

Agriculture and Rural Development Committee Inquiry into Better Regulation **Factual Briefing provided by Department of Enterprise, Trade & Investment**

The Agriculture and Rural Development Committee is undertaking an inquiry into Better Regulation, with a particular focus on farmers. DETI has been asked to submit evidence to this inquiry.

Background to Review of Business Red Tape

- This was an action contained in the Economic Pact, between the UK Government and Northern Ireland Executive, announced in June 2013;
- The DETI Minister commissioned Review of Business Red Tape, establishing an Advisory Panel and putting in place a Review Team, in December 2013;
- Review focused on three high level regulatory areas:
 - Regulatory Framework in Northern Ireland;
 - Regulations and potential disproportionate burden; and
 - Delivery / Implementation of Regulation.
- The Review was tasked with putting forward recommendations for the NI Executive to consider as the basis for a longer term programme of actions to address key issues, which would deliver a step change in the regulatory landscape in NI and support economic and business growth while protecting society and the environment.
- The Review progressed 4 key work strands:
 - Assessing the applicability of UK better regulation policies in NI;
 - Improvements to regulatory delivery in Northern Ireland;
 - Improvements to communication and information for the benefit of businesses and across Regulators; and
 - Consider an NI approach to ‘Better Regulation’, taking account of the UK Government’s flagship initiatives – Red Tape Challenge and Focus on Enforcement;
- There was wide ranging engagement across all stakeholder groups involved or impacted by regulatory activity throughout the Review;

Current Position

- A report was produced and presented to the then Enterprise, Trade & Investment Minister, Arlene Foster, in November 2014;
- Six high level recommendations were put forward, supported by additional 38 recommendations;

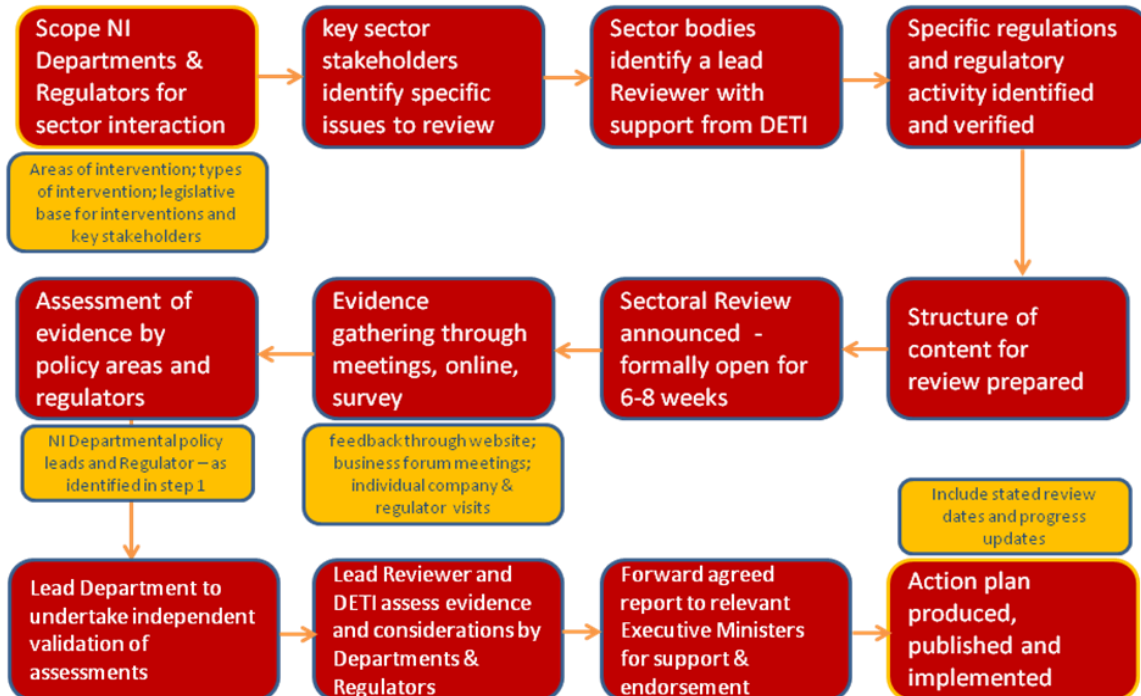
- The report is available for download on the DETI website – www.detini.gov.uk/betterregulation;
- Following receipt of the Report, the Minister shared it with Executive colleagues and the ETI Committee. She also requested that a senior officials inter departmental group be established to consider the recommendations and develop a draft response for Executive consideration;
- The Inter Departmental group has met a number of times, supplemented with a series of bi-lateral meetings with DETI officials;
- Wider issues of budget, Voluntary Exit Scheme and public sector reform have all been taken into account during this process;
- The process of developing a series of regulatory reform actions which officials and Ministers can support is continuing;
- The Review Team developed a sectoral review model to pilot in NI – based on the UK Government’s Red Tape Challenge and Focus on Enforcement initiatives. Three pilots were initiated – Hospitality Sector, Construction Sector and the Agri-food Sector and are still ongoing;

Agri-Food Sector Pilot Review

- Attached at annex A is a visual of the sector model being piloted which forms the basis of the intended approach for the pilot with the Agri-food sector;
- A small working group consisting of a number of representative bodies from the wider Agri-food sector has met to consider the regulatory burden on this sector and to identify potential areas for more in-depth consideration as part of this pilot;
- DETI is facilitating this group and providing advice and guidance as necessary;
- It was agreed that designing an industry survey for completion by the sector, would be useful to better understand the regulatory concerns of businesses. Attached at annex B is a list of the questions asked in this survey;
- Responses will be analysed by the working group at a meeting later in October. This will help to further understand the regulatory issues faced by businesses in the sector.

ANNEX A

Outline model for Regulatory Reform Sector Issue Reviews



ANNEX B

Regulatory Reform: Industry survey for Agri-food pilot

Red Tape Review of Agri-food sector Regulation

As you will be aware, the Agri-Food Strategy Board published the Going for Growth Strategy in May 2013 to support the development of the agri-food industry in NI. As part of this strategy recommendations were made on the subject of Better Regulation, in order to ensure that levels of Red Tape are appropriate.

You may also be aware that DETI commissioned a Review of Business Red Tape in 2013 and a report was submitted to the DETI Minister in late 2014. A key aspect of the work of this particular review was to devise and test a model to undertake specific regulatory issue reviews within individual sectors, whereby each sector would identify issues of excessive red tape, gather evidence from businesses experiencing a disproportionate burden and suggest how the burden could be lessened.

Following initial scoping with a small group of industry representatives, it was decided that an initial pilot would be most effective in the agri-food sector if focussed on the experience of processors.

Whilst this review is primarily concerned with statutory regulation, our stakeholder feedback has made clear there is also a significant burden of “regulation schemes” within the industry. This survey will include these interactions and findings will be communicated to industry bodies for further action.

Due to the recent public sector reform and the transfer of some planning functions to local government, this review will not include planning.

We would like to hear your experiences of dealing with a range of regulators.

This industry-led survey is being facilitated by the Better Regulation team within DETI on behalf of the AFSB.

DETI has chosen to use SurveyMonkey to host this survey and collect responses. DETI is satisfied that SurveyMonkey meets the requirements of the Data Protection Act 1998 and provides the security that DETI regards as essential when handling information.

In the UK, SurveyMonkey generally provides its survey services to customers from its subsidiary in Luxembourg and stores all survey data on servers located in the United States. SurveyMonkey is certified under the US-EU "Safe Harbour Scheme" which governs the collection, use and retention of personal information from EU member countries.

SurveyMonkey's Privacy Policy is available at www.surveymonkey.com/mp/policy/privacy-policy/.

By completing this survey, you hereby give your consent to your data being transferred out of the EU and onto servers located in the United States.

Which industry bodies are you (and/or your employer) a member of (or contributor to)?

- Agricultural Industries Confederation (AIC)
- CBI
- Dairy UK (NI)
- Federation of Small Businesses
- Food NI
- Horticulture Forum

- Livestock and Meat Commission
- National Beef Association
- National Sheep Association NI
- NI Chamber of Commerce
- NI Egg Merchants
- NI Independent Retail Trade Association
- NI Meat Exporters' Association
- NI Poultry Federation
- NI Retail Consortium
- NIFPO
- Northern Ireland Food and Drink Association (NIFDA)
- Northern Ireland Grain Trade Association
- SeaSource (ANIFPO)
- Ulster Arable Society
- Ulster Farmer's Union
- Ulster Grassland Society
- NI Pork and Bacon Forum
- Ulster Poultry Federation

2. What size is your employer's organisation?

- < 10 Employees
- 10 - 49 Employees
- 50 - 249 Employees
- 250 + Employees

3. Are you aware of the regulations your organisation is expected to comply with?

Comment

4. How are these communicated to you?

- Trade association

- Employer
- Professional institution
- Regulator
- Government department

Comment 

5. If you (or your organisation) come into contact with any of the official regulators listed below, outline on average how frequently you do so.

	Never	Not Very Often (<5 times a year)	On Occasion (5-15 times per year)	Regularly (16-55 times per year)	Frequently (>55 times per year)
Agri Food Inspection Branch (DARD)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Companies House (UK)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Drinking Water Inspectorate Northern Ireland (DWINI)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Employment Agency Inspectorate (EAI)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Environmental Health Service	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Equality Commission	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Fisheries (DARD)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Food Standards Agency (FSA)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Health & Safety Executive Northern Ireland (HSENI)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
NI Water	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

	Never	Not Very Often (<5 times a year)	On Occasion (5-15 times per year)	Regularly (16-55 times per year)	Frequently (>55 times per year)
Northern Ireland Environment Agency (NIEA)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Rivers Agency (DARD)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Trading Standards Service	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
UKAS (UK)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Veterinary Service (DARD)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

The above list is not exhaustive and may not include all of the official regulators that you may be in contact with – if so, please list in box below and state the frequency of contact for each.

6. If you (or your organisation) come into contact with any of the industry regulation schemes listed below, outline on average how frequently you do so.

	Never	Not Very Often (less than 5 times a year)	On Occasion (once per month)	Regularly (once per week)	Frequently (more than once per week)
Food Fortress	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Red Tractor	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Universal Feed assurance scheme	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

The above list is not exhaustive and may not include all of the industry regulation schemes that you may be in contact with – if so, please list in box below and state the frequency of contact for each.

The above list is not exhaustive and may not include all of the official regulators that you may be in contact with – if so, please list in box below and state the level of satisfaction for each.

8. How satisfied are you with the way the industry regulation schemes deliver and enforce regulations?

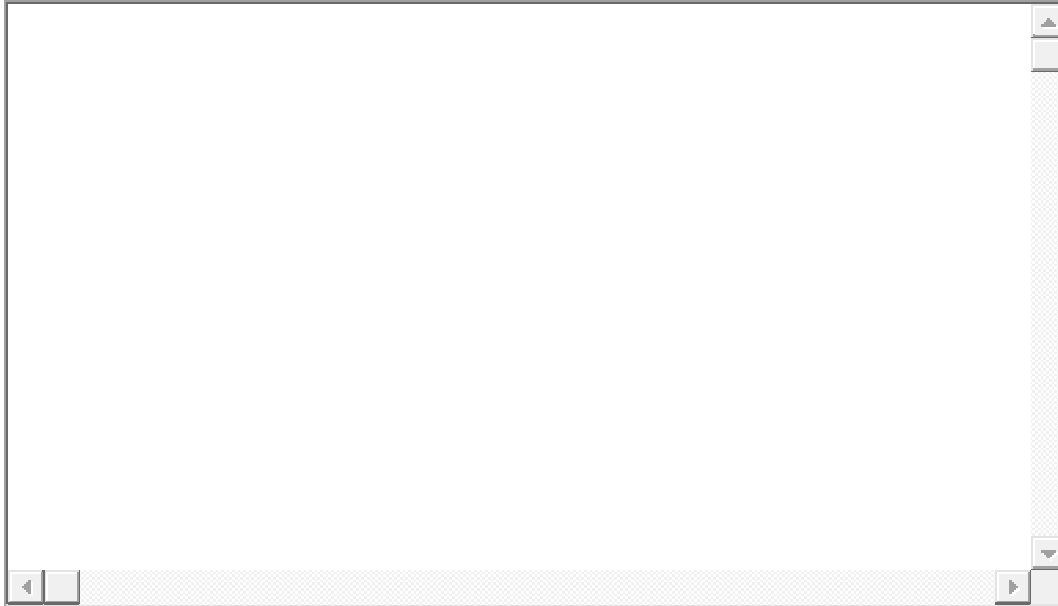
	Very Satisfied	Satisfied	Neither Satisfied or Dissatisfied	Dissatisfied	Very Dissatisfied	Not Applicable
Food Fortress	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Red Tractor	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
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The above list is not exhaustive and may not include all of the industry regulation schemes that you may be in contact with – if so, please list in box below and state the level of satisfaction for each.

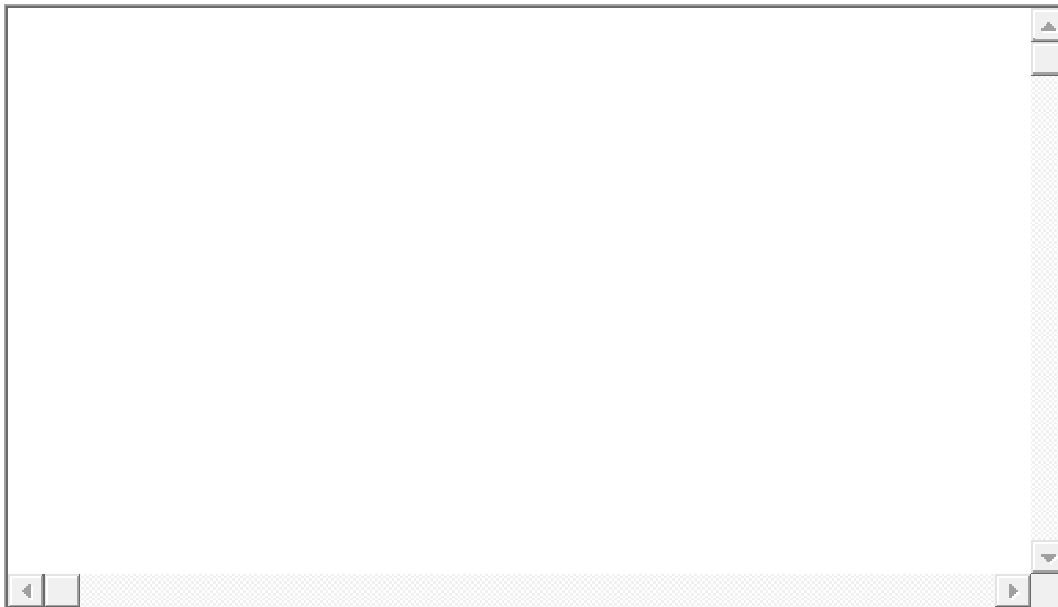
9. In light of your response to question 5, 6, 7 or 8 above please comment below on what specific aspects or issues support your answer.

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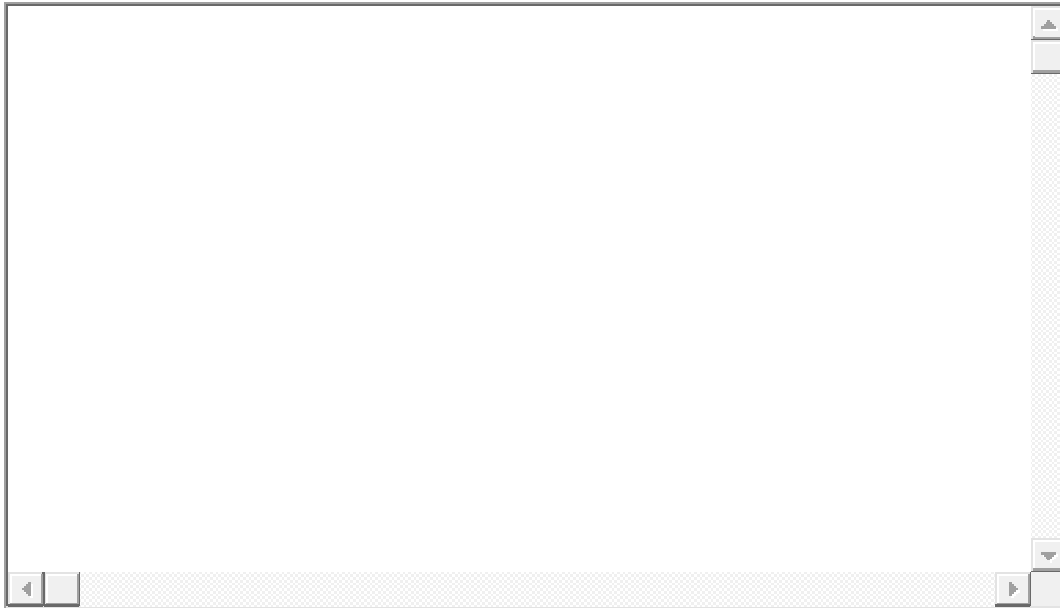
10. What suggestions do you have to improve the service provided to you by NI regulators?



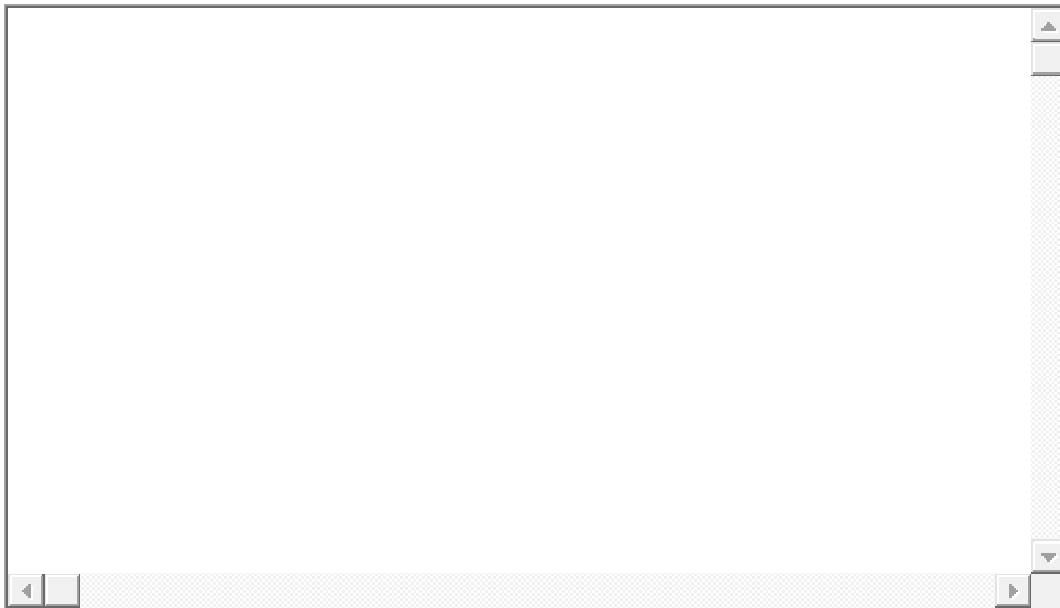
11. If you have similar business operations in EU jurisdictions outside Northern Ireland (e.g. in GB or RoI) we would be particularly interested in your comments regarding regulators and regulations in those regions relative to your experience in Northern Ireland.



12. Are there any regulations that you think are unnecessary or perhaps are badly written and could be improved?

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13. Would you like to make any additional comments on regulators or regulations in Northern Ireland?

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14. When thinking about the time spent in your business ensuring compliance with regulations or requirements, how would you divide the burden between legislative requirements and the specifications designated by the customer over and above the legal requirements or perhaps unique to a particular export market? (eg 50% legal, 50% customer)

Legislative (%)

Commercial / Customer (%)

15. Would you like to make any further comments on the division of burden between legislative requirements and customer/market requirements?

16. If you are willing to provide your email address please include below as we may follow up with you.

Name of Organisation

Completed by

Email Address