



National Product Safety Group – Terms of Reference

1. Format and purpose:

The National Product Safety Group (NPSG) is a governmental expert practitioner group comprising:

- the Chairs of the local authority trading standards' regional Product Safety Groups for Scotland, England and Wales
- a representative of the local authority environmental health Consumer Protection Sub-group for Northern Ireland
- the Single Point of Contact (SPoC) for National Trading Standards (NTS) Safety at Ports and Borders (SP&B)
- the relevant Policy Officers from the Department of Business Energy Innovation and Skills (BEIS)
- the relevant Policy Officers from the Department for Communities and Local Government (DCLG) and
- the Product Safety Lead Officer for the Chartered Trading Standards Institute (CTSI).

It is collectively concerned with the safety and compliance of:

- non-food consumer products
- non-food professional products that have migrated to consumer use
- personal protective equipment
- construction products
- electrical equipment in relation to electromagnetic compatibility
- radio equipment for communication or determination - other than the protection of the radio spectrum.

The NPSG provides expert advice on issues of interpretation, the application of legislation and guidance. It will produce new guidance, co-ordinate enforcement responses and inform Government policy.

The Group is an important expert resource for local authorities and Government and its output contributes to better product safety and compliance regulation. It is facilitated and supported by Regulatory Delivery (BEIS), LGC Ltd and DCLG, who have policy responsibility for product safety/ product compliance legislation.

The Group is assisted – inter alia - by enforcement partners as relevant:

- the Health and Safety Executive (HSE)
- the Health and Safety Executive for Northern Ireland (NIHSE)
- the Office of Communications (OFCOM)
- the Medicines and Healthcare Products Regulatory Agency (MHRA)

2. Main tasks:

- Responds to requests for expertise in interpretation, implementation and enforcement of product safety/product compliance legislation or guidance - supporting primary authority partnerships
- Develops new best practice guidance
- Discusses and issues responses to regional issues and national issues, aiming to reach a consistent enforcement approach
- Promotes and supports local authority product safety work, identifying training needs on a national scale and highlighting new burdens
- Providing expert input to consultation papers, guidance documents and matters of national interest
- Works with regional groups, BEIS, DCLG, HSE and any other relevant stakeholders, appropriate agencies and organisations associated with product safety/product compliance matters
- Identifies and considers sources of funding for targeted product safety work in local authorities, e.g. from Government Departments, EU and other sources – and assists with the co-ordination of this work
- Highlights key areas of concern for the attention of stakeholders and agrees how this information should be disseminated
- Participates in the development and use of market surveillance intelligence and communication networks
- Assists with the development and coordination of a national market surveillance plan.

Some examples:

- Products:
 - Hoverboards – production of a consistent view on what makes a safe hoverboard and what might be deemed as unsafe, disseminating this to assist consistent enforcement in local authorities, thus reducing the risk of fires in the home
 - Fireworks – seasonal media interest generates questions to Minister and a call for fireworks to be banned. NPSG contributes to RD's submission to the Minister, which summarises the existing rules about fireworks and how enforcement works, to restore confidence
 - Fidget spinners – production of new guidance for local authorities to encourage a consistent approach to enforcement. Supports RD's responses to the Minister and media interest.
 - Nicotine inhaling products – working with enforcement partners to remove non-compliant/child appealing equipment and nicotine solutions.

- Issues:
 - Best practice on RD PA advice
 - Assistance in the targeting of known rogue trader economic operators
 - Assistance in the monitoring and the removal of unsafe/non-compliant products
 - Assistance in the co-ordination of intelligence and communication such as the NTS Intelligence Operating Model (IOM), ICSMS/RAPEX etc
 - Obtaining and developing contacts with online market place providers to assist with the removal of unsafe/non-compliant products in the UK
 - Contribution to product risk assessment, product corrective actions and product recall debates

3. Membership

Group members will be sought from each of the market surveillance regions in the UK and the Single Point of Contact for Safety at Ports and Borders.

There will also be a permanent representation by the Product Safety Lead Officer of the Chartered Trading Standards Institute, policy leads from RD/BEIS, DCLG and LGC Ltd. In addition the Group may invite other people to participate or attend meetings as they feel appropriate and agreed with the current Chair.

Each region will put forward a representative and a deputy. These members will be responsible for representing their region and for disseminating information to that region. Normally the representative would be the Chair of the region however sometimes this may not be practical.

Nominations for membership will be assumed to have the support of the relevant regional group where appropriate, and the support of their own Head of Service.

Travel allowance for attendance at the Group will be paid for by BEIS to ensure that group members are able to attend and therefore to contribute effectively. This is a goodwill gesture by RD and may be removed if there is repeated non-attendance.

4. Lead Officers

The NPSG will maintain a list of its Lead Officers responsible for specific subject areas and for providing updates. The Lead Officer will be the first point of contact for queries or consultations concerning that subject area.

There may be more than one Lead Officer for wider subject areas. The Lead Officer does not have to be a Group member but should be able to demonstrate expertise in that particular area – through research, practical experience, assured advice or similar. Where there are multiple applicants the selection will be made by the Chair following consultation with the government policy lead.

The position is voluntary.

It is expected the Lead Officers drive and assist in the timely resolution of secure discussions on current safety/compliance topics within their remit. This will be currently via restricted groups on the Knowledge hub (KHub).

5. Chair and Vice-Chair

The duty of the Chair – and in absence Vice-Chair - is to Chair and lead the group to facilitate a structured and coordinated approach to achieving the desired outcomes of the group.

Scope of the role will include:

- Setting the agenda and meeting dates
- Guiding meetings so that progress is made, participants are engaged and have the opportunity to participate and clear decisions or actions are agreed at each meeting
- Ensure the group operates in accordance with its Terms of Reference
- Represent the Group at selected national and government meetings and liaise with relevant stakeholders.

As the Chair and Vice-Chair positions are voluntarily held by operational staff, the tenure may have to adapt according to the availability of candidates. All members of the group have the opportunity to apply and a vote by group members will determine the outcome. The process will be progressed by the current Chair and Secretariat.

6. Meetings

The Group will meet 3 times a year. This will usually be January, April and September. A meeting will only be quorate if two thirds of regions are represented - with at least the Chair or Vice-Chair in attendance. Should the numbers be insufficient the Chair or Vice-Chair may postpone the meeting, or adjust the agenda so that key decisions are delayed.

Group Members are expected to attend all meetings. When members are unable to attend, they should send an apology and arrange for their deputy to attend. If members find themselves regularly unable to attend they will be requested to reconsider their position. By not attending, members accept that decisions may be taken in their absence on matters which affect them.

The Chair, in conjunction with the Vice Chair and Secretary, may authorise the attendance of representatives of appropriate organisations, bodies or other persons to meetings if deemed appropriate. Where the invitee is not an enforcement body – the invitee shall only attend for their presentation.

7. Reporting & communications

The activities of the Group will be recorded and managed by the secretariat, and relevant documents will be placed on the KHub restricted web based platform – National Product Safety & Compliance – UK wide enforcement.

At the earliest opportunity, strategic policy matters will be referred to - and discussed with- the appropriate non-Group organisations i.e. HSE CRD, HSE Product Safety, EHNI, ACTSO and SCOTSS.

The ambition is a co-ordinated, badged response to matters of current concern.

8. KHub

The existing KHub group (called Product Safety Group) will be renamed as, “National Product Safety & Compliance – UK wide enforcement.’ This plays an important role in the landscape as it is available to any operational enforcement officer with an interest in product safety/compliance issues. This provides the necessary wide coverage and interaction with as many knowledgeable practitioners as possible. Membership of the group will therefore usually be restricted to .gov.uk or .org or CTSI email addresses (or similar) and an administrator will authorise or refuse membership of the group on a case by case basis.

An additional restricted KHub group called ‘National Product Safety & Compliance – NPSG members only’ will be created and NPSG members will be invited to join.

The UK-wide KHub therefore provides a swift and wide-ranging mechanism for discussion. Responsibility for monitoring emerging, important issues from this group rests with the Chair of the NPSG and the relevant product safety lead officer, who will, at the appropriate stage of discussion, summarise matters and refer it to the NPSG members-only KHub group for final discussion and to issue its opinion, thereby providing a consistent enforcement approach. This view will then be communicated back to the UK-wide KHub group for the benefit of all.

9. NPSG Request Form

In addition to the KHub route, requests for the Group to discuss concerns may also be submitted using the NPSG Request Form. Topics may be raised by non-permanent members of the Group but it is requested that the topic should be first discussed within the regional group of the person submitting it (where it may be resolved) but may also be discussed at the next meeting of the NPSG if necessary.