


# Issues Paper

# Best Practices for Regulatory Surveys

## Survey Standards Working Group

## April 2011

The opinions expressed do not reflect the official position of any provincial, territorial or federal government or agency.

# Introduction

The implementation of the principles outlined in the CCIR paper *An Approach to Risk-Based Market Conduct Regulation,* has resulted in a noticeable increase in the number of information gathering surveys that various insurance regulators have sent to industry.

At times, very similar information has been sought in separate surveys by different regulators.

Industry members have approached CCIR with several concerns regarding the use of surveys including:

- The burden on industry from the expanded use of surveys.
- The lack of a consistent approach toward industry pre-consultation leading to less than ideal questions being posed and possible inconsistencies in the answers.
- The variety of survey styles (e.g. paper, internet) in use which may or may not be the most suitable to a given topic.
- Confusing differences in whether and how company executives are required to sign and vouch for the information in the survey.
- Lack of coordination amongst regulators resulting in several surveys needing to be responded to in similar time frames.

CCIR set up the Survey Standards Working Group (SSWG) to develop best practices guidance for regulators on survey issues including design, consultation, and communication.

## Draft Best Practices - Surveys

While there will be times when a survey must be done quickly to serve the needs of government, to the extent possible regulators are encouraged to follow the following best practices:

- **Develop a Project Plan as a First Step**
    - Clearly state what problem the regulator is trying to address.
    - Outline the scope and methodology being considered.
    - Clarify the intended use of the survey.
- **Before deciding to do a survey, regulators should consider:**
    - Are there other ways to get the information?
    - Have other regulators recently conducted a similar survey and/or could they have data that can be used, or be a surrogate for the data requested?
    - Is there relevant information that is currently available and recent enough to be used instead of gathering new information?
    - Is this information in a form that is currently useable?
- **Coordination**
    - A regulator considering a survey should invite other regulators to join in the survey
    - When information is being gathered from multiple jurisdictions, regulators should consider working through CCIR.
    - Regulators should coordinate survey requests, even single jurisdiction ones, through CCIR.
    - CCIR should maintain a data-base of surveys done by members who can aid other Regulators in information gathering and development.

- Although there will always be ad hoc requests, to the extent possible, regulators should communicate to the industry what surveys are planned over the next year.

- **Survey Design**
  - When considering a survey, regulators should assure that they have the legislative capacity to require stakeholder responses and include the legislative reference in any survey request.
  - Surveys requested under legislative authority should always be sent to the CEO, head office for national requests or senior authority within the jurisdiction requesting the questionnaires.
  - The means, scope, goal and information being requested by the Regulator should determine the requirement for an attestation and means of obtaining it.
  - Regulators should always consider the potential implications privacy or access legislation in their jurisdictions in both the preparation of the survey and in the event the regulatory authority must respond to an access request. Regulators should give the respondents the opportunity to self-identify material they feel is confidential on a question by question basis, rather than on simply on the basis of the whole.
  - Regulators should consider a variety of survey methods or tools that is best aligned with the scope, goals, and information being requested and have practices for delivering them:
    - Paper
    - Electronic (web-based)
    - Telephone
    - In person or group
    - Others?

- **Consultation**
  - In the early stages of survey development, the regulators should consult with the appropriate industry organizations on:
    - Objectives or goals,
    - Survey questions,

        - Lists of appropriate responders, and
        - Completion times and due dates
        - Survey delivery, paper versus electronic.
    - In the early stages, Regulators should be open to making changes based on the consultations.

- **Communication of Results**
    - Aggregate (not specific to the responder) results and any conclusions reached from the survey should be shared with the responding community and their input on the results sought.
    - Where possible and appropriate, the final overall results (in either table or report format) should be published on the regulator's website, and, where a number of regulators were involved, on the CCIR website.

## Consultation

The SSWG invites stakeholders to comment on the best practices we have outlined and suggest others that they feel would be of assistance. If deemed necessary, the SSWG will add more detailed explanations to the best practices to assist regulators. Stakeholders, therefore, are also invited to tell us any details they would like to add or how they would interpret the best practices.

An electronic copy of this document is available on CCIR's website at www.ccir-ccrra.org. We look forward to receiving your submissions by June 30, 2011

*Electronic submissions are preferred* and should be forwarded to ccir-ccrra@fsco.gov.on.ca.

Written submissions and questions should be forwarded to:

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CCIR intends to make the submissions received publicly available. If you indicate that you do not want your submission or specific parts of your submission to be made public, we will treat the submission, or the designated parts, as confidential to the limited extent permitted by law.