

Good Practice Regulatory Change: Introduction

Background

The Food Standards Agency (FSA) is responsible for food safety across England, Wales, and Northern Ireland. As part of its work on the [Achieving Business Compliance \(ABC\)](#) programme, the FSA wanted to understand more about how other regulators have approached regulatory change programmes, with a view to introducing their own programme. The FSA wanted to learn from what had happened in the past, explore the current landscape of regulatory change, and identify what good practice looks like. The ABC team also wanted to understand the challenges and barriers faced by other regulators and how these were dealt with, so they could learn more about what works.

The overarching aim of the research was to identify transferable lessons learnt, and good practice in regulatory change. In particular, this focused on exploring:

- the planning and implementation of change
- stakeholder engagement and relationships
- outcomes and lessons learned

The scope of the research was not restricted to the food landscape and included a broad range of regulators with a focus on, but not restricted to, those who operate within an inspection, safety and standards environment.

Methodology

Our approach involved two strands: a review of available literature and a series of depth interviews with representatives from regulators. These strands ran concurrently during April to July 2022.

Rapid evidence review and targeted literature searches

The first strand was intended to provide a broad overview of the existing literature on regulatory change programmes, across key industries and regions. We carried out a Rapid Evidence Assessment (REA), with searches focused on relevant keywords set out in Table 1 below. Given the limited extent of the literature around regulatory change programmes, we also conducted purposive searches, for example, searching for information on specific regulators or exploring grey literature related to change programmes. In addition, we reviewed literature recommended by our academic advisors and interviewees.

Much of the academic evidence around regulatory change programmes focuses on specific aspects of regulation change, rather than how regulators have approached a change programme on a step-by-step basis. We did not limit our search to a bounded timeframe so we could include insights from older sources about specific regulatory concepts. Where possible we have used the most recent literature when discussing evidence of regulatory change, although some of the sources are older than 2010 given limitations in the availability of evidence on this topic.

Table 1: Search protocol: Key word searches using AND and OR functions

| Source | Type of change | Topic | Country |
|----------|-------------------|-------------------|----------------|
| Review | Regulatory change | Food safety | United Kingdom |
| Learning | Inspection change | Medicine | USA |
| - | Standards change | Construction | Canada |
| - | New regulation | Education | Australia |
| - | Regulation change | Health and safety | European Union |
| - | Regulatory reform | Aviation | - |
| - | - | Environment | - |

Although the literature review continued to progress during the fieldwork period, initial findings informed the discussion guide for interviews, and helped to identify regulators to approach for interview.

Qualitative depth interviews

Qualitative research was conducted between the 9th May 2022 and the 12th July 2022. This involved carrying out 16 depth interviews with 12 organisations from the UK and Ireland. The aim was to capture a range of experiences and understanding of how different types of regulators, or organisations with an inspection remit, approached their own change programmes. In particular, interviews explored why a regulator had considered a change programme as necessary, what challenges they encountered, and what they might do differently if they were to deliver a similar programme in the future.

All interviews lasted up to one hour and were conducted by a member of the Ipsos project team. Interviewees were senior leadership and management figures who were closely involved, or led on, a specific change programme. With some organisations, Ipsos conducted multiple interviews with different individuals to gain a greater understanding of their change programme or carried out joint interviews with relevant stakeholders.

All findings are anonymised, except for the case studies. These have been included to provide further details on the specific aspects of regulatory change which could be applicable to the FSA.

How to read this report

This report has been organised in the following structure:

- in chapter one we summarise the background and methodology of the research.
- in chapter two we present findings from the REA providing context to regulatory change in the UK.
- in chapter three we summarise why having a clear and defined purpose for a change programme is important. This includes case studies exploring the Care Quality Commission's approach to designing their recent change programme.
- in chapter four we consider why it is important to have the right team structures in place. This includes the importance of having a clear governance structure and effective decision-making. This section includes case studies from the Environment Agency and Ofgem, and their approaches to team structures and governance.
- in chapter five we reflect upon why managing stakeholder engagement is crucial to the success of a change programme. This includes considering why having familiarity with prospective changes is important in getting stakeholder support. This chapter includes a

- case study on the Legal Services Board, and their approach to engaging with stakeholders.
- in chapter six we look at the importance of flexibility. This relates to timeframes and allowing for contingency within a programme.
- in chapter seven we look at how regulators have measured the success of their programmes.
- Finally in chapter eight we provide conclusions for organisations considering a regulatory change programme.

Throughout this report we have referred to the individuals who opted in to participate in our research as “regulators” or “interviewees”. Anonymised verbatim quotes have been used to help illustrate key findings, but these quotes do not necessarily reflect the views of all participants we spoke to. Qualitative research is designed to be exploratory and provide insight into people’s perceptions, feelings, and behaviours. The findings are therefore not intended to be representative of the views of all regulatory stakeholders, but rather highlight and indicate key themes expressed by those we spoke to.