

**London Boroughs of Brent & Harrow
Trading Standards Joint Advisory Board
13 November 2019
Report from the Senior Service Manager**

FOR INFORMATION

PROPOSED PRODUCT SAFETY INCIDENT MANAGEMENT PLAN

1.0 Purpose of the Report

- 1.1 The Office for Product Safety and Standards in conjunction with the British Standards Institution (BSI), the UK's National Standards Body, has published the first government-backed Code of Practice (PAS 7100) for product safety recall and corrective action in the UK. The Code sets out guidance and advice local authorities should make available to enable businesses to meet their legal responsibilities and act in the public interest.
- 1.2 It is proposed the plan will apply to the activities of the Trading Standards consortium.

2.0 Recommendations

- 2.1 That Joint Advisory Board Members consider the report and make comments where appropriate including to adopt this plan.

3.0 Details

- 3.1 On the 7 March 2018, the Office for Product Safety and Standards (OPSS) and the British Standards Institution (BSI) launch 'PAS 7100- Code of Practice on consumer product safety related recalls and other corrective actions,' to make sure that businesses understand what they need to do if a product safety issues arise with an item which they have manufactured and/or are marketing or have sold.
- 3.2 The Code of Practice is the first ever Government-backed Code of Practice for Product Safety recalls in the UK and reflects Government's commitment to ensuring the safety of the products we use are a high priority.
- 3.3 The Code of Practice includes details on how a business can monitor the safety of products and plan for a recall, and how Market Surveillance Authorities, (a statutory role carried out by local authority Trading Standards) can support businesses in their monitoring of incidents and their implementation of corrective action.
- 3.4 The Code details how manufacturers, importers and distributors can plan for

product safety incidents. It also sets out guidance and advice that local authorities should make available to businesses to help them meet their legal responsibilities and take any action needed to protect consumers.

- 3.5 The Code of Practice was created to ensure that businesses can react in a proactive rather than reactive manner when dealing with product safety issues. The emphasis is on businesses to plan for potential corrective action and not to wait until there is a product safety issue.
- 3.6 The Code of Practice consists of two parts. The first part focuses on non-food consumer products and is for use by manufacturers, importers and distributors. It details:
- How businesses can plan for a recall, including determining methods to deal with any identified product safety issue
 - How to manage a possible safety related product recall or other corrective action
 - How to create methods to monitor the safety of products
 - How to investigate any potential product safety issue
 - Reviewing corrective action programmes to make sure that product safety responsibilities are met

The second part is aimed at regulators, such as Trading Standards. It sets out how we can help businesses to meet their responsibilities around consumer product safety issues by:

- Monitoring incidents and analysing data
 - Supporting businesses in the preparation of a Product Safety Incident Plan (PSIP)
 - Supporting business in their monitoring of incidents and the implementation of appropriate corrective action.
 - Having our own incident management plan in place for response to serious product safety incidents.
- 3.7 We have drafted a Product Safety Incident Management Plan reference above, which is attached as Appendix 1 to this report. Please note that corporate styling will be applied to this document once the content is agreed and finalised.
- 3.8 The plan provides guidance to officers which should be followed when dealing with a serious product safety incident which has been reported to us. The report may come from the business itself, a consumer or by us via market surveillance.
- 3.9 The plan ensures that the Trading Standards Service acts in a manner proportionate to the seriousness of the risk and to take due account of the precautionary principle.
- 3.10 The Trading Standards Service has a duty to inform OPSS of any consumer product that presents a serious risk in need of urgent intervention or presents a non- serious risk requiring Trading Standards intervention.
- 3.11 The plan is written using the template provided by OPSS and whenever possible,

retaining the same headings and format to ensure the documents cover all the Plan's requirements and to provide some uniformity and consistency with those used by other local authorities.

- 3.12 The plan will be reviewed periodically or following any lessons learnt after an incident and it is proposed that the Head of Regulatory Services will give approval for all adjustments that are required.

4.0 Financial Implications

- 4.1 The staffing resource required to implement the processes and procedures, will be met from existing budgets within the Trading Standards service.

5.0 Legal Implications

- 5.1 There is no legal requirement for this plan, though having a plan supports businesses to meet their responsibilities around consumer product safety issues and will evidence both the London Borough of Brent and the London Borough of Harrow's compliance with the Code of Practice as described in paragraph 1.1 above.

6.0 Equality Implications

- 6.1 The proposals in this report have been screened to assess their relevance to equality and were found to have no equality implications.

7.0 Consultation with Ward Members and Stakeholders

- 7.1 There is no requirement to specifically consult Ward Members about this report as it affects all wards across both Boroughs.

8.0 Human Resources Implications

- 8.1 There are no current staff implications

Contact Officer

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ANU PRASHAR
ACTING SENIOR SERVICE MANAGER

APPENDIX 1

1) Product Safety Incident Management Plan