

## UK Office for Product Safety and Standards publishes its first strategy document

### Introduction

Earlier this year, we reported that the UK government had announced a new Office for Product Safety and Standards (“OPSS”) to help manage large-scale product recalls and identify risks to consumers ([Click here](#)).

It was intended that the OPSS would have oversight over product safety for general consumer goods (such as electrical goods and cosmetics) but it was not granted any enforcement powers, which remain with local Trading Standards offices.

The OPSS has now published its first strategy document entitled “*Strengthening National Capacity for Product Safety*” to cover the period 2018 – 2020 (the “**Strategy**”),<sup>1</sup> following on from the launch of the first Government-backed “Code of Practice” for product safety recalls.

### What is the Strategy?

The purpose of the Strategy is to provide further details of the OPSS’ core activities.

In particular, it sets out what it hopes to achieve in the period 2018 to 2020 and forms part of the government’s broader economic “Industrial Strategy”.

The Strategy is divided up into four “objectives”:

1. **ANALYSE**: making the best use of scientific evidence, incident data, risk analysis and intelligence in decision making;
2. **INFORM**: helping consumers make informed choices and giving businesses the information they need to comply;

3. **ENFORCE**: using the full range of tools and powers to maintain protection, fairness and confidence; and
4. **BUILD**: ensuring that robust product safety systems and infrastructure are in place to deal with present and future challenges.

Furthermore, the Strategy will be guided by three principles: (i) the importance of protection; (ii) a commitment to partnership; and (iii) a focus on the practical, real world, impact.

The Strategy also sets out how the OPSS’ objectives will be achieved in this period, whilst also noting the challenges and opportunities that it will face when seeking to achieve them. The objectives are further detailed in an accompanying “delivery plan” which (in respect of each of the objectives) sets out, on a more granular basis, the relevant actions to be taken and timescales that it is working towards.<sup>2</sup>

### Comment

The publication of the OPSS’ Strategy is a welcome development and further suggests that the government is taking the issue of product safety seriously. In particular, the promise of additional support and guidance suggests that the OPSS can provide a real benefit to those businesses that are either placing products into the UK market or part of the supply chain, provided it is properly supported by the government.

<sup>1</sup> The Strategy can be found at the following link: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/733148/safety-and-standards-product-safety-strategy.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/733148/safety-and-standards-product-safety-strategy.pdf)

<sup>2</sup> The Delivery Plan can be found at the following link: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/733152/safety-and-standards-delivery-plan.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/733152/safety-and-standards-delivery-plan.pdf)

Although from a practical perspective, it is unlikely that the implementation of the Strategy will have any immediate impact on businesses, over the longer term, the work that the OPSS intends to do will (if the Strategy is properly implemented) set a benchmark standard which businesses will be expected to meet.

The publication of the Strategy is therefore likely to be met with cautious optimism by businesses, provided the net result is greater certainty around product safety standards and procedures. This should, in turn, help businesses better manage the risks they face which flow from product safety issues and ensure clear and prompt communications to the public, as and when product safety issues arise.

Ultimately, the success of the OPSS will be judged against its ability to deliver on the objectives set out in the Strategy and whether, in two years time, the consensus is that consumer safety is improving and businesses are better equipped to deal with product safety related issues.

If you have any questions or comments in relation to the above, please contact the authors or your usual Mayer Brown contact.

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