cent in 2012. Government departments should take credit for their efforts.

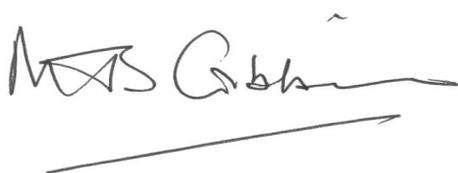
However, there is still much scope for further improvement as 19% of Impact Assessments still fail to be of sufficient quality to gain a ‘Fit for Purpose’ rating, and moreover still only 30 per cent achieve our top ‘Green’ level rating.

Increasing pressure on departments as a result of the Government’s ‘One-In, One-Out’ system, as reported in the regular Statements of New Regulation, has been accompanied on occasions by over-estimation of the benefits of Outs and under-estimation of the costs of INs. In monetary terms the scale of this problem is significant. For measures published in Statements of New Regulation 1 to 4, the difference between the numbers initially claimed by departments compared to the validated numbers by the RPC is around £300 million, although this figure excludes any impacts on the analysis of pension reforms. I believe this clearly demonstrates the importance of having independent scrutiny and validation for the credibility of the system.

The OIOO policy and associated regulatory system are beginning to deliver results, as described herein. However, there are always areas for improvement and we have made a number of recommendations to Ministers, and again in this report, on where the RPC believes we can build on the successes achieved so far.

Finally I would like to thank all the Regulatory Policy Committee members, including those whose service ended in April 2012, and those appointed or reappointed at that time, for their outstanding efforts and commitment. I also highlight the excellent support that we have received from the RPC Secretariat, which has enabled the Committee to continue to meet the challenge of delivering independent scrutiny in an effective and timely fashion.

I hope you will find this report interesting and informative, and would welcome any views that you may have.

A handwritten signature in black ink, appearing to read 'MJS Gibbons', with a long horizontal line underneath it.

MICHAEL J S GIBBONS OBE
Chairman of the Regulatory Policy Committee

Chapter 1: The Regulatory Policy Committee

Introduction

1.1 This is our fifth report and builds on the findings and results from our previous reports. In it we review our work over the first eight months of 2012¹, as well as the Committee's activity since the beginning of January 2011.

1.2 In this Chapter we explain the role we have had within the UK's regulatory framework since January 2011 and how we have fulfilled that remit.

The Committee

1.3 The Regulatory Policy Committee (RPC) was established in 2009 to provide external and independent challenge on the evidence and analysis presented in Impact Assessments (IAs) supporting the development of new regulatory measures proposed by the Government.

1.4 The role of the RPC has been developed and strengthened over time and in April 2012 the RPC became a Non-Departmental Public Body (NDPB), sponsored by the Department for Business, Innovation & Skills. Our Committee membership has been expanded to consist of eight experts on regulation from different backgrounds in business, trade unions, public policy and academia, including two specialist economists. This can be considered a strong vote of confidence by Ministers.

1.5 Full details of the Committee members are set out in Annex A. The Committee is supported by a civil service secretariat.

1.6 In delivering our remit and the full benefits of external challenge, we are mindful of the need to be objective, consistent and independent of departmental decision making. We have put in place a system designed to ensure consistency, proportionality and as far as possible transparency in how we scrutinise each IA that is submitted to us. Details of this system were comprehensively covered in our July 2011 report².

¹ The RPC scrutiny process was streamlined in August 2012 so the results cease to be comparable after this date. The details of these changes are outlined in Chapter 3.

² <http://regulatorypolicycommittee.independent.gov.uk/wp-content/uploads/2011/09/Rating-Regulation-July-2011-FINAL-A.pdf>

1.7 To assist departments we have previously made seven recommendations, which we continue to believe are especially important in the context of Government guidance on the preparation of IAs:

- Don't presume regulation is the answer;
- Take time and effort to consider all the options;
- Make sure you have substantive evidence;
- Produce reliable estimates of costs and benefits;
- Assess non-monetary impacts thoroughly;
- Explain and present results clearly;
- Understand the real cost to business and civil society of regulation.

1.8 These recommendations have been used as the main basis of our scrutiny process since January 2011 and the results presented in Chapter 2 demonstrate the extent to which departments' IAs have complied with them.

Delivering Independent scrutiny – our role

1.9 Whilst our role has expanded considerably since our inception, external, independent challenge of the evidence and analysis supporting the development of new regulatory proposals remains the key focus of our remit and work. Our work has therefore been predominantly based on the IAs accompanying new regulatory proposals.

1.10 An IA is a tool to assess all of the costs, benefits and risks of regulatory changes to the UK. In assessing IAs we use the same guidance that departments use themselves in producing IAs. Principally, this is HM Treasury's Green Book³, the Better Regulation Executive's (BRE) IA guidance and toolkit⁴, and more recently the BRE's methodology for 'One-in, One-out' (OIOO)⁵.

1.11 Our primary role has been to consider for each individual IA whether the costs and benefits have been correctly identified and accurately assessed, and to

³ http://www.hm-treasury.gov.uk/d/green_book_complete.pdf

⁴ <http://www.bis.gov.uk/assets/biscore/better-regulation/docs/i/11-518-impact-assessment-toolkit.pdf>.

⁵ <http://www.bis.gov.uk/policies/bre/better-regulation-framework/one-in-one-out>.

ensure that the regulation has been correctly identified as either out of scope or an 'In' or an 'Out' under the prevailing One-in, One-out methodology.

1.12 From the beginning of 2011, each of our Opinions on IAs has been prefaced with a Red ('not fit for purpose'), or Amber or Green ('fit for purpose') rating, in order to ensure that our views were made clear⁶.

1.13 For both 'INs' and 'OUTs' Ministers rely on the RPC to validate independently the estimated equivalent annual net cost to business and civil society organisations, so that the overall departmental and Government performance in terms of OIOO is accurate. Our assessments are used in the regular Statements of New Regulation.

1.14 The principal features of our work have been:

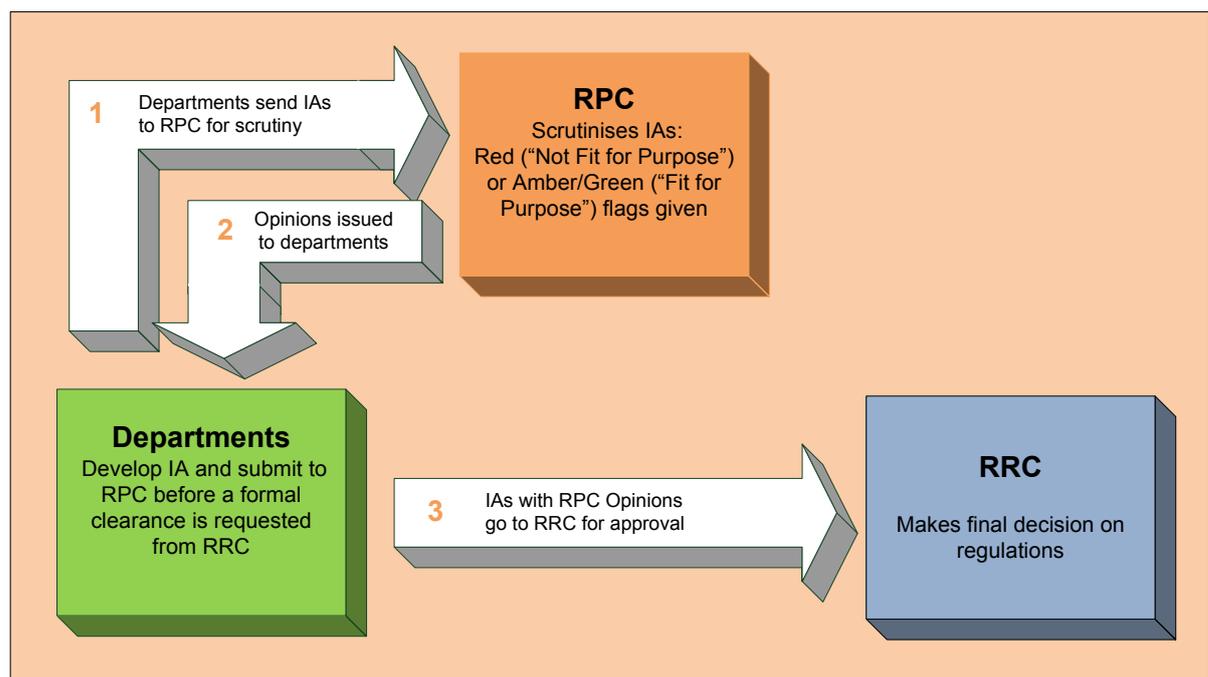
- The scrutiny of a wide range of IAs – since 2011 we have reviewed all IAs accompanying regulatory proposals submitted to the Reducing Regulation Committee (RRC)⁷. We have given our views on the quality of the evidence presented to RRC Ministers prior to them making their decisions on new regulatory proposals, both at consultation and final stage.
- The effect of a 'not fit for purpose' rating - RRC Ministers have indicated that they do not expect to receive regulatory proposals from departments where we have considered the IA as 'not fit for purpose'; typically such proposals are therefore re-submitted to us after revision by the department.
- The validation of OIOO numbers - only cost and benefit estimates validated by the RPC are accepted by Ministers in relation to the policy of OIOO.

1.15 Our role, over the last twenty months, within the UK regulatory system is summarised in Figure 1.1.

⁶ See box 2.1 in chapter 2 for more information on Red, Amber and Green ratings.

⁷ The RRC is a Cabinet sub-committee established to take strategic oversight of the delivery of the Government's regulatory framework. More information on the RRC is available at: <http://www.bis.gov.uk/policies/bre/better-regulation-framework/regulatory-decision-making/reducing-regulation-committee>

Figure 1.1: Summary of the role of the RPC in the clearance of major regulatory proposals



Delivering independent scrutiny – our scope

1.16 In delivering our external and independent scrutiny of the analysis and evidence supporting regulatory proposals, it is important to note that our work does not cover all regulation.

1.17 Our remit to date has been to scrutinise all IAs supporting regulations that fall within the remit of the RRC and within the scope of OIOO. We do not comment, for example, on IAs supporting:

- Regulatory proposals that are produced by departments that are not subject to RRC clearance;
- Negotiation positions on European legislation;
- Regulatory proposals from most of the independent regulators, such as Ofcom, Ofgem, the Legal Services Board and the Financial Services Authority.

1.18 In fulfilling our remit we also do not comment on the underlying policy objectives – decisions on policy are a matter for Ministers. Rather, we aim to facilitate improvement in the policy making process by ensuring that Ministers are able to make decisions based on robust evidence and analysis.

1.19 The RPC plays a pivotal role in relation to the Government's 'One-in, One-out' policy, which is aimed at controlling the flow of new regulation from departments and reducing the net burden imposed on business and civil society organisations.

1.20 The OIOO policy aims to ensure that any new regulation imposing a cost to business or civil society organisations is balanced by the removal of regulations which impose an equivalent cost.

1.21 The Government has asked us to validate the estimated equivalent annual costs and benefits to business and civil society organisations of regulatory and deregulatory proposals. The need for external quality assurance is required for OIOO to operate credibly and we undertake this role.

Partnerships across Europe

1.22 As outlined in our previous report, the RPC believes that an understanding of the full impact of regulation of EU origin is fundamental to monitoring the ongoing burdens on UK businesses and civil society organisations. The RPC does scrutinise the IAs relating to the transposition of EU legislation into UK law. In addition, in recognition of the importance of EU regulation, the RPC has developed an ongoing relationship with other similar independent bodies across Europe, - the *Advisory Board on Regulatory Burden (ACTAL)* in the Netherlands, the *Nationaler Normenkontrollrat (NKR)* in Germany, the *Swedish Better Regulation Council (Regelrådet)*, and the *Regulatory Impact Assessment Board (RIAB)* in the Czech Republic. As in the case of the RPC, these groups play important roles in challenging, monitoring and advising their respective Governments on smart regulation in general as well as on the overall regulatory burden, in particular the changes in administrative burdens.

1.23 In addition, the RPC Chairman is a member of the High Level Group of Independent Stakeholders on Administrative Burden (HLG), chaired by Dr. Edmund Stoiber. The HLG, whose mandate is to advise and support the Commission with regard to Smart Regulation, is the only independent body involved in the process of reducing administrative burdens at European level.

1.24 Together with our European partner bodies we have provided advice on how improvements to EU regulatory processes should be further extended and reinforced. Specifically we have recommended:

- The HLG should be more involved in scrutinising the impact assessments for new legislative proposals, e.g. by a yearly evaluation of published legislative proposals and by assessing roadmaps in regard to the costs arising and the specific burdens of European regulation for SMEs.
- The European Commission should initiate a new programme limiting the net increase in burdens on business.

- The European Commission should publish the total annual costs imposed on business.
- The HLG should assess the Commission's ex-post evaluations and Fitness checks and suggest simplification measures in particular for SMEs.
- The HLG should have the competence to propose areas for ex post-evaluations and fitness checks.
- The Commission should regularly report on the follow-up of the offline-opinions of the HLG.

1.25 We recently produced with our partners a common position paper for cutting red tape and better regulation.⁸ In this we state that the EU should continue to reinforce its programmes on smart regulation following its Action Programme for reducing administrative burdens, which is due to finish at the end in 2012.

1.26 With a high proportion of all UK regulation originating from the EU, the RPC will continue to play an active role within this area.

Streamlining the system

1.27 Ministers announced in August 2012 that the Reducing Regulation Committee had decided to introduce a number of changes to the system for impact assessment and RPC scrutiny. The primary aims of these changes are to speed up the implementation of deregulatory measures and to apply a more proportionate approach to low-cost regulatory measures.

1.28 In addition to working within this new streamlined system, the RPC has been asked by Ministers to investigate and report publicly on where businesses, seeking to enter new markets, are being unjustifiably hampered by regulations.⁹ These changes to the framework for Impact Assessment scrutiny, as well as our significantly expanded remit, are discussed in more detail in Chapter 3.

⁸http://regulatorypolicycommittee.independent.gov.uk/wp-content/uploads/2012/10/2012_Reaction_on_consultation_Smart_Regulation.pdf

⁹ <http://news.bis.gov.uk/Press-Releases/Minister-unlocks-new-business-potential-at-entrepreneurial-festival-68056.aspx>

Our unique perspective

1.29 Having scrutinised over 1300 IAs since August 2010, our experience of the UK regulatory system has given the RPC a unique position from which to comment on the effectiveness of the system and the challenges Ministers and departments face in addressing the full spectrum of the Better Regulation agenda.

1.30 We present the conclusions of our work over 2012 in Chapter 2, and in Chapter 4 we outline areas of the existing regulatory framework that we feel, based on our unique perspective within the system, could be further developed and enhanced.

1.31 We provide Ministers regularly with observations about the current system, as well as our recommendations about how it could be developed further to ensure the UK's regulatory system remains world-class.

Chapter 2: Our latest results

Introduction

2.1 Since the beginning of 2012 we have scrutinised IAs which covered issues as wide ranging as reform of the alcohol and tobacco industries, domestic energy efficiency, workplace discrimination and African horse sickness.

2.2 Over the first eight months of 2012, we have issued nearly 450 Opinions. In these we say whether we think an IA is 'fit for purpose' or not. If we have issued a 'Red' flag for an IA, stating that it is 'not fit for purpose', we have explained why and suggested ways in which we believe it needs to be improved. Where we have considered an IA to be 'fit for purpose' it has fallen into one of two categories – 'Amber' or 'Green'. Box 2.1 below explains how 'Red', 'Amber' and 'Green' flags should be interpreted.

Box 2.1: What it means to get a Red, Amber or Green flag from the RPC

RED – If an IA receives a Red flag, this means we have significant concerns with the analysis and evidence presented. The issues we raise ***must/need to*** be addressed before a 'Fit for Purpose' rating can be obtained on resubmission. In terms of our six recommendations it is the failure to fully adhere to one or more of these that will lead to a Red flag being issued. We judge the IA to be 'Not Fit for Purpose'.

AMBER – If an IA receives an Amber flag, this means we have areas of concern with the quality of analysis and evidence presented. These issues ***should*** be addressed prior to the IA being finalised so as to improve its contribution to the final decision made. On this understanding, we judge the IA to be 'Fit for Purpose'.

GREEN – If an IA receives a Green flag, this means we have no significant concerns with the quality of analysis and evidence presented. We make suggestions where we think the IA ***could*** be improved to deliver greater clarity or to aid understanding. We judge the IA to be 'Fit for Purpose'.

Headline results

2.3 Between January and August 2012¹⁰ we issued 447 Opinions. Of these, 370 were first time submissions from departments. This is a large increase in the volume of submissions from departments, with the number of first time submissions over the same period in 2011 only 300. Where departments receive unfavourable Opinions from the Committee on their IAs they are expected to revise and resubmit them,

¹⁰ The RPC scrutiny process was streamlined in August so the results cease to be comparable after this date. The details of these changes are outlined in Chapter 3.

having addressed our concerns. The analysis in this chapter is based on first time submissions because:

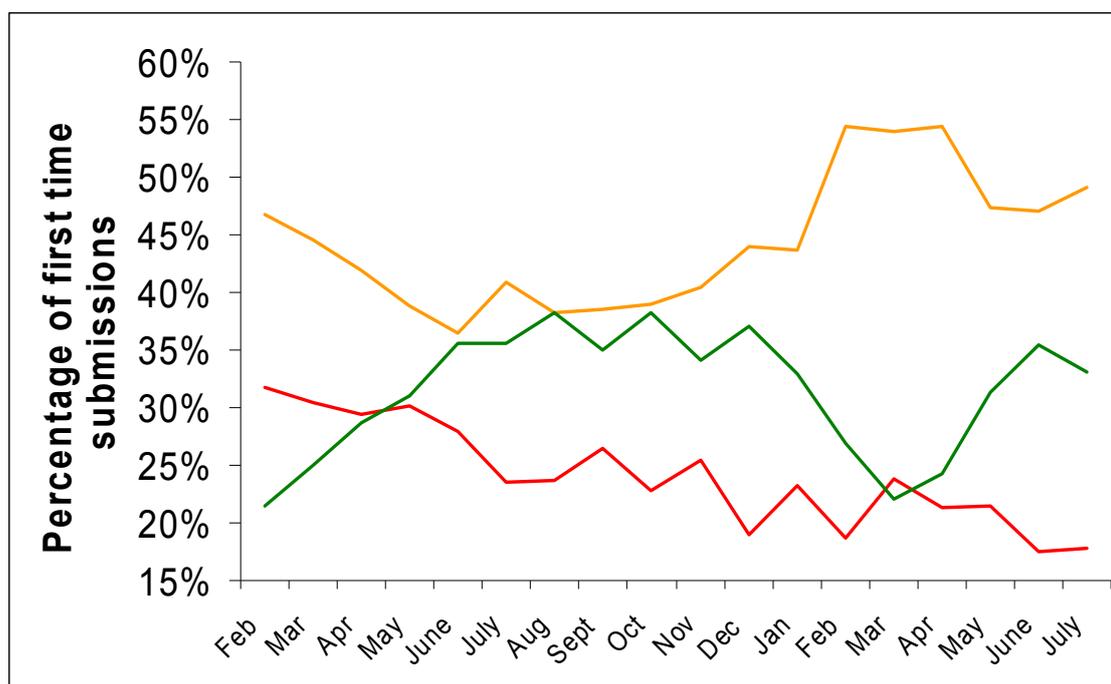
- They reflect what departments produced using their own internal systems and procedures
- They reflect what probably would have been submitted by departments to Ministers in our absence.

Performance over time

2.4 The proportion of IAs judged to be ‘not fit for purpose’ in the 8 month period covered by this report was 19%. This shows a solid improvement over the figure from the second half of 2011 of 25%. Figure 2.1 provides a more detailed breakdown of how the proportion of IAs judged ‘Red’, ‘Amber’ and ‘Green’ has changed since the beginning of 2011.

2.5 The chart plots a three month rolling average of the percentage of first time submissions that were judged ‘Red’, ‘Amber’ and ‘Green’.

Figure 2.1: RAG Breakdown over 2011-2012



2.6 The results show that the proportion of IAs considered ‘not fit for purpose’ in 2012 has continued to reduce.

2.7 The reduction in 'Red' ratings has been accompanied by a rise in the proportion of 'Amber' rated Opinions, whilst the proportion of Opinions with a 'Green' rating has not improved since mid 2011.

2.8 While we are encouraged that the proportion of IAs given a Red opinion has fallen since 2011, we believe this may be partly due to the RPC being increasingly engaged with departments on issues that could be quickly and easily corrected. This approach has been taken in response to requests from Ministers and in a number of cases has resulted in additional information or revised IAs being submitted to the RPC. Where this has been the case the IAs are treated as first time submissions.

2.9 We are disappointed with the proportion of IAs receiving a Green rating, the level we would ultimately like all IAs to reach. It remains the case that the majority of departments are still receiving Green ratings for less than a third of the IAs submitted to us for the first time.

Departmental figures

2.10 Table 2.1 presents departmental performance against our ‘Red’, ‘Amber’ and ‘Green’ (RAG) ratings with departments shown in order of the proportion of IAs that received a ‘fit for purpose’ rating.

Table 2.1: Red-Amber-Green Performance 2012 Jan-Aug¹¹

Departments and Agencies	Opinions Issued	Red	Amber	Green	Fit For Purpose	
					2012	2011
Foreign and Commonwealth Office	1	0%	0%	100%	100%	N/A
Ministry of Defence	1	0%	0%	100%	100%	0%
Health and Safety Executive	13	8%	31%	62%	92%	91%
Ministry of Justice	10	10%	90%	0%	90%	69%
Department for Culture Media and Sport	19	11%	58%	32%	89%	76%
HM Treasury	9	11%	56%	33%	89%	89%
Department for Transport	40	13%	40%	48%	88%	77%
Department for Energy and Climate Change	20	15%	45%	40%	85%	82%
Department for Business Innovation and Skills	82	16%	57%	27%	84%	77%
Department for Education	36	17%	56%	28%	83%	86%
Department for Environment Food and Rural Affairs	46	17%	48%	35%	83%	70%
Department of Work and Pensions	16	19%	50%	31%	81%	42%
Home Office	32	28%	53%	19%	72%	50%
Department for Communities and Local Government	21	29%	57%	14%	71%	69%
Department of Health	22	43%	38%	19%	57%	47%
Food Standards Agency	1	100%	0%	0%	0%	50%
Scottish Office	2	100%	0%	0%	0%	N/A
Total	370	19%	51%	30%	81%	72%

2.11 While both ‘Amber’ and ‘Green’ ratings should be considered as ‘fit for purpose’, the difference between the two is important. IAs which have received an ‘Amber’ rating do contain flaws which we strongly recommend should be addressed

¹¹ The Health and Safety Executive is classified as an Executive Non-departmental Public Body with Crown Status, sponsored by the Department for Work and Pensions. It has requested that its results be classified separately. Results for the Government Equalities Office (GEO) have been included within the Home Office (HO) statistics as the GEO was part of the HO for the whole period covered by this report. Numbers may not sum to 100% due to rounding.

by the department before proceeding. For those Departments that have achieved a higher level of 'fit for purpose' opinions than last year, the cell has been shaded in green. Where performance has dropped relative to 2011, the cell has been shaded in red.

2.12 Table 2.2 is constructed using the same data as table 2.1 but presents only the percentage of IAs judged to be of a sufficiently high standard to receive a 'Green' rating.

Table 2.2: Green Performance 2012 Jan-Aug

Departments and Agencies	Opinions Issued	Green	
		2012	2011
Foreign and Commonwealth Office	1	100%	N/A
Ministry of Defence	1	100%	0%
Health and Safety Executive	13	62%	38%
Department for Transport	40	48%	35%
Department for Energy and Climate Change	20	40%	32%
Department for Environment, Food and Rural Affairs	46	35%	38%
HM Treasury	9	33%	37%
Department for Culture Media and Sport	19	32%	47%
Department for Work and Pensions	16	31%	8%
Department for Education	36	28%	0%
Department for Business Innovation and Skills	82	27%	40%
Department of Health	22	19%	16%
Home Office	32	19%	17%
Department for Communities and Local Government	21	14%	25%
Ministry of Justice	10	0%	3%
Food Standards Agency	1	0%	25%
Scottish Office	2	0%	N/A
Total	370	30%	31%

2.13 Table 2.1 illustrates the improvement that has been made by the vast majority of departments in relation to the proportion of IAs rated as 'fit for purpose'. Of the two departments that have seen a decline in this regard (those shaded in red), one has reduced by a small amount, and the other has submitted only one IA to us for Opinion.

2.14 Table 2.2 demonstrates that, although the proportion of IAs considered 'fit for purpose' has increased since 2011, the performance in relation to our 'Green' rating is much more mixed. In fact, at an aggregate level, there has been a small reduction in the proportion of IAs receiving a 'Green' rating.

2.15 Whilst the above tables provide a useful reflection of the departments' performance, we recommend care when carrying out a comparison between them.

The nature of policies on which departments produce impact assessments varies considerably. It is likely to be more challenging to produce a good quality appraisal of the impacts of a complex policy change than, for example, of amending fees legislation, although we would expect departments to respond to this with the level of resources they commit to the analysis of each proposal.

2.16 Some departments may also have benefited from the type of IAs they produced, the stage they were at and the scale of the policies. IAs supporting proposals of European origin tend to be less likely to receive ‘not fit for purpose’ ratings as they are largely out of scope of ‘One-in, One-out’ and may not require as detailed analysis of the alternatives to the preferred regulatory option.

2.17 Consultation stage IAs are required only to identify and discuss the likely impacts rather than provide robust quantification. IAs supporting policies with small impacts are still required to meet many of the same criteria as those supporting higher impact proposals but, in line with a proportionate approach to the preparation of IAs, are not expected to provide the same level of analysis. A more detailed discussion of these issues was contained within our July 2011 report, which can be found on our website.¹²

2.18 In the following departmental summaries we seek to highlight not only the overall performance of each department, but also provide insights into the reasons behind our ‘Red’ and ‘Amber’ ratings, so as to help departments understand where there is scope for improvement in the quality of their IAs.

2.19 The tables presented in this section show the number of ‘Red’, ‘Amber’ and ‘Green’ ratings achieved by each department, at both the consultation and the final stage.

2.20 We have not provided a discussion about those departments that submitted fewer than ten IAs in the period reviewed, as we believe the number is insufficient to draw any firm conclusions. The departments are considered in the same order as they are presented in Table 2.1.

¹² ‘Rating Regulation’: <http://regulatorypolicycommittee.independent.gov.uk/wp-content/uploads/2011/09/Rating-Regulation-July-2011-FINAL-A.pdf>

Health and Safety Executive

Health and Safety Executive			
	All	Consultation	Final
Total	13	8	5
Red	1	1	0
Amber	4	2	2
Green	8	5	3

2.21 The performance of the HSE has remained at a high level in 2012, with the proportions of IAs considered as ‘fit for purpose’ very similar to the number reported for 2011. In addition, the proportion of IAs that received a ‘Green’ rating saw a large increase, from 38% to 62%.

2.22 In our March 2012 report we identified that the most common reason for ‘Amber’ ratings received by the HSE was a failure to provide sufficient discussion of assumptions within its analysis, particularly at consultation stage. This appears to have been taken on board by the HSE, which could, in part, explain the increase in the proportion of ‘Green’ rated IAs.

2.23 In a number of the instances where the HSE did not achieve a ‘Green’ rating, our advice was that the nature and likely impacts of the proposal could have been presented and explained more clearly. This is important so that consultees are able to contribute effectively to the policy process.

Ministry of Justice

Ministry of Justice			
	All	Consultation	Final
Total	10	6	4
Red	1	0	1
Amber	9	6	3
Green	0	0	0

2.24 The MOJ has seen a large increase in the proportion of its IAs rated as ‘fit for purpose’, with only one ‘Red’ rating issued over this period in 2012. This appears to be a result of the Department improving the qualitative discussion of impacts in its IAs where monetising the impacts has not been considered possible. This was an area identified for improvement in our previous report.

2.25 For the majority of MOJ IAs we noted that the Department should have made more effort to provide monetised estimates of the costs and benefits of its proposals. Whilst we acknowledged in our previous report that the nature of proposals originating from MOJ means that it is often difficult for their impacts to be monetised, we felt that in a number of cases this could and should have been done.

2.26 For the MOJ to improve the evidence and analysis supporting its policy making, we recommend that it develops and enhances its evidence base earlier in the policy making process, so that it is in a better position to inform final policy decisions.

Department for Culture, Media and Sport

Department for Culture, Media and Sport			
	All	Consultation	Final
Total	19	8	11
Red	2	0	2
Amber	11	7	4
Green	6	1	5

2.27 DCMS has seen an increase in the percentage of first time submissions rated as 'fit for purpose', with a rise from 76% over the second half of 2011 to 89% in 2012. Although the percentage that received a 'Green' rating has decreased since 2011, this should not be considered representative of a general drop in the quality of analysis from DCMS. The majority of IAs given 'Green' ratings in 2011 were part of one batch of 10 IAs which all received the same rating.

2.28 As was the case for the results presented in our previous report, there does not appear to be one clear single common factor among IAs from DCMS that has prevented it from receiving the highest rating. However, there are a couple of issues in our opinions that the Department should consider addressing when preparing future IAs. In particular, there have been instances where we have noted that important impacts have not been monetised and the qualitative discussion should have been improved.

2.29 In addition, there have been instances where the current situation has been either poorly or incorrectly presented. This is particularly important at consultation stage so that stakeholders can correctly identify the impacts that the proposal will have.

Department for Transport

Department for Transport			
	All	Consultation	Final
Total	40	20	20
Red	5	2	3
Amber	16	10	6
Green	19	8	11

2.30 The performance of the DfT has improved relative to 2011 in the percentage of IAs rated ‘fit for purpose’ and in the percentage which were awarded a ‘Green’ rating. This appears to be a continuation of the positive trends that were reported for the second half of 2011. The reduction in the volume of IAs submitted to us by the Department may have enabled them to focus more resource on the appraisal of each individual policy.

2.31 In our analysis of DfT’s results for 2011 we reported that some of the IAs submitted to us had failed to set out clearly the problem under consideration and how the proposed regulatory change would solve it. Whilst this issue appears to be less prevalent in DfT IAs in 2012, there have still been a few instances when we have raised it as a concern. The Department should continue to build on the improvements made over the last year.

Department for Energy and Climate Change

Department for Energy and Climate Change			
	All	Consultation	Final
Total	20	11	9
Red	3	0	3
Amber	9	4	5
Green	8	7	1

2.32 DECC has achieved an increase in the percentage of IAs rated as ‘fit for purpose’ and as ‘Green’. Whilst these improvements have been small relative to some other departments, it is an encouraging trend in performance given that DECC already had one of the highest proportions of ‘fit for purpose’ ratings.

2.33 DECC received only three ‘Red’ Opinions in this period, but in all three, as well as several ‘Amber’ Opinions, we noted that the evidence base to support the estimates of costs and benefits was either insufficient or not presented clearly enough. We also noted this as a problem in 2011.

2.34 It should be noted that DECC’s policies are often of a complex nature with a wide range and variety of impacts and so the quantity of supporting evidence and analysis that we expect is relatively high.

Department for Business, Innovation and Skills

Department for Business, Innovation and Skills			
	All	Consultation	Final
Total	82	38	44
Red	13	3	10
Amber	47	25	22
Green	22	10	12

2.35 BIS submitted the most impact assessments to us of any department over in the first eight months of 2012, covering a wide range of issues. This represented a significant increase in the volume over the same period in 2011.

2.36 It is encouraging that BIS was able to achieve an increase in the percentage of IAs rated as ‘fit for purpose’ in the context of such a large increase in the number of IAs produced. We are, however, disappointed by the reduction in the proportion of IAs awarded a ‘Green’ rating from 40% in 2011 to 27% for this period in 2012.

2.37 The majority of BIS IAs that were given ‘not fit for purpose’ ratings had either incorrectly analysed the costs and benefits to business and civil society organisations, or had not substantiated the analysis with a robust evidence base. For departments such as BIS that work on policies with large and wide ranging impacts on the private sector, it is important that they develop a strong evidence base, so that the policy decision can be effectively informed.

Department for Education

Department for Education			
	All	Consultation	Final
Total	36	20	16
Red	6	2	4
Amber	20	12	8
Green	10	6	4

2.38 The volume of IAs submitted to us by DfE has increased dramatically since 2011, when only 7 IAs were produced. This may explain, in part, why the Department saw a small decrease in the proportion of their IAs that were rated as ‘fit for purpose’.

2.39 Whilst maintaining a similar proportion of IAs that were rated as ‘fit for purpose’, DfE also achieved a large increase in the percentage of IAs awarded a ‘Green’ rating. The Department should aim to continue this trend because, despite this improvement, it has still only achieved a ‘Green’ rating for under a third of their IAs.

2.40 A common factor amongst the high proportion of IAs rated as ‘Amber’ was what appeared to be a lack of care and attention to detail. On a number of occasions we have highlighted in our Opinions that the Department should present the proposal and its likely impacts more clearly so that stakeholders can engage with the consultation process effectively.

2.41 We have also come across a number of careless errors within DfE IAs. This has led to us to have to contact the Department on several occasions for clarification or to request the submission of revised IAs. We recommend that the Department

reviews its processes for internal scrutiny of IAs so that such errors can be avoided in the future.

Department for Environment, Food and Rural Affairs

Department for Environment, Food and Rural Affairs			
	All	Consultation	Final
Total	46	23	23
Red	8	1	7
Amber	22	17	5
Green	16	5	11

2.42 DEFRA has achieved an increase in the percentage of IAs that were rated as ‘fit for purpose’, up thirteen percentage points from the 70% achieved in 2011. However, it is disappointing that this increase was achieved essentially with an increase in the proportion of IAs awarded Amber rather than Green ratings.

2.43 In our previous report we identified that DEFRA IAs which received a ‘Red’ rating often failed to identify or explain clearly the current situation. The Department appears to have improved their analysis in this area, which in part explains the decrease in the proportion of ‘Red’ rated Opinions.

2.44 Of the IAs produced by DEFRA that did receive a ‘Red’ rating, the vast majority were at final stage. A number of these IAs did not include monetised estimates of the costs and benefits of the proposal, where it appeared reasonable to have done so, and as such the likely impacts could not be clearly determined.

2.45 At consultation stage, a substantial proportion of IAs received an ‘Amber’ rating. For a large number of these ‘Amber’ rated IAs, we commented that the IA had not considered the full range of the impacts of the proposal in enough detail. The Department should ensure that this is done at consultation stage so that consultees are made fully aware of the expected implications of each of the regulatory options.

Department for Work and Pensions

Department for Work and Pensions			
	All	Consultation	Final
Total	16	6	10
Red	3	1	2
Amber	8	4	4
Green	5	1	4

2.46 81% of the IAs submitted by DWP were rated ‘fit for purpose’; a dramatic improvement on the 42% achieved in 2011. This has also led to an impressive jump in the percentage of Opinions with a ‘Green’ rating.

2.47 The common factor amongst DWP IAs rated as ‘not fit for purpose’ in 2011 was that the net direct impact on business for OIIO purposes had been incorrectly or only partially assessed. The Department has demonstrated a strong development in its understanding and application of the requirements for OIIO, which appears to have driven the improvement in its overall performance.

2.48 For a number of the ‘Amber’ rated opinions, we highlighted that the proposal and analysis could have been presented more clearly. As well as continuing to build on the improvements already made, the Department should attempt to ensure that its IAs are presented as clearly and transparently as possible at consultation stage, particularly for large scale policies where the analysis contains a number of complex assumptions.

Department for Communities and Local Government

Department for Communities and Local Government			
	All	Consultation	Final
Total	21	10	11
Red	6	2	4
Amber	12	8	4
Green	3	0	3

2.49 Although DCLG has seen a small improvement in the percentage of IAs that have received a ‘fit for purpose’ rating, its performance remains below the average amongst departments. In addition, the percentage of IAs receiving a ‘Green’ rating has decreased to only 14%.

2.50 In our previous report we identified that the majority of IAs rated as ‘not fit for purpose’ included insufficient evidence to support the estimates and assumptions presented. This problem has continued to occur in DCLG IAs in 2012 and has been a common theme amongst the IAs that received a ‘Red’ rating at final stage.

2.51 We previously highlighted that DCLG had often incorrectly assessed the OIIO implications of their regulatory changes. This issue does not appear to have been fully resolved within the Department. On a number of occasions we have had to contact the Department to request additional information or a revised IA due to an incorrect or partial OIIO assessment.

2.52 We recommend that the Department invest resource in developing its understanding of the OIIO Methodology so as to avoid mistakes in the future.

Home Office

Home Office			
	All	Consultation	Final
Total	32	14	18
Red	9	4	5
Amber	17	6	11
Green	6	4	2

2.53 Although the percentage of HO IAs receiving a ‘fit for purpose’ rating has increased since 2011, the figure remains well below the average across Departments. In addition, the proportion of IAs receiving a ‘Green’ rating is only 19%, with little improvement on the figure from 2011.

2.54 The common factor amongst the ‘Red’ and ‘Amber’ rated IAs submitted by HO was that the impacts on business and civil society organisations had not been either fully or correctly assessed. This often meant that that the OIOO assessment could not be validated as robust.

2.55 The nature of a lot of HO proposals means that they have a wide range of impacts on a variety of aspects of our economy and society. This means that it is important for the Department to develop a strong evidence base when developing their proposals so as to ensure that policy decisions are effectively informed.

Department of Health

Department of Health			
	All	Consultation	Final
Total	21	7	14
Red	9	2	7
Amber	8	5	3
Green	4	0	4

2.56 43% of first time submissions from DH were considered ‘not fit for purpose’. Although this figure is concerning, this is still a strong improvement on the second half of 2011 when two thirds of first time submissions received a ‘not fit for purpose’ rating.

2.57 The common themes among the DH IAs that received ‘Red’ ratings were that we identified errors within its methodology for estimating the costs and benefits of its proposal, or that assumptions within the analysis were not substantiated by a sufficient evidence base. Due to the complex and sensitive nature of many DH policies, we expect a high level of evidence and analysis in order to confirm the estimated impacts as robust.

2.58 One methodological issue relating to the valuation of health expenditures, which was the reason for two ‘Red’ Opinions, has now been clarified with the Department and we would not expect this approach to be taken in future. We would therefore anticipate the standard of DH IAs to improve in future.

Scrutiny of One-in, One-out assessments

2.59 One of the most common reasons for IAs receiving a ‘not fit for purpose’ rating is that we have not considered the OIOO assessment, including the estimated Equivalent Annual Net Cost to Business (EANCB), to be robust. This is important as, without our validation, departments’ estimates cannot be included in a Statement of New Regulation (SNR).

2.60 Departments’ ability to impose regulations on business and civil society organisations is directly limited over time by the ongoing balance of their OIOO account. Departments are not expected to introduce new regulation that has a cost to business and civil society organisations without at least offsetting this cost by removing or amending existing regulation. Thus, if departments find it difficult to find regulatory savings elsewhere, they may have an incentive to understate the scale of costs they are introducing whilst overstating any possible benefits.

2.61 On a number of occasions our independent scrutiny of departments’ OIOO assessments and calculations has led to a change in the EANCB figure that has been validated and published in the SNR.

2.62 The fourth Statement of New Regulation¹³ states that the aggregate OIOO balance for the Government is a surplus of £848m. We estimate that, based only on the measures validated and published in SNRs 1 to 4, our independent scrutiny has resulted in a net difference in excess of £4bn between the published figures and the numbers initially claimed by departments.

2.63 In our July 2011 Report ‘Rating Regulation’ we referred to our impact on the first SNR which was driven primarily by changes to the analysis of the move from RPI to CPI for the uprating of private pensions. This is likely to have led to changes in the way in which DWP assessed subsequent related measures, and as such this figure should not be considered in isolation to the other pension reforms.

2.64 Excluding any impacts on the analysis of pension reforms, we estimate that our scrutiny has led to a net difference between numbers initially claimed by departments and those finally published on SNRs 1 to 4 of close to £300m.

¹³ <http://www.bis.gov.uk/policies/bre/one-in-one-out/statement-of-new-regulation>.

2.65 In addition to the estimated figure above, there are a number of measures for which our scrutiny has led to a significant change in the final validated EANCB, which are yet to be published in a SNR. We intend to revise the above figure in future reports, once these measures are published in future SNRs.

Summary

2.66 Over the first eight months of 2012 departments have continued to build on the improvements achieved in the previous year. The percentage of IAs receiving a 'not fit for purpose' rating has continued to fall and departments should take credit for this.

2.67 There is, however, plenty of scope for further improvement. It remains the case that 19% - almost one in five IAs - still receive a 'Red' Opinion. In addition, less than a third of IAs submitted to us in 2012 received a 'Green' rating. Whilst this rating is not required for Ministerial approval, we would expect departments to be aiming to achieve this high standard in all of their IAs, to ensure that policy decisions are effectively informed by the best available evidence and analysis.

2.68 We hope that departments will continue to build on the improvements they have achieved in 2012 and look to them to implement our recommendations on areas for further development. This will be particularly pertinent under the new system for IA scrutiny where there will be a large number of proposals for which full IAs will not need to be submitted to us. The details of this new system are explained in the following chapter.

Chapter 3: Future Role of the RPC

Introduction

3.1 The Government has committed to reducing the regulatory burdens facing business and civil society organisations over the length of this Parliament, and has therefore introduced a number of regulatory policy changes to that end.

3.2 With the aim of speeding up the processes for amending legislation, the Government has recently decided to make changes to the system. This chapter explains these changes and how they affect the role of the RPC.

Streamlining the system

3.3 In the summer of 2012, the Reducing Regulation Committee (RRC) approved a number of changes to the system for RPC scrutiny of Impact Assessments which have now been introduced. These changes aim to:

- Speed up the implementation of deregulatory measures, including those that have been agreed through the Red Tape Challenge (RTC) process.¹⁴
- Introduce a more proportionate approach so that the heaviest scrutiny is focused on regulatory measures with the most significant impacts on business and civil society organisations
- Simplify the RPC ‘Red/Amber/Green’ rating system at final stage.

3.4 The key new feature of the system is a ‘fast track’ route which applies to:

- All measures defined as deregulatory, including those that have been cleared by the RRC through the Red Tape Challenge
- Low cost regulatory measures i.e. those that are expected to have a gross cost to business and civil society organisations below £1 million per annum

3.5 The changes came into effect on 15th August 2012, and have differing implications for regulatory measures depending on whether they are at consultation or final stage.

3.6 To take advantage of the fast track route, departments need to implement an early stage assessment for all new regulatory and deregulatory proposals. This assessment, known as ‘Departmental Triage’, should identify which measures qualify,

¹⁴ <http://www.bis.gov.uk/policies/employment-matters/employment-law-review/red-tape-challenge>.

in their view, for fast track treatment and which fast track measures are likely to be in scope of One-in, One-out (OIOO).

3.7 Measures that qualify for the fast track route still need collective agreement from the RRC (as well as the relevant Cabinet-level policy committee). However, in these cases there is no requirement for an RPC Opinion prior to obtaining RRC clearance. The RPC will still validate the final estimate of the EANCB. However, this need not delay RRC clearance or implementation at final stage, as the RPC validation can take place in parallel to the policy clearance process.

3.8 Under the new system there are now four main types of submission to the RPC for scrutiny, according to whether the proposal is at consultation or final stage and whether it receives full scrutiny or qualifies for fast track.

Full Scrutiny

3.9 Proposals still requiring full scrutiny include major regulatory measures (>£1m gross annual cost to business and civil society organisations), EU ‘gold-plating’ and other IAs where the department has chosen voluntarily to take this route.

3.10 *Consultation stage:* No change to the existing scrutiny system. A full IA is submitted to the RPC. An RPC opinion is issued within 30 working days with a Red, Amber or Green rating based on our seven recommendations outlined in Chapter 1.

3.11 *Final stage:* A full IA is submitted to the RPC. The RPC issues an opinion within 30 working days with a Red or Green rating which relates solely to the validity of the OIOO assessment. The opinion may, however, include comments on other aspects of the IA, which the department will be expected to address.

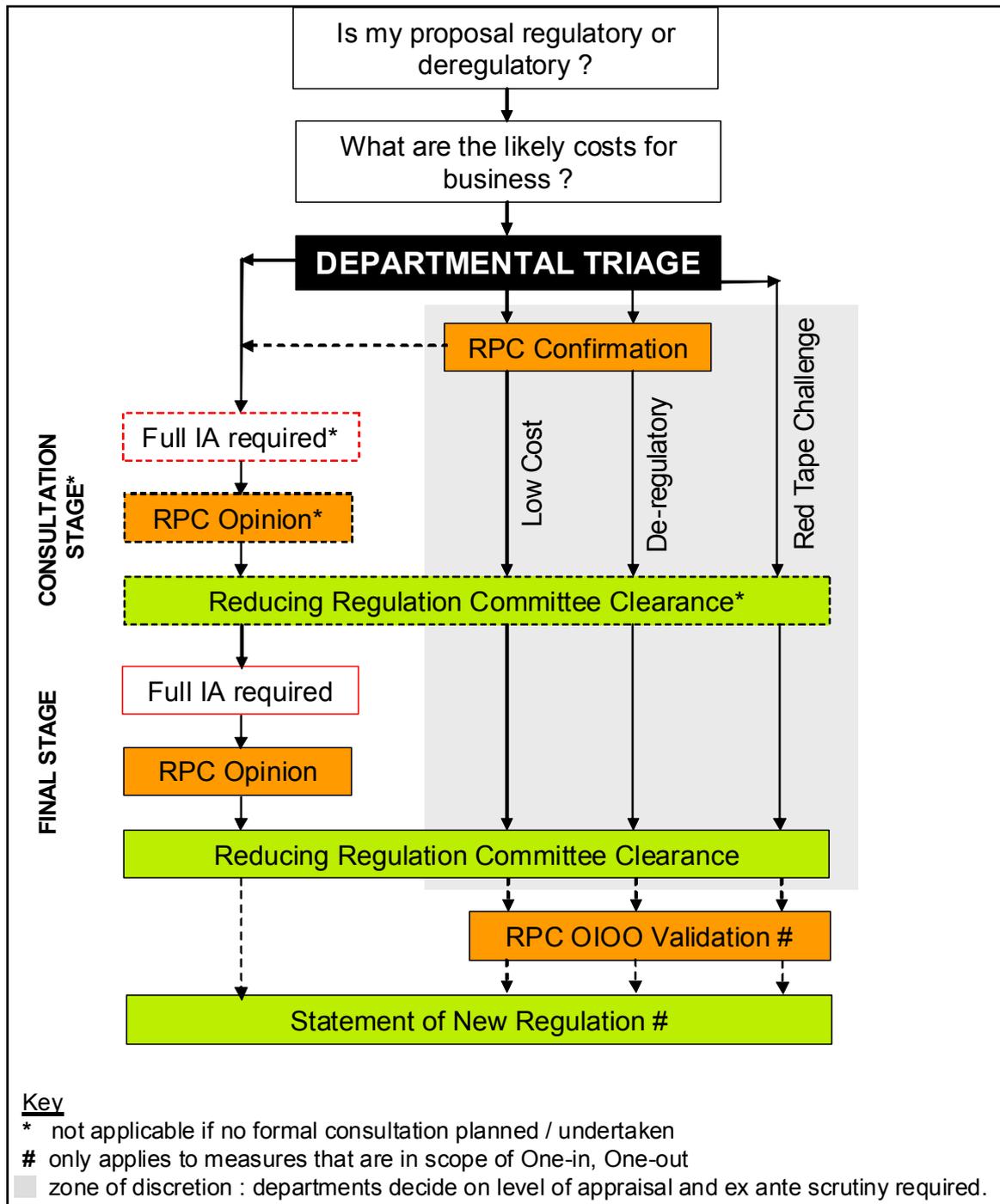
Fast Track

3.12 The proposals covered are deregulatory measures, including those identified through the Red Tape Challenge, as well as any regulatory measures with a total gross cost to business and civil society organisations that is below £1m per annum. A measure is defined as deregulatory if it reduces the scope of government regulation or removes government controls from an industry or sector.

3.13 *Consultation stage:* For deregulatory and low cost measures, the department submits a ‘Regulatory Triage Assessment’ (RTA) to the RPC. The RPC will issue a ‘Regulatory Triage Confirmation’, which confirms whether or not the proposal is eligible for the fast track route and whether the proposal is within the scope of OIOO. Measures that have been signed off by the RRC as part of a conclusion to a Red Tape Challenge Theme do not need to be submitted to the RPC at consultation stage.

3.14 *Final stage:* If the policy is in scope of OIOO, and has been confirmed by the RPC as eligible for the fast track process or is a Red Tape Challenge Measure, then a simplified ‘validation stage’ IA has to be submitted to the RPC. This should provide supporting evidence for the estimated impacts on business and civil society organisations. The RPC will then issue a confirmation of whether the proposal is correctly identified as an ‘IN’, ‘OUT’ or ‘out of scope’, and on the validity of the estimated EANCB.

Figure 3.1: Overview of the new multi-route system



3.15 Figure 3.1 demonstrates how the new system explained above will operate. For the system to succeed in speeding up the implementation of deregulatory and low cost measures, it will be important for departments to implement an effective internal assessment process at the outset. This will enable the RPC to confirm eligibility for the fast track route as quickly as possible.

3.16 The grid in Figure 3.2 below clarifies, for consultation and final stage IAs, what should be submitted by departments to the RPC and in what format they can expect the RPC to respond.

Figure 3.2: Form of RPC Opinion according to the route and stage

Stage		Fast Track	Full Scrutiny
Consultation	Department submission	Regulatory Triage Assessment	Full IA
	RPC response	Regulatory Triage Confirmation	Full opinion with R/A/G rating on the whole IA
Final	Department submission	Validation Stage IA	Full IA
	RPC response	EANCB Confirmation	Opinion with R/G rating only for OIOO assessment

Early reflections on the new system

3.17 Whilst this system is still in its infancy, the RPC’s view is that it has a number of key strengths that are likely to be realised. However, the Committee has also identified a number of risks that these changes may create as the system develops.

Strengths

3.18 With no RPC assessment required prior to RRC clearance for deregulatory and low cost measures, it is likely that these measures could be implemented somewhat more quickly than under the previous system. This will help departments to work towards the Government’s commitment to be the first Government in modern history to leave office having reduced the overall burden of regulation, rather than increasing it.

3.19 A more proportionate approach to analysis of proposals will mean that the limited resources of departments and the RPC can be deployed more effectively.

3.20 The RPC can focus more time and effort on scrutinising new regulations that will have the highest impact on the private and voluntary sectors, which will help

ensure that these policies are supported by a strong evidence base and that the net cost to business and civil society organisations is robustly assessed.

Risks

3.21 Whilst it is desirable that deregulatory measures may be implemented more quickly, there is a risk that these measures may be implemented without a robust assessment of the full range of issues and impacts on society.

3.22 The RPC has played its part in encouraging departments to use the IA as a tool to inform policy making in real time, rather than completing the process after the event. We are concerned that the culture change achieved to date could be jeopardised under the new system. Departments may feel that where an IA is not required for RPC scrutiny, they do not need to complete one at all.

3.23 In instances where EANCB validation is carried out after Ministers have cleared the policies, Ministers may refer to departments' estimates in policy discussions and announcements, which may then be revised following RPC scrutiny.

Expanding our remit

3.24 On 20th September 2012, Business and Enterprise Minister Michael Fallon announced that there will be new independent scrutiny of the rules and regulations that are barriers to growth for businesses.¹⁵ In doing so he has asked the RPC to investigate where businesses, seeking to enter new markets or expand, are being unjustifiably hampered by rules, regulations and behaviours, and to report publicly its findings.

3.25 We welcome this expansion of our remit to provide an additional wide-ranging independent scrutiny function. We intend to utilise our expertise, independence and relationships with stakeholders to fulfil our role and provide genuine challenge where this may be necessary. We are pleased that Ministers have confidence in our ability to undertake this new responsibility.

3.26 We look forward to fulfilling this new role and echo the Minister's invitation for innovative businesses to inform us of where they have experience of regulatory barriers to entry and to growth.

Summary

3.27 The streamlined process is a new challenge for both departments and the RPC. It will provide the opportunity for deregulation and low-cost regulation to be accelerated, whilst the net burdens facing business continue to be monitored closely. The RPC welcomes the continued commitment to the independent validation of all EANCB estimates that go into the Statements of New Regulation.

¹⁵<http://news.bis.gov.uk/Press-Releases/Minister-unlocks-new-business-potential-at-entrepreneurial-festival-68056.aspx>

Chapter 4: Perceptions of the regulatory framework

Introduction

4.1 Over the period from January to August 2012 the RPC has provided independent challenge and scrutiny for 370¹⁶ IAs, giving us a unique perspective of the UK regulatory system. Building on the experience we have had since the RPC was established in 2009, we have regularly provided advice to Ministers on how the system could be enhanced.

4.2 It is the view of the RPC that OIOO and the associated regulatory framework including the various Red Tape Challenges have played a key role in encouraging all departments to identify and implement deregulatory measures.

4.3 The pressure of OIOO and the independent validation of the estimated Equivalent Annual Net Cost to Business (EANCB) by the RPC, as reported openly in the various Statements of New Regulation, are in our view incentivising departments to develop deregulatory proposals, and to reduce the EANCB.

4.4 However, with any system there are always areas for improvement and a Government review of the system is currently ongoing. As part of this review, Ministers have asked the RPC to put forward its views and recommendations on how the existing system could be built upon and further improved. This Chapter contains details of the recommendations we have made.

One-in, One-out (OIOO)

4.5 The aim of OIOO is that any costs to business and civil society organisations associated with new domestic regulation by Government departments should be at least offset by the removal of other costly regulation.

4.6 Each policy that is within the scope of OIOO is classified as an 'IN' or an 'OUT' with each requiring an EANCB calculation.

4.7 It is the RPC's role, based on the prevailing OIOO Methodology, to confirm whether a measure is an 'IN', an 'OUT', or out of scope, as well as validating the EANCB. To date, the EANCB of a regulatory measure has only been published within the Government's Statement of New Regulation once the number has been validated by the RPC.

¹⁶ This number relates only to the first time submissions of IAs. This excludes IAs that have been resubmitted to us following a 'Red' rating.

Reviewing the scope

4.8 Whilst businesses, civil societies and their representative organisations have supported the OIOO policy and the wider deregulatory agenda, some have stated publicly that they are yet to feel a direct benefit. It is the RPC's view that this is likely to be the result, at least in part, of the range of regulatory measures currently within the scope of OIOO.

4.9 It is important to recognise that OIOO is currently designed to restrict the burdens imposed by UK regulations on businesses and civil society organisations. This restrictive pressure does not extend to the full range of regulation, with a number of categories falling outside of OIOO.

4.10 The RPC considers that increasing the scope of OIOO would be welcome to business and civil society organisations, and would further increase the effectiveness and credibility of the policy.

4.11 The RPC has therefore recommended to Ministers that each of the principal exclusions should be reviewed, with a view to their inclusion in OIOO. These include, but are not limited to, regulatory measures relating to Fees and Charges, those of European origin, those introduced by the majority of Independent Regulators, and certain financial measures (including Tax Administration).

4.12 The RPC recommends that where Ministers conclude such measures should remain outside the scope of OIOO, more quantification of the impacts should be published so as to provide for a greater degree of transparency.

4.13 We consider that these numbers should then be published alongside departments' OIOO figures in the Statements of New Regulation, having first been validated by the RPC. This would provide business with a clearer picture of the costs of the full range of regulation and in a timely and transparent way.

4.14 In our previous report we recommended that our Opinions supporting published IAs should be made public, and this recommendation was implemented by Ministers for final stage Opinions. We recommend that the validation and publication of the EANCB of all regulatory measures, regardless of whether they fall within the scope of OIOO, would be another positive step towards increasing the transparency of the UK regulatory system.

Maintaining a credible system

4.15 The credibility of the OIOO policy relies upon businesses believing in the regulatory system and the accuracy of OIOO calculations. The RPC believes that stakeholders would expect to observe a system which is operated consistently according to the published guidance.

4.16 Over the course of the last two years Ministers have identified a number of regulatory policies that have been deemed as out of scope of OIOO, whilst the RPC

had not judged them as falling within any of the existing exceptions as set out in the published OIOO Methodology.

4.17 Examples of this include, but are not limited to, decisions on the level of the National Minimum Wage, and implementation of the amended Paris and Brussels Conventions on nuclear 3rd party liability.

4.18 The RPC has recommended that all such decisions should be reviewed by the Reducing Regulation Committee to ensure that Ministers are content with the various exceptions and exclusions to the OIOO system that have developed over the last two years.

4.19 Should Ministers decide that such measures ought to remain outside the scope of OIOO, the RPC considers that the published OIOO Methodology should be revised and clarified. For example, should Ministers continue to consider an increase in the National Minimum Wage as being out of scope of OIOO, it should be identified explicitly as an exemption, rather than treated as being akin to a fee or charge.

Box 4.1: Reviewing the scope of ‘One-in, One-out’

Observation – The impact of OIOO felt by businesses and civil society organisations is less than hoped as the scope of the policy is limited.

Recommendation 1 – We recommend that Ministers review all the categories of regulations that are currently exempt from OIOO, with a view to widening their scope.

Where it is concluded that exemptions should remain, we consider it important that the additional burdens on business and civil society organisations should be published in the Statements of New Regulation, having first been validated by the RPC.

Recommendation 2 – Where Ministers’ and the RPC’s interpretations of the OIOO methodology differ, we recommend that this is reviewed by the Reducing Regulation Committee.

If certain individual regulatory measures are to remain outside the scope of OIOO, the RPC considers that the existing OIOO methodology needs to be revised so that it is consistent with Ministers’ interpretations and expectations of the policy.

Accounting Methodology

4.20 The RPC has highlighted a concern we have with the current OIOO Methodology, in that the accounting methods do not take account of differing time periods for measurement of INs and OUTs. For time-limited measures (those with a specified end date), the current process of accounting and presenting these measures within the Statement of New Regulation is inaccurate.

4.21 The estimated net cost to business of all measures presented in SNR is currently recorded as permanent, no matter the actual length of the policy life. This means that a deregulatory measure that lasts for one year can be used to offset a

costly regulatory measure of equivalent annual value that will continue indefinitely. This is also the case for a short-term time-limited IN that is used to cancel out the benefits of a long-term OUT.

4.22 Whilst this problem does not affect the majority of measures we review, those cases where it does apply could significantly distort departmental and overall Government OIOO totals. For clarity, the RPC believes that the issue should be reviewed urgently with the aim of ensuring that the lifetime of policies should be built into the unit of account for OIOO, so that departments' balances reflect the true regulatory burdens imposed on business and civil society organisations.

Box 4.2: Reviewing the OIOO accounting methodology

Observation – The net burden on business and civil society for time-limited measures is currently recorded in a way that would give an inaccurate picture of departmental OIOO balances.

Recommendation 3 – The OIOO accounting methodology should be reviewed and amended so that the lifetime of a policy is built into the unit of account.

The RPC will make more detailed recommendations as to how this should be achieved to the Better Regulation Executive.

Drawing a distinction between 'direct' and 'indirect' impacts

4.23 As well as the wide range of policies that could be brought within the scope of OIOO, the RPC is often required to make judgments on whether particular types of costs and benefits should form part of the OIOO assessment. The most challenging of these can be drawing a distinction between direct and indirect impacts. This is particularly important as, under the current OIOO methodology, only direct impacts are within the scope of OIOO.

4.24 In our view, the current definition of what is considered a 'direct' impact should be refined to reduce the likelihood of disagreement and debate. However, based on extensive experience, it is clear to us that making the distinction between these two concepts is often a difficult task and there will be significant challenges for departments wherever the line is drawn. There is also a risk that any attempt to widen the scope of what is considered a direct impact will add to the complexity of the system rather than reduce it.

4.25 Costs and benefits that are currently treated as indirect, such as some welfare impacts on society or the results of behavioural change, are typically difficult to monetise. Widening the scope of impacts that are within the scope of OIOO would place an increased demand on the evidence base held by departments, and could lead to an inconsistent treatment of costs and benefits for individual proposals. Careful consideration and discussion will therefore be required before any change is made.

Box 4.3: Defining 'direct' and 'indirect' impacts

Observation – Drawing a line between 'direct' and 'indirect' impacts of regulatory policies can be challenging for departments and the existing definition of each is a source of regular debate.

Recommendation 4 – The current definition of what is considered a 'direct' impact should be refined to reduce the likelihood of disagreement and debate on what is an arbitrary issue.

Should Ministers decide to expand the definition of 'direct' impacts for OIOO purposes, it will be important that Departments are still able to provide evidence-based monetised estimates of costs and benefits, so that we can validate them. The RPC would wish to take part in any future discussions with Ministers on this issue.

The RPC scrutiny process

4.26 As outlined in the previous chapter, the IA scrutiny process was streamlined in August 2012 for deregulatory and low-cost measures. The RPC has supported the fast tracking of deregulatory measures, and the more proportionate processes for genuinely low-impact regulatory measures. However, in addition to the risks highlighted in Chapter 3, we have a number of concerns regarding this new 'fast track' system that we feel should be considered by Ministers.

4.27 Despite the fast tracking of deregulatory measures, the RPC notes that it continues to be important that INs and OUTs are scrutinised to an equivalent standard. The RPC will be monitoring the new fast track process to ensure adequate evidence is provided for fast tracked OUTs.

4.28 The RPC stresses that it will be important for the new system to be monitored effectively. In the absence of effective controls, departments may have little incentive to return to the RPC for validation of the EANCB for measures assessed as 'low cost' at an early stage of policy development. The RPC is not well placed to carry out this monitoring role. However, without the process being monitored vigilantly, the credibility of Government's performance under OIOO may be diminished.

4.29 The RPC believes strongly that the IA is an important tool which should be used in the development of policy and for informing final policy decisions. Although at final stage we will only be rating IAs as 'Red' or 'Green' on the basis of their OIOO assessment, it is vital that departments continue to carry out detailed analysis of the impacts on all parts of society.

4.30 With each SNR that is published, there are an increasing number of measures for which the EANCB has not been finalised and validated. The consequence to date has been that the SNR has a large number of blank fields and footnotes explaining

why the EANCB is incomplete. In the SNR 4 this was the case for 19 measures. It is the view of the RPC that, under the new ‘fast track’ system, this is likely to become more prevalent because EANCB validation is no longer required for RRC clearance.

4.31 This could reduce the value of the SNR, as it may fail to inform businesses and civil society organisations effectively of the new burdens that they are likely to face in the forthcoming six month period. It could also lead to pressure for departments’ estimated EANCBs to be included in the SNR prior to RPC validation. This could lead to misleading headlines. In the view of the RPC this would damage the credibility of OIOO and the SNR.

Box 4.4: RPC Scrutiny

Observation – The Statements of New Regulation are an important tool for informing the private and voluntary sectors of the changes in the burdens they will face over the next six months. The recent changes to the IA scrutiny process could place pressure on the system and make it more challenging to report robust numbers in a timely fashion.

Recommendation 5 – Ministers have shown strong support for the important role of the RPC in validating all OIOO assessments, including all figures used in the SNR. The RPC emphasises the continuing need for this commitment.

Recommendation 6 – We recommend that Ministers urge Departments to submit their estimated EANCB, along with supporting analysis, to the RPC at the same time as requesting RRC policy clearance. This will minimise the number of policies that do not have an EANCB validated by the RPC prior to the publication of the SNR.

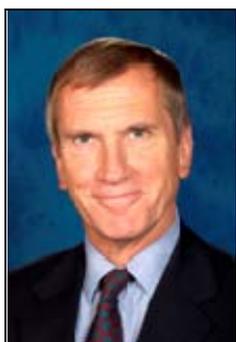
Annex A

Members of the Regulatory Policy Committee



Michael J. S. Gibbons OBE (Chair)

- Formerly Director of Powergen (MD of Powergen's gas business).
- Member of the Better Regulation Commission and its predecessor body from 2002 – 2008.
- Completed the Gibbons Review of Employment Dispute Resolution Regulations in 2007 and chaired a Practitioner Panel on the simplification of employment law.
- Appointed by the European Commission to the High Level Advisory Group on Administrative Burdens in February 2008 (Stoiber Group).
- Director of 2Co Power (Yorkshire) Ltd and the Carbon Capture Storage Association.
- Chairman of the UK National Committee of the World Energy Council.
- Chairman of the TUC Clean Coal Task Group
- Member of the Ocean Power Technologies Inc Advisory Board
- Director of British Management Data Foundation.
- Awarded an OBE for services to regulatory reform in the New Year Honours List 2008.



Sarah Veale CBE



- Head of the Equality and Employment Rights Department at the TUC where she has worked since 1985.
- Formerly Senior Employment Rights Officer, in which role she was responsible for the development of TUC policy on employment law.
- Member of the HSE Board and the Government's Employee Engagement Task Force.
- Formerly a member of the ACAS Council and the Women's National Commission.
- Awarded the CBE for services to diversity in the Queen's Birthday Honours List in June 2006.

Martin Traynor OBE



- Group Chief Executive of the Leicestershire Chamber of Commerce since 2001 and president in 1999. Formerly the President of Loughborough Chamber of Trade
- Extensive experience in the hospitality industry having worked in hotel management for 22 years.
- Chair of East Midland Regional Assembly's Scrutiny Board from 2003-2009.
- Formerly Chair and Deputy of the Sub Regional Strategic Partnership of the Regional Development Agency.
- Chaired the Loughborough Partnership in 1995 which secured funding for the town's regeneration.
- Awarded an OBE in the 2007 New Years Honours List for 'services to business and the community of the East Midlands'.

Alexander Ehmann



- A Member and Accredited Practitioner of the Chartered Institute of Public Relations (CIPR) and serves on the CIPR Public Affairs Sectoral Group Committee
- Joined the Institute of Directors (IoD) in November 2006 leading the IOs engagement with Parliamentarians, Government, Civil Servants and other key stakeholders, having worked in Public Affairs and External Relations for a leading telecoms regulator.
- Leads on IOs Regulation and Employment Policy, as well as IoD policy towards Small and Medium Enterprises (SMEs).
- Previously served in a number of communications roles, including extensive Public Relations work for the British Army as well as a period as a Campaign Manager for the Liberal Democrats.

David Parker



- Emeritus Economics Professor of Cranfield School of Management having been Dean of the Faculty of Management from November 2007 to September 2009.
- Associate of Public Administration International and consultant on competition and regulation internationally
- Member of the UK Competition Commission between 1999 and 2007.
- Areas of expertise: privatisation, regulation and competition issues.

Ian Peters



- Chief Executive of the Chartered Institute of Internal Auditors since June 2009.
- Formerly Director of External Affairs at the Engineering Employers Federation (EEF) from 2001.
- Former Deputy Director General of the British Chambers of Commerce with specific responsibility for policy, lobbying and communications.
- Formerly worked for the CBI and in public relations for the international PR agency Burson-Marsteller.

Jeremy Mayhew



- Senior Adviser in the Entertainment & Media Consulting Practice of PricewaterhouseCoopers.
- A non-party Common Councilman on the City of London Corporation; Chairman of its Audit & Risk Management Committee. Previously Chairman, Education Committee and Barbican Centre Board (remains a member of latter).
- Non-Executive Adviser on Commissioning & Procurement, Mayor of London's Office for Policing and Crime (MOPAC).
- Member, Council, London Chamber of Commerce & Industry and Evaluation Committee, Economic & Social Research Council (ESRC)
- Trustee, City Arts Trust.
- Former non-executive Board Member, Strategic Rail Authority (SRA) and London Development Agency (LDA).
- Former Head of Strategy Development, BBC and Director, New Media and Strategy, BBC Worldwide.
- Former Special Adviser to Rt. Hon Peter Lilley, MP at Department of Trade & Industry & Department of Social Security.

Ken Warwick



- Independent economics consultant with expertise in economic analysis and public policy advice on productivity and growth, international economics, regulation, cost benefit analysis and evaluation.
- Consultant to the OECD's Science, Technology and Industry directorate.
- Chair of the OECD's Committee on Industry, Innovation and Entrepreneurship from 2007 to 2011
- Director of Analysis from 2003 to 2011 in the UK Department for Business, Innovation and Skills. Served as Chief Economist and Acting Director General, Economics during 2010
- Previously, senior economist in the DTI and the FCO, and at the IMF in Washington

Secretariat

The Regulatory Policy Committee is supported by a civil service secretariat of economists and policy officials. During the period covered by this report, the following civil servants were members of the RPC secretariat;

Tony Pedrotti
Irene Ball
Sumit Dey-Chowdhury
David Eggleton
Tom Fish
Gordon Manickam
Philip McCrea
Trevor Reid
Wayne Simmonds
Bagrat Tunyan
Lenroy Wallace

Annex B

Opinions issued by the Regulatory Policy Committee, January – August 2012

Detailed below is a list of all IAs on which RPC Opinions were issued during the period January-August 2012 with the accompanying RAG rating. Some regulatory measures appear twice in this list, which indicates that we issued an Opinion at both the consultation and final stage.

Of the IAs that we have scrutinised during this period, we have not published details on a small number, as these have not yet been publicly announced and have therefore been treated as confidential as requested by Departments.

There are a number of measures where no ‘fit for purpose’ rating from the RPC has been shown. Possible reasons for this are:

- A department has proceeded without a ‘fit for purpose’ rating – in such instances we publish our Opinions and they can be found on our website;¹⁷
- A department has decided to withdraw a regulatory proposal so no clearance from the RRC is required;
- A resubmission of that IA has not yet been received;
- A resubmission of that IA has been received but we had not issued an Opinion by 31 August 2012.

* indicates that earlier submissions of these IAs also received an Opinion before January 1 2012, details of which are not included here.

¹⁷ <http://regulatorypolicycommittee.independent.gov.uk/publications>

Dept.	Title of Impact Assessment	Stage	Red-Amber-Green		
			1st	2nd	3rd
BIS	Extending the Right to Request Flexible Working to all	F	A		
BIS	Registration of Charges	F	R	A	
BIS	Flexible Parental Leave	F	R	A	
BIS	Reforming UK Narrative Reporting	F	R	G	
BIS	Further Education - Level 3 and 4 Post-24 loans	F	A		
BIS	EU Directive 2009/43/EC (simplifying terms and conditions of transfers of defence-related products within the Community*)	F	R	G	
BIS	Audit Exemptions	F	R		
BIS	Offshore hallmarking by UK Assay Offices	F	A		
BIS	Amendment of restrictions for companies moving between IFRS and UK GAAP	F	A	G	
BIS	Extended Collective Licensing	F	G		
BIS	Copyright exception for parody	F	G		
BIS	Orphan Works	F	A		
BIS	Proposals to Reform the Financial Reporting Council	F	A		
BIS	Codes of Conduct	F	A		
BIS	Copyright exception for archiving and preservation	F	R	G	
BIS	Use of works for public administration and reporting	F	G		
BIS	Copyright exceptions for disabled people	F	G		
BIS	Exception for copying of works for use by text and data analytics	F	G		
BIS	Exception of use of quotations or extracts of copyright works	F	A		
BIS	Extend exception for copying for research and private study	F	A		
BIS	Extending Copyright Exceptions for Educational Use	F	G		

Dept.	Title of Impact Assessment	Stage	Red-Amber-Green		
			1st	2nd	3rd
BIS	Repeal of the 'early discharge from bankruptcy' provision	F	G		
BIS	Changes to provisions which allow merging of registered trade marks	F	A		
BIS	The Companies Act 2006 (Amendment of Part 23) (Investment Companies) Regulations	F	R	A	
BIS	Removal of the Competent Authority provisions in insolvency	F	A		
BIS	Consumer Landscape Review: Transfer of consumer advocacy responsibilities	F	A		
BIS	Consumer Landscape Review: Transfer of consumer information, advice and education functions	F	A		
BIS	Consumer Landscape Review: Transfer of consumer enforcement powers	F	G		
BIS	The Tribunals, Courts and Enforcement Act 2007 (Transitional and Consequential Provisions - Disqualification General) Order 2011	F	A		
BIS	Enhancing consumer confidence : Encouraging more proportionate enforcement by removing barriers to civil enforcement	C	A		
BIS	Enhancing consumer confidence: Enabling greater efficiency in the calibration of local authority measurement standards	C	A		
BIS	Enhancing consumer confidence: Generic set of consumer law powers	C	G		
BIS	Enhancing consumer confidence: Improving cross-border cooperation and authorisation	C	A		
BIS	Enhancing consumer confidence: More flexible Trading Standards qualifications and competencies	C	A		
BIS	Changes to petition deposits in bankruptcy and compulsory liquidation	F	A		
BIS	Changes to Insolvency Services Account fee rates	F	G		
BIS	Private Actions in Competition Law	C	G		
BIS	Shareholder votes on directors' remuneration	F	A		
BIS	Shareholder votes on executive remuneration	C	A		
BIS	Textile Labelling Regulations	F	A		
BIS	Deferment of publication of designs applications	C	A		
BIS	Amendments of Design Application	C	G		
BIS	Street Trading and Pedlary legislation	C	A		

Dept.	Title of Impact Assessment	Stage	Red-Amber-Green		
			1st	2nd	3rd
BIS	Rapid Resolution Service	F	R	A	
BIS	Expansion of the Patents Opinion Service	C	A		
BIS	Introduce a Designs Opinion Service	C	G		
BIS	Joining the Hague Agreement on Designs	C	G		
BIS	Collective Redundancy Consultation	C	A		
BIS	Companies House Fees Regulations	F	G		
BIS	Inspection of Documents	C	A		
BIS	EU Directive 2011/90/EU - Additional APR Assumptions	F	R	G	
BIS	Amendment to the National Minimum Wage regulations 2012 - increase in NMW rates	F	R	A	
BIS	Copyright protection for designs	F	A		
BIS	Revision of scope of design protection	C	A		
BIS	Amendment of design ownership provisions	C	A		
BIS	Improved Transparency of Executive Remuneration reporting	C	A		
BIS	Supply of Goods: Deduction from refund for use at rescission of contract	C	R	A	
BIS	Consumer rights in digital content	C	A		
BIS	Consumer Bill of Rights Services	C	A		
BIS	Supply of Goods: A single scheme of remedies for faulty goods	C	A		
BIS	Supply of Goods: Repair or Replacement of Faulty Goods	C	A		
BIS	Supply of Goods: The short term right to reject faulty goods	C	A		
BIS	Supply of Goods: A New Statutory Scheme of Guarantees	C	A		
BIS	Facilitating Settlement Agreements	F	A		

Dept.	Title of Impact Assessment	Stage	Red-Amber-Green		
			1st	2nd	3rd
BIS	Land Registration Fee Order 2012	F	G		
BIS	The Accounting Standards (Prescribed Bodies) Regulations 2012	F	A		
BIS	Unfair Dismissal Compensatory Awards	C	A		
BIS	Introduction of a criminal offence for deliberate copying of registered and unregistered design.	C	G		
BIS	Enhanced suspension of consumer credit licences	F	G		
BIS	Amend appeal route for design decisions of the Intellectual Property Office	C	R	G	
BIS	Prior rights searches for Registered Designs	C	G		
BIS	Competent PRS authority	C	G		
BIS	EU Consumer Rights Directive: Information requirements and extension of the right to withdraw for off-premises contracts	C	A		
BIS	EU Consumer Rights Directive: Provisions on Delivery, Passing of Risk, Communication by telephone and consent for additional payments	C	A		
BIS	EU consumer Rights Directive: Pre-contractual information requirements for contracts other than distance or off-premises	C	A		
BIS	EU Consumer Rights Directive: Information requirements and withdrawal rights for distance contracts	C	A		
BIS	Directive of the European Parliament and the Council on combating Late Payment	C	G		
BIS	Payment Surcharges	C	R	A	
BIS	Correction of Trade Marks and Design Rules	F	R		
BIS	Modernisation of the Street Trading Regime	C	A		
BIS	Estate Agents market regulatory reform	F	A		
BIS	Experimental use and Bolar Exception	C	G		
BIS	Parental Leave Directive	F	A		
DCLG	Community Right to Buy - Localism Bill	F	G		
DCLG	Localism Act - Neighbourhood plans and Community Right to Build	F	R	A	

Dept.	Title of Impact Assessment	Stage	Red-Amber-Green		
			1st	2nd	3rd
DCLG	Reform of social housing regulations - Localism Bill	F	R		
DCLG	Deregulation of the consent regime for flying flags	F	R	G	
DCLG	Social Housing Tenancy Fraud	F	A		
DCLG	Simplifying the Houses in Multiple Occupation (HMO) Licence Renewal Application Form	F	G		
DCLG	Permitted Development rights for installations of microgeneration equipment on non-domestic premises	F	A		
DCLG	New opportunities for sustainable development and growth through the reuse of existing buildings	C	A		
DCLG	Proposed changes to streamlining information requirements for planning applications	C	A		
DCLG	The Infrastructure Planning (Environmental Impact Assessment) (Amendment) Regulations 2012	F	A		
DCLG	The Town and Country Planning (Tree Preservation) (England) Regulations 2012	F	A		
DCLG	Localism Act: Compulsory Pre-Application Community Consultation - Secondary Legislation	C	A		
DCLG	Consultation on the Homelessness (Suitability of Accommodation) (England) Order 2012	C	A		
DCLG	Proposal to exempt holiday lets from EPC requirements where they are rented out for less than 4 months in a 12 month period	F	R	G	
DCLG	Park Homes Site Licensing - Caravan Sites and Control of Development Act 1960	C	A		
DCLG	Park Homes: Reform of the Mobile Homes Act 1983	C	A		
DCLG	Improving Statutory Consultee Performance	C	A		
DCLG	Impact Assessment on the proposal to use a Legislative Reform Order to change legislation on payments by parish and community councils and charter trustees	C	R	G	
DCLG	Changes to the conditions of authorisation for Building Regulations competent person schemes	F	R	A	
DCLG	Draft Audit Bill - Draft Impact Assessment	C	R	G	
DCLG	Extend the permitted development rights to increase in the number of flats that can be created above shops without requiring a planning application	F	G		

Dept.	Title of Impact Assessment	Stage	Red-Amber-Green		
			1st	2nd	3rd
CO	Impact Assessment of The Civil Contingencies Act 2004 (Contingency Planning) (Amendment) Regulations 2012*	F	A		
DCMS	Regulation for the legal deposit of UK off line publications	F	G		
DCMS	Impact Assessment of the draft SI The Online infringement of copyright (Initial Obligations)(Sharing of Costs)Order 2012	F	G		
DCMS	Adjustments to Gambling Operating Licence Fees	F	G		
DCMS	The online infringement of copyright (Initial Obligations)(Code of Practice) Order 2012*	F	G		
DCMS	The online infringement of copyright (Initial Obligations)(Code of Practice) Order 2012*	F	A		
DCMS	Regulation for the legal deposit of UK on line publications	F	G		
DCMS	Independent producers and local TV	C	A		
DCMS	Independent producers and local TV	F	A		
DCMS	Amendments to Schedule 6 of the Gambling Act 2005 to facilitate better information sharing and enable the effective control of betting integrity issues	F	G		
DCMS	Proposed transfer of Public Lending Right functions from the existing body and its subsequent abolition	C	A		
DCMS	Export Licensing of Cultural Goods	C	A		
DCMS	Removal of TV Licence notification requirement for Retailers	F	R	A	
DCMS	The Authorisation of Frequency Use for the Provision of Mobile Satellite Services	F	R	A	
DCMS	Enterprise, Employment, Regulatory Reform and Repeals Bill: Heritage related proposals	F	A		
DCMS	Cinema Advertising	C	A		
DCMS	Video Recordings Act exemptions	C	A		
DCMS	The proposed merger of the Gambling Commission and the National Lottery Commission	C	G		
DCMS	Adjustments to Gambling Commission Personal Licence and Operating Fees	F	A		
DCMS	Consultation on changes to the listed building consent system and compulsory purchase order system	C	A		

Dept.	Title of Impact Assessment	Stage	Red-Amber-Green		
			1st	2nd	3rd
DECC	Green Deal and Energy Company Obligations	F	A		
DECC	Proposed legislation to implement the amended Paris and Brussels Conventions on nuclear 3rd party liability*	F	A		
DECC	Smart meter rollout for the non-domestic sector (GB)	F	R	A	
DECC	Smart meter rollout for the domestic sector (GB)	F	R		
DECC	Transmission Constraint Licence Condition (TCLC)	F	A		
DECC	Simplification options for the CRC Energy Efficiency scheme to help business : CRC (Amendment) Order 2012	C	A		
DECC	Ofgem Consumer Redress	C	G		
DECC	Transposition of the EU ETS Directive: Review of the 2005 UK Greenhouse Gas Regulations	C	A		
DECC	Amendments to Nuclear Decommissioning (Finance and Fees) Regulations 2011	C	G		
DECC	Grandfathering Period of the Emissions Performance Standard	F	R	A	
DECC	Council Directive 2009/119/EC - obligation on Member States to maintain minimum stocks of crude oil and/or petroleum products	F	A		
DECC	Energy supply company administration rules	C	G		
DECC	Amendment to electric lines threshold in the Planning Act 2008	C	G		
DECC	Revision of fees for s.37 Electricity Act 1989 applications	C	A		
DECC	Granting a time-limited exemption to a generation licence	C	G		
DECC	Updating the Electricity Act "necessary" wayleaves process for overhead lines	C	G		
DECC	The National Objectives, Requirements and Model Standards (NORMS)	F	A		
DECC	Cost recovery for consents issued under petroleum or offshore methane gas and carbon dioxide storage licences and Pipeline Works Authorisation	C	G		
DECC	The Energy Company Obligation brokerage platform	C	A		
DEFRA	Proposed Penalty Regime for the Ecodesign of Energy Related Products Regulations 2010 and the Energy Information Regulations 2011*	F	G		

Dept.	Title of Impact Assessment	Stage	Red-Amber-Green		
			1st	2nd	3rd
DEFRA	Increasing Dangerous Dogs Index Fee	F	A		
DEFRA	Options for Company GHG reporting*	F	A		
DEFRA	The Transfer of private Sewers and lateral drains to statutory water and sewerage companies*	F	G		
DEFRA	Making an Order under Section 14 of the Planning Act 2008	F	G		
DEFRA	Revision of Fees: Amendment of the Plant Health (Import Inspection Fees) (England) Regulations 2010 and the Plant Health (Import Inspection Fees) (Wales) Regulations 2010	F	G		
DEFRA	Revision of Fees: Amendment of the Plant Health (Import Inspection Fees) (England) Regulations 2007 and the Plant Health (Import Inspection Fees) (Wales) Regulations 2007	F	G		
DEFRA	Revision of Fees: Amendment of the Plant Health (Licence Fees) (England and Wales) Regulations 1996	F	G		
DEFRA	Revision of Fees: Amendment to the Seed Potatoes (Fees) (England) Regulations 2006 and Seed Potatoes (Fees) (Wales)(No.2) Regulations 2006	F	G		
DEFRA	Revision of Fees: Amendment of the Potatoes Origination in Egypt (England) Regulations 2004 and Potatoes Originating in Egypt (Wales) Regulations 2004	F	G		
DEFRA	Impact Assessment for the Legislative Reform Order to amend the constitution of the Royal College of Veterinary Surgeons' Preliminary Investigation Committee and Disciplinary Committee	F	G		
DEFRA	The African Horse Sickness Regulations through the implementation of Directive 92/35/EEC	F	G		
DEFRA	Introduction of electronic notices of variations to licences for all fishing vessels in England	F	A		
DEFRA	Welfare of wild animals in travelling circuses	F	R	A	
DEFRA	A new English Scallop Order*	F	G		
DEFRA	Extending Dangerous Dogs Act to Private Property	C	A		
DEFRA	Allow owners of non-dangerous prohibited type dogs to retain possession of their dogs during court and index registration process	C	A		
DEFRA	Public Bodies Reform Bill - Marine Management Organisation charges	C	G		
DEFRA	Implementation of the 2010/79/EU on the adaptation to technical progress of Annex III to Directive 2004/42/EC of the European Parliament and of the Council on the limitation of emissions of volatile organic compounds (Paints)	C	A		
DEFRA	Implementation of the 2010/79/EU on the adaptation to technical progress of Annex III to Directive 2004/42/EC of the European Parliament and of the Council on the limitation of emissions of volatile organic compounds (Paints)	F	G		
DEFRA	Drinking Water Inspectorate Charging Scheme for England	F	R	G	

Dept.	Title of Impact Assessment	Stage	Red-Amber-Green		
			1st	2nd	3rd
DEFRA	Plant Protection Products: Sustainable Use Regulations 2012	F	A		
DEFRA	Microchipping of Dogs	C	A		
DEFRA	Updating Ofwat's enforcement powers	F	G		
DEFRA	Consultation on the Code of Practice on Noise from Ice-Cream Van Chimes Etc 1982	C	G		
DEFRA	Cattle Compensation: Bovine TB, Brucellosis, BSE and Enootic Leukosis	F	G		
DEFRA	Amendments to exemptions to TB pre-movement testing	F	R	G	
DEFRA	Impact Assessment for Transmissible Spongiform Encephalopathies (England) (Amendment) Regulations 2012	C	A		
DEFRA	Statutory drought and water resources planning by water undertakers: frequency of the planning cycle	F	A		
DEFRA	Order to ban the sale of certain non-native species in England and Wales under Section 14ZA of the Wildlife and Countryside Act 1981	F	R	G	
DEFRA	Revision of fees for UK National Listing and UK Plant Breeders Rights	C	A		
DEFRA	Revision of fees and Seeds Marketing in England and Wales	C	A		
DEFRA	Revision of Fees: Amendment of the Plant Health (Export Certification) (England) Order 2004 and the Plant Health (Export Certification) (Wales) Order 2006	C	A		
DEFRA	Guidance for Water Company Social Tariffs	F	R	A	
DEFRA	The Bovine Embryo (Collection, Production and Transfer) (Fees) Regulations 1995	C	A		
DEFRA	Revision of Fees: Amendment of the Bovine Semen Regulation (England) 2007	C	A		
DEFRA	Revision of Fees: Amendment of the Porcine Semen (England) (Fees) Regulation 2007	C	A		
DEFRA	Regulation 882/2004 (EC) on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules - fees	C	A		
DEFRA	Revision of Fees for Salmonella National Control Programmes & Defra approved private laboratory network	C	A		
DEFRA	Review of the Poultry Health Scheme (PHS) (Fees) Regulations 2011	C	A		
DEFRA	Introduction of a full cost recovery charging regime for the delivery of the CITES licensing service	C	G		

Dept.	Title of Impact Assessment	Stage	Red-Amber-Green		
			1st	2nd	3rd
DEFRA	Updating of the Special Administration Regime for Water Companies	F	R		
DEFRA	Reform of the Water Special Merger Regime	F	R	A	
DEFRA	Extending the Environmental Permitting framework to incorporate water abstraction and impoundment licensing and fish pass approvals	C	A		
DEFRA	Changes to approval process for Water Company charges scheme	F	A		
DEFRA	Abolition of the Agricultural Wages Board	F	A		
DEFRA	Replacement of rules on welfare of animals at the time of slaughter and killing (Implementation of EU Regulations 1099/2009 in England)	C	A		
DEFRA	Review of the Animal By-Products (Identification) Regulations 1995 and potential transfer of provisions to the Animal By-Products (Enforcement) Regulations 2011 in England, Scotland and Wales	C	G		
DEFRA	Reforms to the Land Drainage Act (LDA) 1991 for Internal Drainage Boards (IDBs)	C	G		
DEFRA	Revision of REACH to address asbestos derogation	C	R		
DfE	Revised Statutory Guidance for Local Authorities on Delivery of Free Early Education Provision for 3 & 4 year olds	F	R	A	G
DfE	School Premises Regulation Simplification	F	A		
DfE	Fees for inspection of children's social care settings, residential special schools, boarding schools and residential further education colleges etc	C	A		
DfE	Impact of changes to Regulations and National Minimum Standards for Residential Family Centres	C	R	G	
DfE	The Education (Independent School Standards) (England) Regulations 2012	C	A		
DfE	Early Years Foundation Stage (Learning and Development Requirements) (Amendment) Order 2012	F	A		
DfE	Early Years Foundation Stage (Safeguarding and Welfare Requirements) Regulation 2012	F	A		
DfE	Childcare (Early Years) Register Regulations 2012	F	A		
DfE	Child Performers - Amateur sector	C	A		
DfE	Child Performers - Licensing Process	C	A		
DfE	Child Performers - Chaperones	C	A		

Dept.	Title of Impact Assessment	Stage	Red-Amber-Green		
			1st	2nd	3rd
DfE	Child Performers - children performing abroad	C	A		
DfE	Childcare (General Childcare Register) (Amendment) Regulations 2012	F	R	G	
DfE	Childcare (Inspections) (Amendment) Regulations 2012	F	R	G	
DfE	Revision of the Framework for the Assessment of Children in Need and their Families	C	G		
DfE	Revision of working together to safeguard children	C	G		
DfE	Revision of chapter 8 - Serious case reviews - of working together to safeguard children (working together 2010)	C	G		
DfE	Amendment to the regulations underpinning the School Census and Pupil Referral Unit (PRU) Census collections	F	A		
DfE	Two Year Olds' Entitlement to Early Education. Options for Extended Eligibility in the Second Phase of the Entitlement	C	A		
DfE	Consultation on making foreign languages compulsory at Key Stage 2	C	A		
DfE	New approval process for prospective adopters	C	G		
DfE	Legislation on referrals to the Adoption Register	C	G		
DfE	Two year Olds' Entitlement to Early Education: Options for Extended Eligibility in the First Phase of the Entitlement	F	G		
DfE	Personal Budgets	F	G		
DfE	Single Assessment Process and Education, Health and Care Plan	F	A		
DfE	Right to Appeal and Compulsory Mediation	F	R	G	
DfE	Local Offer	F	A		
DfE	Commencement Order for auxilliary aids requirement on schools and local authorities	F	A		
DfE	Holiday Schemes for Disabled children - Children's Homes	C	A		
DfE	Fees and framework for the inspection of children's social care settings, residential special schools, boarding schools and residential further education colleges etc	C	G		
DfE	Childcare (Fees)(Amendment) Regulations 2012	F	G		
DfE	Changes to the assessment and approval process for foster carers	C	A		

Dept.	Title of Impact Assessment	Stage	Red-Amber-Green		
			1st	2nd	3rd
DfE	The Early Years Foundation Stage (Exemptions from Learning and Development Requirements)(Amendment) Regulations 2012	F	G		
DfT	Fuel Quality Directive*	F	A		
DfT	Amendments to the Renewable Transport Fuel Obligation for compliance with the Renewable Energy Directive - Non-Road Mobile Machinery	F	R		
DfT	M62 J 25 to 30 Managed Motorway	F	G		
DfT	Real Total Mass Implementation (RTM)	F	G		
DfT	Dartford-Thurrock River Crossing Revised Charging Regime	F	A		
DfT	Carriage of Dangerous Goods: Approved Derogations and Transitional Provisions	F	G		
DfT	Reforming the Air Travel Organisers' Licensing (ATOL) Scheme	F	G		
DfT	M25 J16-23 Controlled Motorway*	C	G		
DfT	M25 J27-30 Variable Speed Limits and Enforcement*	C	G		
DfT	The Merchant Shipping (Ship-to-Ship Transfers) Regulations 2012*	F	A		
DfT	Historic Vehicle MoT Exemption Review	F	A		
DfT	The Merchant Shipping and Fishing Vessels (Health and Safety at Work) (Chemical Agents) (Amendment) Regulations 2011 (the "Amendment Regulations")	F	G		
DfT	Revising the levels of penalty charges in The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007 No. 3487	C	A		
DfT	The Merchant Shipping (Accident Investigation and Reporting) Regulations 2012	F	A		
DfT	European Commission's Regulation on bus and coach passenger rights*	C	G		
DfT	UK implementation of EU Directive 2009/20/EC on the insurance of shipowners for maritime claims	F	G		
DfT	Amendment of the Air Navigation Order 2009 for the Radio Operators Certificate of Competence	F	G		
DfT	Impact Assessment for the Port of Portland, Port of Grangemouth, Port of Workington, Port of Milford Haven, Port of Liverpool, Port of Tees and Hartlepool and Port of Aberdeen Designation Orders 2012	C	G		

Dept.	Title of Impact Assessment	Stage	Red-Amber-Green		
			1st	2nd	3rd
DfT	Impact Assessment for the Port of Portland, Port of Grangemouth, Port of Workington, Port of Milford Haven, Port of Liverpool, Port of Tees and Hartlepool and Port of Aberdeen Designation Orders 2012	F	G		
DfT	Reform of EHRC - change to Statutory Instrument SI 2007/1985: (Civil Aviation (Access to Air Travel for Disabled Persons) Regulations 2007)	F	R	G	
DfT	Birmingham Box Managed Motorways - Phase 3 (BBMM3)	C	G		
DfT	M25 J7-10 Controlled Motorway	F	G		
DfT	Aviation Policy Framework	C	A		
DfT	Implementing the certification requirements of the European Directive on the maintenance of railway vehicles ("Miscellaneous Amendments Regulations")	C	G		
DfT	Increasing Fine Levels for Certain Fixed Penalty Notices Motoring Offences	C	A		
DfT	Introduction of Careless Driving as a Fixed Penalty Notice Office	C	A		
DfT	Implementing European Directive 2010/48/EC on roadworthiness tests	F	A		
DfT	Domestic Legislation implementing EU Regulation 392/2009 on the liability of carriers of passengers by sea in the event of accidents	C	A		
DfT	The Merchant Shipping (Passenger Ships on Domestic Voyages)(Amendment) Regulations 2012	C	G		
DfT	Examining the speed limit for HGVs over 7.5 tonnes on single carriageway roads	C	A		
DfT	Updated Security Instruction for London Underground	F	A		
DfT	The Air Navigation Order (ANO) 2009 Changes as a result of EASA Air Operations Regulations	F	A		
DfT	Ex Military Aircraft Occupant Placard	F	R		
DfT	'Free-Flow' Road User Charging at the Dartford-Thurrock River Crossing	C	G		
DfT	Removal of Insurance Check at Vehicle Licensing	C	A		
DfT	ATOL reforms using primary legislation	F	G		
DfT	Streamlining the application process on stopping up and diversion orders	C	G		
DfT	VOSA Fees - General Increase	C	A		

Dept.	Title of Impact Assessment	Stage	Red-Amber-Green		
			1st	2nd	3rd
DfT	Funding the interconnection of the National Register of licensed operators of goods vehicles, buses and coaches	C	R		
DfT	Lorry, bus and coach examination fees - location differentiation	C	R		
DfT	Speed Limit Exemptions for Emergency Services: Regulations to Implement Section 19 of the Road Safety Act 2006	C	A		
DfT	The Local Authorities (Transport Charges)(Amendment)(England) Regulations 2012	F	G		
DfT	Maritime Passenger Rights Regulations 2012 (the "proposed Regulations")	C	A		
DfT	IA for The Port of Barrow, Port of Newhaven, Port of Falmouth, Port of Sullom Voe, Port of Lerwick, Port of Rosyth, Port of Immingham & Grimsby, Port of Glasgow, Port of Hull & Goole, Manchester Ship Canal, Port of Southampton, Port of Poole, Port of Card	C	G		
DfT	Proposed Merchant Shipping and Fishing Vessels (Health and Safety at Work)(Asbestos)(Amendment) Regulations 20xx (the "Amendment Regulations")	C	G		
DH	Consolidation of UK medicines legislation	F	A		
DH	Changes to regulations for Care Quality Commission registration	F	R	G	
DH	Control of Entry and Exit in the NHS pharmaceutical market	F	A		
DH	Proposal for a Directive of the European Parliament and of the Council on standards of quality and safety of human organs intended for transplantation	F	R	G	
DH	Transposition of Pharmacovigilance Directive 2010/84/EU	F	A		
DH	Impact Assessment for the prohibition on the sale of tobacco from vending machines*	F	A		
DH	Next Steps for Nursery Milk	C	R	A	
DH	Standardised packaging for tobacco products	C	A		
DH	Responsible officers in the new health architecture; and proposals for making the explicit checking of language skills for doctors	C	A		
DH	Consultation on pregnancy options counselling	C	A		
DH	Healthy lives, healthy people: consultation on the arrangements for consultations on the fluoridation of drinking water	C	A		

Dept.	Title of Impact Assessment	Stage	Red-Amber-Green		
			1st	2nd	3rd
DH	Reform of adult social care legislation ¹⁸	F	R		
DH	Reform of adult social care legislation	C	G		
DH	Capable communities and informed citizens in control ¹⁷	F	R		
DH	Capable communities and informed citizens in control	C	A		
DH	Clear and fair partnership between the state, communities, families and individuals ¹⁷	F	R		
DH	Clear and fair partnership between the state, communities, families and individuals	C	G		
DH	High Quality care and an effective workforce ¹⁷	F	R		
DH	High Quality care, responsive providers and an effective workforce	C	G		
DH	London Health Improvement Board	F	R	G	
DH	Health Research Authority (HRA)	F	G		
DH	Health Education England	F	G		
DH	Transposition of Directive 2011/100/EU amending Directive 98/79/EC on in-vitro diagnostic medical devices	F	G		
DH	RTC - Impact Assessment of the effect of repealing the Smoke Free Sign Regulations (2007)	F	G		
DH	Statutory regulation of herbal practitioners	C	R		
DH	Falsified Medicines Directive 2011/62/EU	C	A		
DWP	Workplace Pension Reform Secondary Legislation 2012*	F	A		
DWP	The Child Support Maintenance Calculation Regulations 2012	F	G		
DWP	The Occupation Pension Schemes (Disclosure of Information)(Amendment) Regulations 2012	F	G		

¹⁸ These IAs were originally submitted to the RPC as Final stage IAs. However, after discussions with the RPC, they were resubmitted as Consultation stage IAs and subsequently received 'fit for purpose' ratings.

Dept.	Title of Impact Assessment	Stage	Red-Amber-Green		
			1st	2nd	3rd
DWP	Amending regulations to align Deduction from Earnings Orders with the new statutory child maintenance scheme	C	R	G	
DWP	Amending regulations to align Deduction from Earnings Orders with the new statutory child maintenance scheme	F	A		
DWP	Workplace Pensions Reform: Cross-borders Workers	C	A		
DWP	Workplace Pensions Reform: Cross-borders Workers	F	A		
DWP	A state pension for the 21st Century	F	G		
DWP	Workplace Pension Reform - revised implementation schedule	C	A		
DWP	Workplace Pension Reform - revised implementation schedule	F	R	G	
DWP	Reduce the frequency of returns to the Pensions Regulator by defined contribution schemes with 2-4 members	F	A		
DWP	Child maintenance reforms: case closure, charging, supporting family-based arrangements	C	A		
DWP	Small Pots and Automatic Transfer	C	A		
DWP	Workplace Pension Reforms (Auto Enrolment main regulation- [EANCB Validation only])	F	G		
DWP	Mesothelioma Payment Scheme and Mandatory Membership of Employer Liability Tracing Office (ELTO)	F	A		
DWP	The draft Occupational Pension Schemes (Miscellaneous Amendments) Regulations 2013	C	G		
DWP	Removal of stakeholder designation requirements	F	R		
FCO	Antarctic Bill	F	G		
FoodSA	The Plastic Materials and Articles in Contact with Food (England) (Amendment) Regulations 2011*	F	A		
FoodSA	A new approach to charges for official controls on meat : delivering efficiency and reform*	F	A		
FoodSA	The extension of Remedial Action Notices to all food establishments	F	R	R	
HMT	Money Laundering Regulations 2007	F	R	A	

Dept.	Title of Impact Assessment	Stage	Red-Amber-Green		
			1st	2nd	3rd
HMT	UK Implementation of the amended EU Prospectus Directive	F	G		
HMT	Bidding in auctions of emissions allowances	C	G		
HMT	Bidding in auctions of emissions allowances	F	A		
HMT	The regulation of small payments institutions	F	A		
HMT	The Regulation of Payments Networks	C	A		
HMT	Regulation establishing technical requirements for credit transfers and direct debits in euros	F	G		
HMT	Consultation on the Resolution of Non-Banking Financial Institutions IA	C	A		
HO	Alcohol measures in the Police Reform and Social Responsibility Bill (EANCB Validation only)	F	A		
HO	UK Implementation of European Directive 2010/63/EU on the protection of animals used for scientific purposes	F	G		
HO	Implementation of Authority-to-carry Scheme under Section 124 of Nationality, Immigration and Asylum Act 2002	F	A		
HO	Changes to Family Migration Rules	F	A		
HO	Dealing with the problems of late night drinking - implementation of secondary legislation	F	R	G	
HO	Changes to Tier 5 of the Points Based System and Overseas Domestic Worker routes of entry	F	A		
HO	Changes to Tier 2 Settlement Rules (Revision of RPC11-HO-0931)	F	A		
HO	The Immigration and Nationality (cost Recovery Fees) Regulations 2012	F	A		
HO	The Immigration and Nationality (Fees) Regulations 2012	F	A		
HO	Tackling Metal Theft - prohibit cash payments and higher fines	F	R	A	
HO	Reform of the ASB toolkit: Community Protection Order and the Community Trigger	F	R	R	
HO	New Alcohol measures in Section 182 Guidance of the Licensing Act 2003	F	R	A	

Dept.	Title of Impact Assessment	Stage	Red-Amber-Green		
			1st	2nd	3rd
HO	Migration Permanent Limit, Tier 2	F	A		
HO	Communications Data Legislation	F	A		
HO	Selling liqueur confectionery to children	F	A		
HO	To amend the law relating to dealers in scrap metal	F	R	R	A
HO	Private Security Industry: Future Regulatory Regime	C	A		
HO	Consultation on including a health objective in the Licensing Act 2003 related specifically to cumulative impact	C	R		
HO	Alcohol Multi-Buy Promotions	C	A		
HO	Licensing Act 2003: Consultation on removing the prohibition of the sale of alcohol at motorway service areas	C	R		
HO	Late Night Refreshment - Reducing the burdens of the Licensing Act 2003	C	G		
HO	Temporary Event Notices (TENs): Reducing the burdens of the Licensing Act 2003	C	R		
HO	Consultation on simplifying the duties of personal licence holders under the Licensing Act 2003 to renew their licences	C	G		
HO	Licensing Act 2003 - Consultation on removing the duty to advertise licensing applications in a newspaper or circular	C	A		
HO	Proposals to reduce burdens of licensing on those who sell limited amounts of alcohol as part of a wider service ("ancillary sellers") Licensing Act 2003	C	R		
HO	A minimum unit price for alcohol	C	A		
HO(GEO)	Equal Civil Marriage	C	G	G	
HO(GEO)	Legislative measures to promote equal pay	F	A		
HO(GEO)	Ending age discrimination in the provision of goods, facilities, services and public functions*	F	R	A	
HO(GEO)	Review of section 138 of the Equality Act 2010 and the need for the obtaining information Question and Answer Forms (RTC)	C	A		
HO(GEO)	Review of the need for employment tribunals to have the power to make wider recommendations (RTC)	C	A		
HO(GEO)	Equality Act 2010 - Protection Against Victimisation When Relationships Come to An End (RTC)	F	G		
HSE	The Removal of the Adventure Activity Licensing Regime	F	G		

Dept.	Title of Impact Assessment	Stage	Red-Amber-Green		
			1st	2nd	3rd
HSE	Proposed Replacement of the Health and Safety (Fees) Regulations 2010	F	A		
HSE	Identification and Traceability of Explosives (Amendment) Regulations 2012	F	G		
HSE	Proposal to replace the Health and Safety at Work etc Act 1974 (Application outside Great Britain) order 2001 (the Order) with a 2013 Order	C	G		
HSE	Revocation of the Notification of Conventional Tower Cranes Regulations 2010	C	A		
HSE	Revocation of the Construction (Head Protection Regulations) 1989	C	A		
HSE	Transposition of the Council Directive 2010/32/EU "Implementing the Framework Agreement on Prevention from Sharp Injuries in the Hospital and Healthcare Sector between HOSPEEM and EPSU"	C	G		
HSE	Proposed changes to the RIDDOR	C	G		
HSE	Implementation of Professor Lofstedt's recommendation to exempt from health and safety law those self-employed whose work activities pose no potential risk of harm to others	C	G		
HSE	Domestic fees regulations under new EU Regulation on placing on the market and use of biocidal products	C	R	G	
HSE	Proposed additional enforcement provisions to support the EU Prior Informed Consent Regulation on the export and import of dangerous chemicals	C	G		
HSE	Strict Liability in Health and Safety at Work Legislation	F	A		
HSE	Consideration of the options in response to the Löfstedt, review to remove the requirement for HSE to approve the training and qualifications of appointed first-aid personnel from the Health and Safety (First Aid) Regulations 1981	F	G		
MOD	Call out of numbers of the Reserve Forces for Urgent Work of National Importance	F	G		
MOJ	Defamation Bill	F	A		
MOJ	Claims Management Rules Review - Phase One*	F	A		
MOJ	Introducing a fee charging regime into Employment Tribunals and the Employment Appeal Tribunal	F	A		
MOJ	Third Parties (rights against insurers) Act 2010 - correction and commencement	F	R		

Dept.	Title of Impact Assessment	Stage	Red-Amber-Green		
			1st	2nd	3rd
MOJ	Transforming Bailiff Action	C	A		
MOJ	Damages Act 1996 s1 - The discount rate: how it should be set?	C	A		
MOJ	Presumption of Death Certificate	F	A		
MOJ	Transforming the Services of the Office of the Public Guardian	C	A		
MOJ	Deferred Prosecution Agreements	C	A		
MOJ	Reducing the number and costs of personal injury claims	C	A		
MOJ	Claims Management Rule Review - Phase Two - Amendments to the conduct of authorised persons rules	C	A		
SCO	Criminal Liability of Partnerships (Scotland) Bill	C	R		
SCO	Reform of Scots law on Unincorporated Associations	C	R		

Annex C

Contacting the Regulatory Policy Committee

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