

Editorial/News

Key Enforcement Agencies Adopt Concordat of Good Practice

Five key central government bodies, including Inland Revenue and Customs & Excise, have adopted the *Enforcement Concordat* – a commitment to following good practice when enforcing regulations. Inland Revenue, Customs and Excise, Companies House, the Environment Agency and the Civil Aviation Authority, as well as Chelmsford Borough Council, signed up to the Concordat at the Cabinet Office in London.

At the signing ceremony hosted by Public Service Minister Peter Kilfoyle, the Minister congratulated those taking up the challenge and urged more agencies and local authorities to follow the good example being set by them.

The *Concordat* sets out what businesses and others who have to comply with regulations can expect from central and local government agencies and inspectorates.

The Minister said that the agencies signing up are at the very heart of enforcing regulation. The move by the Inland Revenue and Customs & Excise is particularly significant in view of their importance to business and indeed members of the public. Getting them on board is an important step towards creating a new culture of enforcement. The new approach means providing help to those who need it, while taking firm action against those who flout the laws. He urged more agencies and authorities to sign up to the *Concordat*.

Organisations adopting the *Concordat* will work with businesses to assist them to comply with regulation rather than seek to catch them out.

In total over 150 organisations of different types have so far signed up to the *Concordat* since last year, including 95 local authorities and 19 central government agencies, such as the Health and Safety Executive, the Insolvency Service, the Driving Standards Agency and the Drinking Water Inspectorate.

The *Enforcement Concordat* was developed by the Access Business Ministerial Group chaired by Peter Kilfoyle, in consultation with local authorities, business, consumer groups and other interested parties. The Access Business Group represents the key players in the enforcement process. It aims to improve the delivery of regulatory services and the quality of regulatory policy making.

The *Enforcement Concordat* provides a blueprint for fair, practical and consistent enforcement. Its principles are:

- Performance will be measured against agreed standards;
- There will be openness in dealing with business and others;
- Enforcers will be helpful, courteous and efficient;
- Complaints procedures will be publicised;
- Enforcement decisions will be taken in a proportionate manner; and
- Enforcement officers will strive for high standards of consistency.

The *Concordat* also establishes the procedures that participating enforcers will follow. These include distinguishing best practice advice from legal requirements and giving businesses a chance to discuss and remedy problems before formal action is taken, unless immediate intervention is required.

The *Concordat* was published on 5 March 1998 and is available from the Better Regulation Unit, Cabinet Office, Horse Guards Road, London SW1P 3AL. Media copies are available from the Cabinet Office Press Office on 0171 270 0043 or on the internet at www.cabinet-office.gov.uk/regulation.

The *Concordat* applies to the United Kingdom and replaces the 'minded to' provisions of section 5 of the Deregulation and Contracting Out Act 1994. These will be gradually phased out.

Working Time Works Out for UK Employers

Three quarters of businesses feel that the Working Time Regulations are 'a good thing' according to new research from the Institute of Personnel and Development (IPD) which looks at the effect of the Regulations on employers' behaviour and attitudes. However over a third (35%) of businesses report negative attitudes by trade unions.

The IPD survey, *'The Working Time Regulations: the experience of GB businesses'*, reveals that British businesses have mixed feelings about the new Regulations. Only one in five thinks that the Regulations will benefit that business, however three out of five say that the Regulations are on balance 'a good thing'. The union response is also equivocal, with just over a third of the businesses concerned (35%) reporting a negative attitude towards the Regulations by trade unions, the same proportion as reported a positive or supportive stance.

Overall a third of those interviewed claimed that their businesses had experienced difficulties caused by one or other aspect of the Regulations. But fears that the Regulations would impose costly and unmanageable burdens on employers are not borne out by the findings. Most of those surveyed feel that the Regulations have not yet affected their businesses very much. While over three-quarters anticipate being affected in the future, most believe the effect will be slight. Nearly half (45 per cent) of respondents have made changes in the way in which they keep track of employees' working time, including in some cases starting to record working time for the first time.

Most respondents did not feel that the Working Time Regulations would be beneficial in business terms. The survey also indicated that the Regulations are perceived as a needless obligation with over a third agreeing that "they are an unnecessary burden on your business". But there was a greater perception that they do have a positive role to play, with almost three in five (59 per cent) agreeing that "the Regulations will be of benefit to your employees".