

For Official Use**English - Or. English**

31 August 2022

COUNCIL**Council****IN-DEPTH EVALUATION OF THE REGULATORY POLICY COMMITTEE****Executive Summary****JT03501635**

IN-

IN-DEPTH EVALUATION OF THE REGULATORY POLICY COMMITTEE

The Regulatory Policy Committee (hereafter “the Committee” or “RPC”), was established in 2009. According to its mandate, which was last revised in 2020, the Committee seeks to assist Members and non-Members in building and strengthening their regulatory reform efforts. It means to act as a platform to help countries adapt their regulatory policies, tools and institutions, learning from each other’s experience. The RPC has one Level II subsidiary body: the Network of Economic Regulators (NER). The NER was created in 2013 to support the implementation of the Committee’s work programme “in relation to the activities of actors of regulatory governance and the delivery of regulatory services”. Among the products and activities developed during the In-depth Evaluation (IDE) review period, the RPC developed one legal instrument, adopted by the OECD Council in 2021. The RPC has two other OECD legal instruments under its responsibility.

The present IDE assesses the Committee’s relevance, the effectiveness and quality of its products, and its functioning over the period 2013-2021. Overall, the IDE shows that the Committee has met high performance standards; and has successfully managed to capitalise on the experience gained during its initial phases of existence, to strengthen its relevance, effectiveness and its functioning.

Committee objectives are generally aligned with Members’ policy needs. The highest-scoring objective for relevance is “to support governments with their regulatory policy through guides and standards”; while objectives in the area of “multi-level & multi-actor co-operation”, which includes International Regulatory Co-operation (IRC), received comparatively lower relevance scores. The IDE has revealed the existence of differences among the OECD Members on their needs and priorities of the RPC, which translates into different levels of appreciation of the relevance of RPC objectives. The main differences among Members can be distinguished between those considered to be in the earlier phases of the regulatory policy development curve, versus those having longstanding regulatory policy traditions as well as robust experience in this field.

Participation by delegates from capitals in the Committee has increased over the review period, and is higher than the overall OECD average. However, the overall level of participation of Members in the NER is, at 58%, limited partly due to the NER being mainly comprised of officials from independent and specialised agencies. The Output Area for which the RPC is responsible has been viewed by Members as being of a “middle-ranking priority” for Part I funding throughout the review period.

As concerns effectiveness, the qualitative evaluation findings suggest that the RPC contributes to the strengthening of national regulatory policy frameworks and capacities in multiple ways. Most notably, it does so by providing evidence-based arguments to policymakers in support of the design and buy-in for relevant regulatory policies; offering proven and practical solutions to regulatory policy challenges and needs; and offering a space where policymakers can freely discuss the problems they face and the solutions to address them. The IDE has confirmed the existence of multiple policy contributions to regulatory policy changes in Members, which can be attributed – at least in part – to the work of the RPC. The Committee could further increase its policy impact, by addressing a broader group of regulatory policy stakeholders beyond centres of government, such as Members of Parliaments.

The contributions to policy changes enabled by the RPC are frequently related to three types of Committee products and activities, i.e. country reviews, the Regulatory Policy Outlook and the regulatory policy and governance (iREG) indicators, and the informal spaces for exchanges and contacts enabled by the RPC (e.g. Committee meetings). The frequency, strength and type of

contributions vary considerably across the Members studied however. Overall, stronger and more frequent contributions stemming from RPC products have been observed in Members which are in earlier stages of the regulatory policy curve. Despite this difference, Members with more developed regulatory policy frameworks remain strongly engaged in Committee work and governance, and draw from the opportunities offered by the Committee to engage in meaningful co-operation with peers.

In addition, the regulatory policy principles promoted by the RPC through the Recommendations under its responsibility, as well as the related Best Practice Principles (BPPs) were also cited as sources of contributions to policy changes. The RPC's recent efforts to develop new standards (e.g. 2021 OECD Recommendation for Agile Regulatory Governance to Harness Innovation [[OECD/LEGAL/0464](#)]) fit well with increasing views of the RPC as a regulatory policy standard-setter, and has the potential to further increase the visibility and impact of Committee work moving forward. To that effect, the Committee should consider its strategic approach to standard-setting with a view to best leveraging its overall work programme, for example by considering which areas of its work might benefit from the development of new standards.

From a quantitative perspective, based on the Programme Implementation Report (PIR), impact scores obtained by the Committee are "medium". Quantitative data indicate that the most prevalent use given to Committee products is a "reference" to policymaking; while the share of instances whereby RPC products have "substantively influenced, represented or form the basis of government policy" is considerably higher than the overall OECD average.

The observed contributions to policy changes in Members, coupled with the high quality of Committee products, as well as with the significant contributions made in support of global policy priorities (e.g. G20 agenda, Sustainable Development Goals, addressing the negative impacts of the COVID-19 pandemic), enhance the assessment of Committee effectiveness.

The Committee has functioned well over the review period, and many of its management and governance procedures and principles have been optimised (compared to the early years of existence of the Committee). The Committee's key strengths in this area relate to its efficient management of Committee meetings and related documentation, including in the challenging context of the COVID-19 pandemic. The Committee has also been highly successful in developing collaborations with non-Members and regional fora, allowing it to catalyse the impact of its work beyond OECD membership. In addition to its external collaborations, the Committee has strengthened its partnerships and collaboration across the OECD; and has developed strong communication and co-ordination channels within its substructure. This being said, the IDE has identified potential room for additional improvements when it comes to the strengthening of the participatory and interactive nature of Committee activities and meetings; and further diversifying target groups and partners in light of enhancing the relevance of Committee work and broadening the uptake of the Committee's regulatory policy standards by different stakeholder groups. In addition, two documents which establish key guidance on several aspects of Committee functioning, the Communications Strategy and the Delegate Handbook, are partially outdated, and would benefit from a review.

Assessment¹

| | |
|--------------------------------------|----------------------------|
| <i>Relevance</i> | <i>Medium to high</i> |
| <i>Effectiveness</i> | <i>Medium to high</i> |
| <i>Quality of committee products</i> | <i>High to very high</i> |
| <i>Committee functioning</i> | <i>Highly satisfactory</i> |

IDE Recommendations

Recommendation N° 1: As part of its future mandate renewal process and in view of ensuring alignment of its objectives with Member needs and expectations, the Committee should discuss the comparatively lower perceived relevance of objectives relating to International Regulatory Co-operation, and address the issue as necessary.

Recommendation N° 2: The Committee should continue to ensure sustained relevance by pursuing objectives addressing the needs and challenges which are common to its Members, while maintaining the capacity to tailor its work programme and activities to the needs and interests of less and more regulatory policy-advanced Members alike.

Recommendation N° 3: The Committee should consider its strategic approach to standard-setting and in particular how its standard-setting activity can best leverage and raise the profile and impact of its overall work programme.

Recommendation N° 4: The Committee should update its Delegate Handbook to ensure it includes the most up-to-date information, notably on expected delegate roles, communication with delegates, organisation of meetings, and Bureau designation process.

Recommendation N° 5: The Committee should seek to continue reinforcing the participatory and interactive nature of its meetings, while creating specific opportunities to tailor meeting experiences to the needs and interests of its Members.

Recommendation N° 6: The Committee should continue to seek to promote effective regulatory policy principles through a “whole-of-government” approach, by expanding its work and influence towards other regulatory policy stakeholders at the national and sub-national levels (e.g. Parliaments), as well as by strengthening the practical nature of its work and recommendations.

Recommendation No 7: The Committee should update its Communications Strategy, including the identification of adequate dissemination channels and formats; in light of enhancing outreach to key audiences, and improving uptake and use of its products and knowledge.

Recommendation No 8: The Committee should assess the merits of broadening collaboration and further engaging with other stakeholder groups in light of potentially enriching its work programme, creating leverage effects, and multiplying impact.

¹ Relevance, effectiveness and quality are rated on a 9-point scale (Very Low / Very Low to Low / Low / Low to Medium / Medium / Medium to High / High / High to Very High / Very High); committee functioning is rated on a 5-point scale (Poor / Fair / Satisfactory / Highly Satisfactory / Excellent).