D Surveys of agencies and regulatory oversight bodies

## D.1 Survey design and distribution

The most effective way to collect some of the information required for the study was through surveys (box D.1). Two groups were surveyed in each of the ten jurisdictions: regulatory oversight bodies and agencies involved in the RIA process. The two surveys have a number of common questions and covered similar areas including:

* agency details
* perceptions of the RIA process
* influence of the RIA process on decision making and outcomes
* costs of RIA.

In addition, oversight bodies were asked questions relating to training that they provide and agencies were surveyed on matters relating to the integration of RIA into the policy development process and their use of consultants.

The surveys were emailed to agencies and oversight bodies in ‘smart pdf’ format. All respondents answered the survey electronically and submitted the completed survey via a return email. The surveys were sent out in late April 2012 with responses received over the following two months.

Although the Commission was requested to benchmark RIA processes as at January 2012, for practical reasons survey respondents were asked to provide information or perceptions based on their experience in recent years. If there were material differences between the RIA process that operated in recent years and the process as at January 2012, they were asked to provide such details in the return email with the survey.

The question design was piloted with a small number of oversight bodies and agencies to ensure the questions were clear and unambiguous. The technical aspects of the survey format were tested by Commission staff and a number of external parties unrelated to the project.

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| Box D.1 Use of surveys to evaluate regulatory frameworks |
| Surveys are an effective way of collecting information (both factual and perceptions) on RIA requirements and their practical implementation. While all jurisdictions publish RIA guidance material, some material is not current and in other situations, the actual practice is not captured in the guidance material. Agency experiences in interpreting and applying RIA requirements are not generally in the public domain but nevertheless provide useful insights into how RIA processes are performing.  The Commission’s consultation with government agencies and other stakeholders provided some understanding of this. However, surveys of key ‘users’ of RIA processes are an efficient and cost-effective option for collecting and comparing large amounts of information from ten jurisdictions. Surveys also provide respondents the opportunity to supply the most up to date information.  Surveys of government agencies (including local government) have been used extensively in previous benchmarking studies (see for example, PC (2012)). Particularly insightful, are responses to those questions which are addressed to both the regulator and the regulated. The OECD (2012b) notes in its *Practitioner’s guide to Perception Surveys* that:  Perception surveys are increasingly used in OECD countries to evaluate the performance of regulatory reform programmes, in particular in the area of reducing administrative burdens. (p. 7)  The survey design and questions used in this study have drawn on past Commission benchmarking studies and are very similar to those used in a number of other studies, including studies of regulatory processes. In particular, the Commission has drawn on two perception surveys administered by the VCEC: one related to the quality and usefulness of training provided by the VCEC and the other provided to agencies at the completion of their RIS processes to obtain feedback on the process and their interaction with the VCEC (Access Economics 2010). |
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## D.2 Survey responses

### Regulatory oversight bodies

All nine regulatory oversight bodies, as listed in appendix A, were surveyed and all responded. The Office of Best Practice Regulation (OBPR), as the regulatory oversight body for both the Commonwealth and COAG, did not complete the perception or RIA influence questions in the survey as they considered that such matters represent policy issues for their government. The regulatory oversight bodies were advised that their survey responses could, where the Commission considers it necessary in order to evidence a point in the report, be attributed to their relevant jurisdiction.

### Agencies

Over 100 agencies were surveyed across all jurisdictions (table D.1). Broadly, agencies were included in the sample if they had been engaged in the RIA process over the period from 1 January 2010 to 31 December 2011, through completing a preliminary impact analysis (PIA), a regulation impact statement (RIS), and/or applied for an exemption from RIS requirements. Other identified agencies which had provided substantial input to, or comments on a RIS during that period, were also sent surveys. To elicit information on the COAG RIA process, surveys were sent to the secretariats of the ministerial councils and national standard setting bodies. In addition, agencies in the Commonwealth, states and territories were advised that if they had undertaken work under the COAG RIA process in the relevant period, they could complete a survey relating to that work.

In the explanatory material provided with the survey, agencies were advised that no survey response would be reported in a manner that could be attributable to a particular respondent. Consequently, the names of surveyed agencies are not listed in this report.

In total, the Commission received 60 responses to its survey of agencies — a response rate of 57 per cent. Some agencies provided multiple responses so as to reflect the varied experiences within their agency. Taking this into account, there were 51 agency responses (table D.1). There was a high number of responses to individual questions, particularly for the perception based questions.

Copies of the survey forms and aggregated responses can be found on the Commission’s website.

Table D.1 Agency survey responses by jurisdiction

Number

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|  | Surveys sent | Survey returns | Agencies responding |
| Commonwealth | 25 | 19 | 17 |
| COAG | 12 | 6 | 6 |
| NSW | 12 | 6 | 5 |
| Vic | 12 | 4 | 4 |
| Qld | 8 | 4 | 3 |
| WA | 11 | 9 | 6 |
| SA | 7 | 3 | 3 |
| Tas | 7 | 2 | 2 |
| ACT | 4 | 2 | 2 |
| NT | 8 | 5 | 3 |
| **Total** | **106** | **60** | **51** |