



Office for Product
Safety & Standards

Incident Management Plan

Version 3.0

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1 About this plan

- 1.1 This plan describes how the Office for Product Safety and Standards (OPSS) will manage incidents involving consumer products for which OPSS holds policy responsibility¹, in conjunction with local authorities, government, operational and industry partners.

Objectives and scope

- 1.2 This plan sets out OPSS' framework for recognising and responding to a consumer product safety incident. The plan explains the role that all parties involved have in managing incidents to deliver on OPSS' wider purpose of protecting consumers and building public confidence in the product safety system.
- 1.3 The objectives of this plan are to:
- highlight the responsibilities and interfaces between OPSS, local authorities² and businesses for dealing with incidents;
 - ensure there is a coherent, transparent and accountable process for responding to an incident;
 - ensure effective mechanisms for escalation are in place;
 - ensure robust command and control procedures are in place;
 - provide the capability to determine the key parties and resources required to develop and implement an effective response;
 - ensure effective engagement across all parties; and
 - highlight incident de-escalation and lessons to be learnt processes.
- 1.4 This plan can be flexibly deployed. In particular, the principles described under command & control could be deployed for emergency responses that OPSS may be called to undertake, for example when handling non-consumer product safety incidents or as part of a multi-agency response.

Incident definition

- 1.5 OPSS defines a consumer product safety incident as:
- "An event, where, based on the information available, the effectiveness of the OPSS response is likely to have a significant impact on the risk to the safety or confidence of consumers, industry and/or ministers."*

¹ This does not include the following categories of product (the government department or body with regulatory responsibility is indicated in brackets): food (Food Standards Agency); motor vehicles (Department for Transport); medicines and medical devices (Department of Health); workplace equipment (Health and Safety Executive); construction products (Ministry of Housing, Communities and Local Government).

² Local authorities refers to Trading Standards in England, Scotland and Wales and environmental health services in Northern Ireland.

Strategy and priorities

- 1.6 The [OPSS Strategy 2018-2020](#) commits us to providing additional capacity to the United Kingdom (UK) product safety system, including supporting our regulatory partners in the local authorities to enable them to focus their own limited resources upon activities that maximise the strength of local enforcement.
- 1.7 To optimise this commitment, this plan provides details for how OPSS will classify potential incidents, so Government and local authorities are clear as to their respective roles in addressing a product safety case.
- 1.8 The plan recognises that where the lead responsibility for managing an incident is held by local authorities, they will have their own emergency response protocols to follow, including incident management plans, for managing unsafe products. OPSS may still have a significant supporting role in a local authority led response, for example by providing access to testing or specialist technical expertise.
- 1.9 Businesses play a key role in protecting people from harm. The [General Product Safety Regulations \(GPSR\) 2005](#)³, as applicable in Great Britain (GB) and Northern Ireland (NI), places a responsibility on businesses to ensure consumer products they make, import, distribute or sell in the UK are safe for consumers to use and follow the legal requirements in relation to labelling. Products should only be sold if their compliance with GPSR and any product sector specific safety regulations have been demonstrated appropriately. Products must also be safe in their normal or reasonably foreseeable usage. OPSS have published product safety advice for businesses on [GOV.UK](#).
- 1.10 Businesses could face action if a product is found to be unsafe or causes harm to consumers, including legal action. As such, businesses need to monitor the safety of their products and act promptly if a potential safety issue arises. OPSS have backed the [Code of Practice - Publicly Available Specification 7100 \(PAS 7100\)](#) to help businesses plan for and deal with product safety issues. PAS 7100 also covers best practice on how regulators can effectively monitor incidents.
- 1.11 Business preparedness, in line with PAS 7100, supports incident management plans held by local authorities and OPSS as illustrated in Figure A.

³ **General Product Safety Regulations 2005 (as applicable in GB and NI)**

5. General safety requirement
 1. No producer shall place a product on the market unless the product is a safe product.
 2. No producer shall offer or agree to place a product on the market or expose or possess a product for placing on the market unless the product is a safe product.
 3. No producer shall offer or agree to supply a product or expose or possess a product for supply unless the product is a safe product.
 4. No producer shall supply a product unless the product is a safe product.
8. Obligations of distributors
 1. A distributor shall act with due care in order to help ensure compliance with the applicable safety requirements and in particular he —
 - (a) shall not expose or possess for supply or offer or agree to supply, or supply, a product to any person which he knows or should have presumed, on the basis of the information in his possession and as a professional, is a dangerous product; and
 - (b) shall, within the limits of his activities, participate in monitoring the safety of a product placed on the market

- 1.12 In the event of a consumer product safety incident requiring intervention, OPSS will act swiftly and decisively, in partnership with industry, regulatory partners, operational partners and other stakeholders to:
- protect the public and property;
 - make the best use of scientific and technical evidence, product testing, incident data, risk analysis and intelligence in decision making;
 - use the full range of tools and powers to manage the incident in a proportionate, fair and accountable manner; and
 - restore public confidence.
- 1.13 In accordance with the public sector equality duty (Section 149 (1) of the Equality Act 2010), OPSS will consider the needs of all individuals to establish how different people will be affected by activities, with rigorous consideration given to those individuals with protected characteristics. For example, OPSS may request that recalls prioritise the elderly and/or those with a disability and that leaflets announcing the recall are reproduced in a variety of minority languages to ensure these groups have access to the recall service.
- 1.14 The requirements of the public sector equality duty will be considered at all levels of the response, from setting the strategic direction, overseeing the delivery, monitoring the effectiveness of the response, how we analyse data, communicate with stakeholders and in relation to setting policies and procedures for our own employees to ensure equality of opportunity.

Figure A – Interrelationship between incident management plans

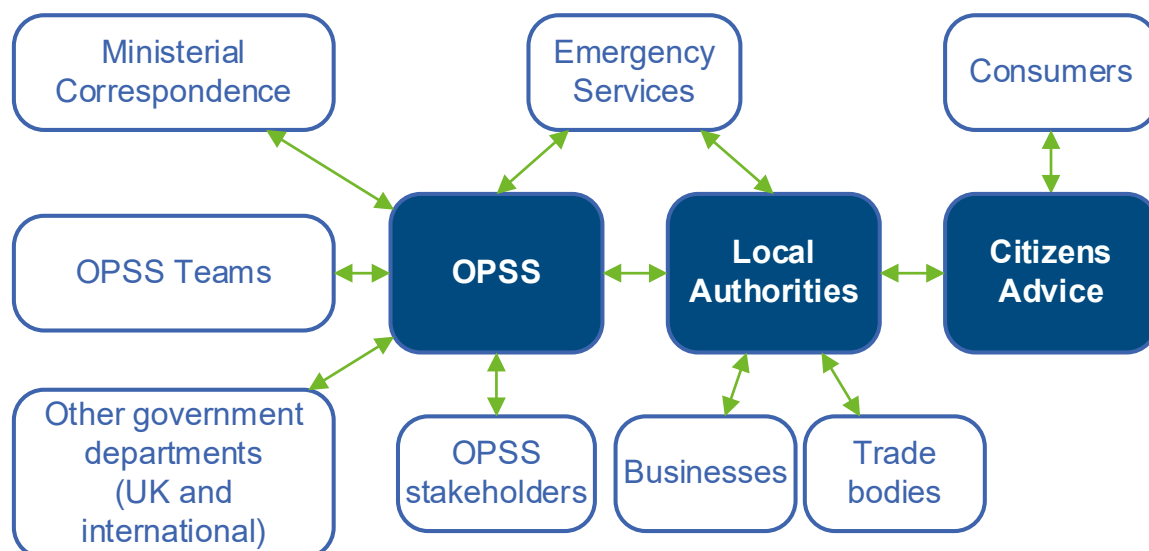


2 Notification of potential incidents

Sources of notifications

- 2.1 Notifications of potential product safety incidents originate from a range of internal OPSS and external sources, as illustrated in Figure B.

Figure B – Sources of notifications for potential product safety incidents



- 2.2 While an incident response will typically be triggered by a notification, it is also possible for the trigger to be a discovery during routine business activity, such as analysis of gathered intelligence or market surveillance. Other triggers could include a product being identified by an official investigation as the cause of an emergency (e.g. fire) or where an OPSS is already handling an incident and activities reveal further triggers.

Notifications from local authorities

- 2.3 Local authorities are a key source of information about potential incidents.
- 2.4 Local authorities becoming aware that a product on the market poses a risk to the health and safety of consumers or is incompatible with the relevant safety legislation, must immediately notify the Secretary of State, who has delegated responsibility to the OPSS, in accordance with the:
- GPSR 2005 (as applicable in GB and NI); and/or
 - [Regulation on Accreditation and Market Surveillance](#) (RAMS) (retained and amended to apply to GB and directly applicable in NI).
- 2.5 If the product is in any other way non-compliant with the relevant product specific legislation, they should notify OPSS as soon as practicable.
- 2.6 Guidance for local authorities on the requirements for reporting of products posing a risk to the health and safety of consumers is available on [GOV.UK](#). An overview is provided below.

- 2.7 Local authorities should use the [Product Safety Database \(PSD\)](#) for all notifications of unsafe and/or non-compliant products. You should only notify one product per case.
- 2.8 Notifications should provide all available details, and at least the following information, once the corrective measure has been decided or undertaken:
 - information enabling the product to be identified;
 - a description of the risk involved, and any risk assessments undertaken;
 - details of any testing or analysis protocols used along with the results and conclusions which are relevant to assessing the level of risk;
 - the nature, duration and rationale behind measures or action(s) taken or decided on, with details for how they are being monitored and evaluated; and
 - information on supply chains and distribution of the product.
- 2.9 If the product poses a less than serious risk or if the product is noncompliant only and has not been recalled, the case should continue to be updated and closed once the measures taken are completed, OPSS Incident Management Team (IMT) have been added to the case, and there is no further activity anticipated.
- 2.10 If the product has been recalled, local authorities should add OPSS IMT to the case so the recall can be added to the [UK Government Product Recall site](#) and the Organisation for Economic Co-operation and Development (OECD) [global recall portal](#).
- 2.11 If the product poses a serious risk to the health and safety of consumers as determined by a risk assessment, local authorities must add OPSS IMT to the case or make them the case owner.
- 2.12 Local authorities requiring assistance with a case should add OPSS IMT to the case specifying the assistance required.
- 2.13 General questions about use of the PSD should be addressed to opss.enquiries@beis.gov.uk.
- 2.14 Should the PSD be unavailable, local authorities should email opss.enquiries@beis.gov.uk with the subject line “Urgent: Serious risk notification”.

Notifications from businesses, trade bodies and emergency services

- 2.15 GPSR 2005 (as applicable in GB and NI) places obligations on businesses to monitor the safety of their products and act promptly, including notifying enforcement authorities⁴, if a potential safety issue arises. Notifications should be directed in the first instance to the local authority or [primary authority](#). The [Chartered Trading Standards Institute](#) has a post code checker to help find the nearest Trading Standards office.

⁴ **General Product Safety Regulations 2005 (as applicable in GB and NI)**

9. Obligations of producers and distributors

1. Subject to paragraph (2), where a producer or a distributor knows that a product he has placed on the market or supplied poses risks to the consumer that are incompatible with the general safety requirement, he shall forthwith notify an enforcement authority in writing of that information and
 - (a) the action taken to prevent risk to the consumer; and
 - (b) where the product is being or has been marketed or otherwise supplied to consumers outside the United Kingdom, of the identity of each Member State in which, to the best of his knowledge, it is being or has been so marketed or supplied.

- 2.16 The local or primary authority will triage the case and if appropriate, notify OPSS.

Notifications from trade partners

- 2.17 Some of the UK's trade agreements mandate partners to notify authorities when they undertake enforcement action to withdraw goods which have been imported from a partner nation. If such enforcement action is taken against UK exported goods, notifications are likely to be received by OPSS via the Department for International Trade or directly from the relevant trade partner authority.
- 2.18 Notifications received in this way will be added to the PSD for onward processing.

Notifications from consumers

- 2.19 Notifications should be directed in the first instance to the [Citizens Advice consumer service](#) who in turn will liaise with local authorities as appropriate.

Other notifications

- 2.20 Information on potentially unsafe and/or non-compliant products may be received by OPSS staff through normal business activities, for example via stakeholder relationships, other government contacts, etc.
- 2.21 Information received in this way will be added to the PSD for onward processing.

3 OPSS processing of notifications

Initial processing

- 3.1 Notifications logged on the PSD are used for monitoring and intelligence purposes to create a more informed and accurate picture of product safety risk.
- 3.2 Notifications are routed to the IMT, who coordinate incident related activities.
- 3.3 IMT will undertake a review of the information supplied, liaising with the originator and others as appropriate, to ensure the information supplied is sufficient to progress the notification.
- 3.4 Where the notification is a request for assistance with a case, OPSS will liaise with the local authority as required.
- 3.5 Where the notification is a request for publication of information, OPSS will validate the information prior to its publication on national/international databases. For further details see guidance on [GOV.UK](https://www.gov.uk).
- 3.6 IMT will liaise with relevant experts as appropriate to determine if further assessment may be required. Liaison may be ad-hoc or as part of routine, bi-weekly Case Allocation and Monitoring (CAM) meetings. If no further assessment is required, the case will be closed.

Assessment of the notification

- 3.7 If further assessment is required, IMT will normally co-ordinate activities through routine CAM meetings, however, urgent cases may require ad-hoc co-ordination. The assessment will determine the potential impact of a notification and consider if further actions may be required.
- 3.8 Checks against existing data held on the PSD may form part of the assessment process. Product test results and intelligence analysis will also inform future OPSS product surveillance activities.
- 3.9 Consumers, consumer representative bodies/groups, businesses, trade associations and the relevant primary authority or local authority may be contacted to obtain more information.
- 3.10 The following is a non-exhaustive list of indicators that may be considered to assess the potential severity, scale and impact of a notification:
 - a) harm severity (the type and severity of the harm that could be caused by the product);
 - b) number of consumers that are, or could be, affected (e.g. number of products in households);
 - c) usage of product (e.g. frequency of use, foreseeable use, unforeseeable use);
 - d) impact on vulnerable consumers;
 - e) product failure history;
 - f) complexity of action needed (remedial action) and its likely impact and effectiveness on reducing risk;

- g) consumer concerns and perceptions;
 - h) political and media interest; and
 - i) impact on wider industry.
- 3.11 Appendix B provides examples for some of the indicators OPSS may use when reviewing a notification to help categorise the risk and consider the need for action.
- 3.12 The assessment and any required information gathering could take some time to complete. Progress will be tracked through CAM meetings who will also escalate as required, for example by making recommendations for consideration at a Case Conference. Where intervention is required or requested, CAM will evaluate who may be best placed to initially lead a response.
- 3.13 To ensure that Government and local authorities focus their resources and are clear as to their respective roles, OPSS identifies three criteria to delineate OPSS and local authority led activity. This means that the OPSS will generally lead in tackling risk on those cases that are:
- **Nationally Significant** – resourcing and/or expertise needed to investigate is beyond the capacity of a local authority, there is a high level of public concern and national interest; and/or
 - **Novel** – the risks of the usage of a product are unknown and unquantified; and/or
 - **Contentious** – instances in which a single, centrally delivered answer is required to minimise the potential for dispute between industry, regulator and other stakeholders.
- 3.14 Where these criteria are not met, the case will generally be led by the local authority.
- 3.15 This approach includes flexibility on a case by case basis to determine who is best placed to lead with appropriate support from the other party. Decisions will take into consideration whether the business has an effective primary authority partner that could potentially lead, or if no primary authority is in place, whether there is a suitable local authority with the capacity to lead the required regulatory response.
- 3.16 In assessing the capacity of the local authority to lead, OPSS will have regard to the number of businesses that need to act; for example, where several businesses need to coordinate their messages to consumers, it may be more appropriate for OPSS to lead the incident response even in the absence of nationally significant, novel or contentious issues.

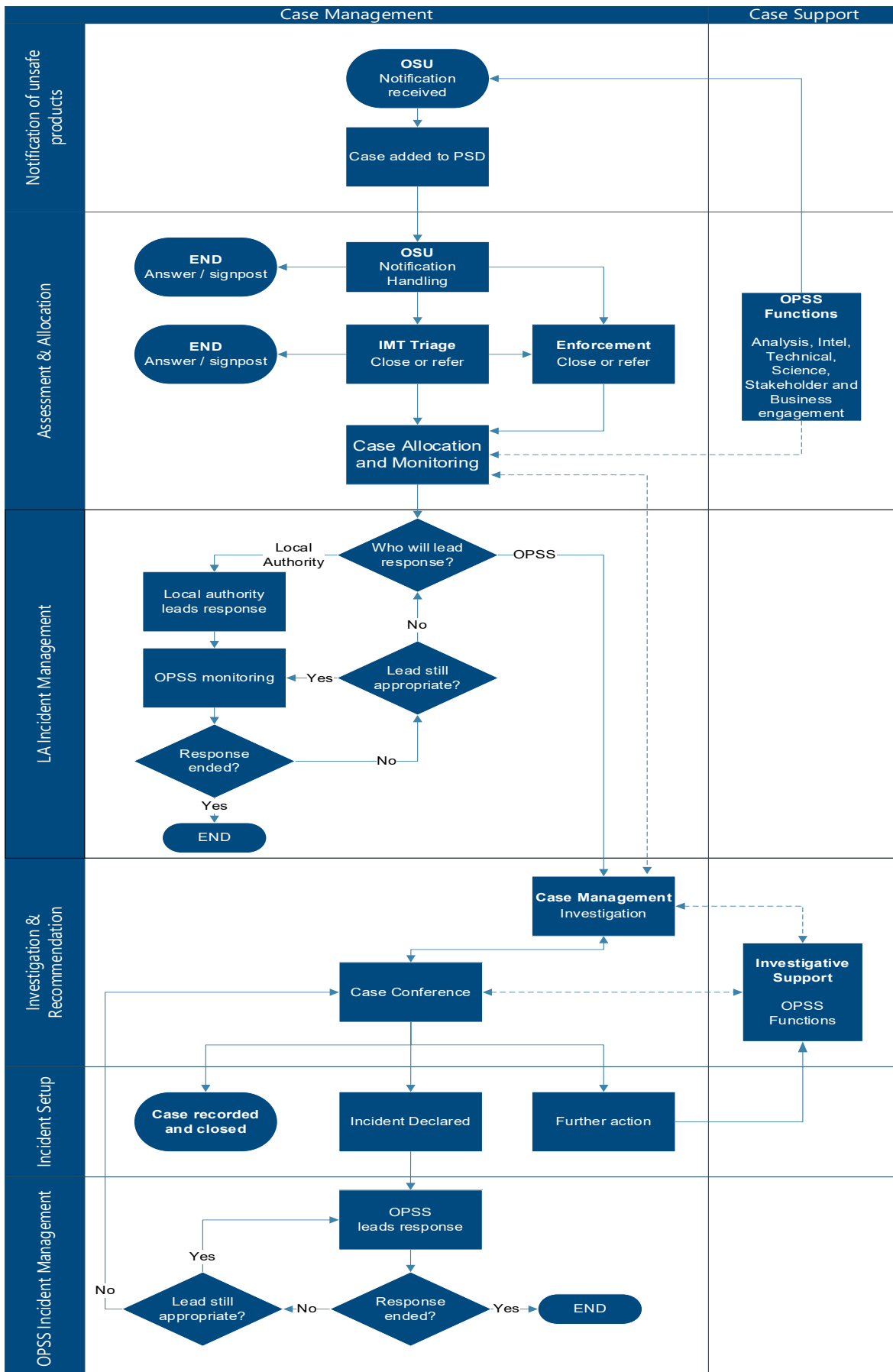
Case conference

- 3.17 Throughout the assessment processes, OPSS may hold one or a series of case conferences.
- 3.18 A case conference is a decision-making forum for determining next steps. They take place when:
- an initial investigation has concluded with a recommendation on enforcement action with potentially significant impacts on the business and/or OPSS or wider population (e.g. legal, business continuity, multi/national company);
 - grounds exist to suggest that the current case could become an incident;

- there may be a significant impact on resources; or
 - when recommended by the OPSS Grade 6 enforcement lead, a deputy director or higher.
- 3.19 OPSS attendees will be dependent on the circumstances of the case and issues under consideration. The relevant primary authority or local authority may be invited to attend.
- 3.20 Each case conference will consider the background to the case, updates of investigations and testing (if applicable), science and technical advice, intelligence, communications and recommendations from CAM meetings to determine and agree next steps.
- 3.21 The likely outcome of a case conference may be to:
- undertake further action (enforcement action/further testing/intel etc.);
 - declare an incident; or
 - record and OPSS take no further action.
- 3.22 Figure C provides an outline process map for how OPSS will handle notifications of potential incidents and subsequent actions.

OPSS Incident Management Plan

Figure C – Outline case and incident management process map



4 Local authority led response

4.1 Where it has been agreed with a local authority that they will lead the response, OPSS will:

- agree whether any scientific and technical support and/or testing support from OPSS would be beneficial;
- inform other local authorities and other market surveillance authorities of the case;
- request regular updates from the local authority to monitor the progress of the corrective action (if appropriate);
- publish details of recall actions on the [UK Government Product Recall site](#), [PSD weekly reports](#), [OECD global recall portal](#) and in line with other international obligations;
- undertake any required liaison and information exchange with international partners; and
- evaluate progress to determine if the most appropriate lead is in place, escalating or de-escalating as appropriate.

5 OPSS led response

- 5.1 Where it has been agreed with a primary or local authority that OPSS will lead the response, OPSS will:
- contact the business;
 - inform other local authorities and market surveillance authorities of the case;
 - work closely with the local authority(s) as part of a coordinated effort;
 - conduct appropriate operational activities and update the PSD;
 - work with the local authority(s) as appropriate;
 - keep the local authority(s) informed of progress; and
 - evaluate progress to determine if the most appropriate lead is in place, escalating or de-escalating as appropriate.
- 5.2 Where corrective actions and product recalls are an appropriate response, OPSS will use the [GPSR 2005 \(as applicable in GB and NI\)](#), [RAMS](#) (retained and amended to apply to GB and directly applicable in NI), product sector specific regulations and [PAS 7100](#) to manage these, ensuring coherence and consistency.
- 5.3 Regulation 39 of the GPSR 2005 (as applicable in GB and NI) requires information relating to the safety of a product to be accessible by consumers. Information from any serious risk notifications submitted by market surveillance authorities which enable the identification of the product, the risk posed, and measures taken will be made available on [PSD weekly reports](#).
- 5.4 Recalls of products available within the UK that are identified through international and domestic surveillance, monitoring of the PSD or at the request of local authorities will also be published on the [UK Government Product Recall site](#), the [OECD global recall portal](#) and in line with other international obligations.
- 5.5 OPSS will co-ordinate its response as described in section 6 onwards.

6 OPSS command and control arrangements

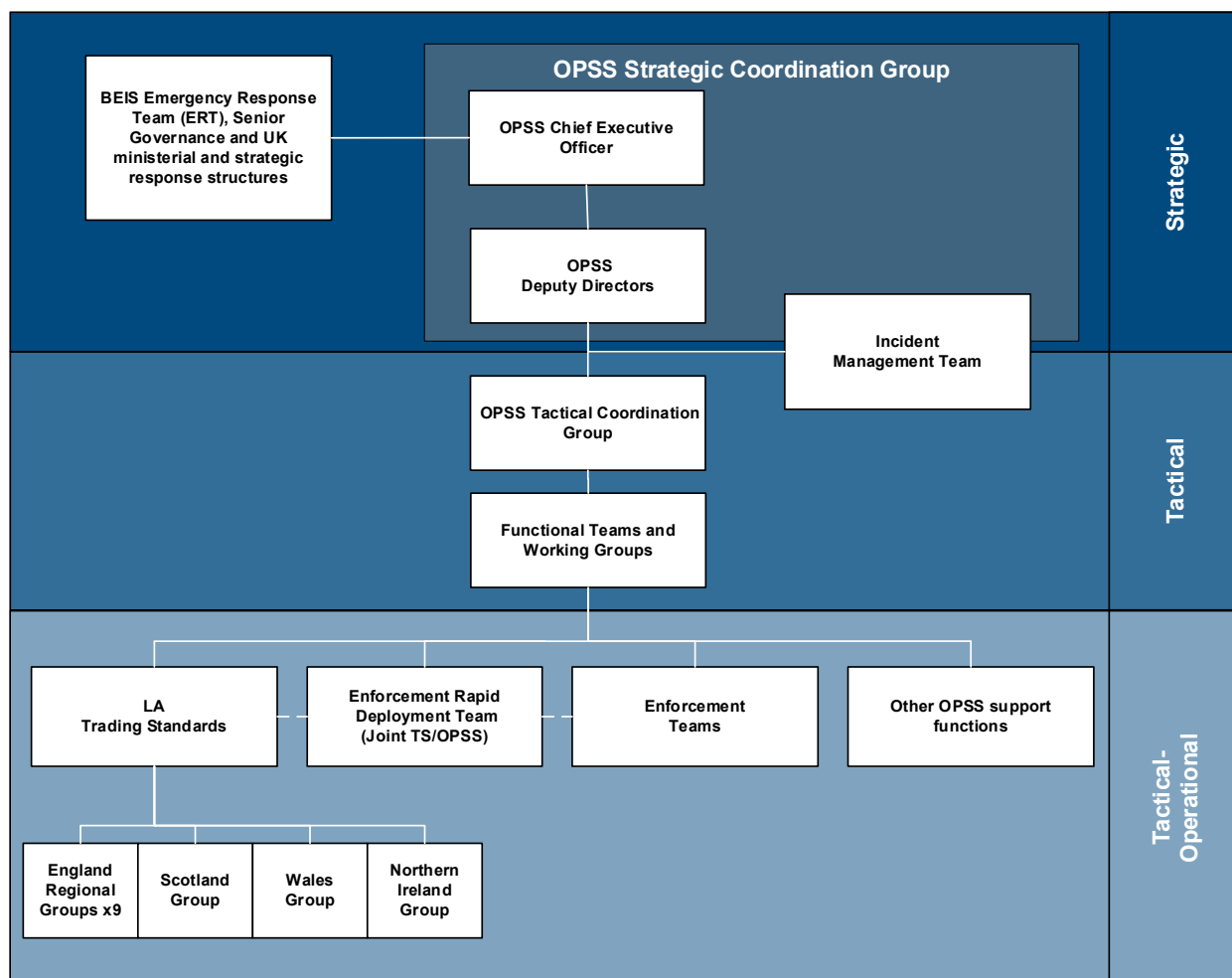
6.1 In response to an incident, OPSS will identify the most appropriate lead and decision makers for the assessed risk level, as illustrated in the following table.

Risk level	Description	Incident lead	Who decides escalation / classification?
Medium	An incident which cannot be dealt with via routine resources and procedures, and requires decision making and resource allocation to be made at a higher level.	OPSS Tactical Coordination Group (TCG) Chair of the TCG Appointed incident manager	Medium to High: TCG, chair of TCG, appointed incident manager
High	An incident which requires strategic level input and support, potentially through significant cross-government cooperation and coordination. They usually require an enduring response and resource re-allocation.	Strategic Coordination Group (SCG) Strategic incident director (SID) Tactical leads: TCG, chair of TCG, appointed incident manager	High to Critical: SCG, strategic incident director (SID)
Critical	Require a central government coordinated response. OPSS assumes various responsibilities, and BEIS might act as the lead government Department. The incident may involve COBR.	BEIS Emergency Response Team (ERT) BEIS Gold/Strategic Incident Director (SID) COBR, with the SCG and TCG feeding in as for severe	The decision to activate COBR will be taken by the Cabinet Office CCS, in conjunction with BEIS and No. 10. Once activated, CCS is responsible for running the COBR mechanism to co-ordinate the cross-government in support of the lead government department.

6.2 OPSS will establish three levels of command operating at a strategic, tactical or operational level.

- 6.3 Figure D maps existing OPSS units against the levels of command. Flexibility and proportionality of the response is important, as such it may not be necessary to mobilise all of business units for every incident.

Figure D – OPSS command structures



Groups and committees

Strategic Coordination Group (SCG)

- 6.4 The SCG when initiated, will be constituted with a Strategic Incident Director (SID). This is usually the OPSS CEO (or deputy) or BEIS Gold (the senior civil servant acting as gold commander for the incident) appointed.
- 6.5 The SCG is an OPSS body, while the Emergency Response Team (ERT) will have cross-BEIS membership and is likely to be constituted only when there are cross-sector impacts. The objective of the SCG/ERT is to set the overall strategy for the response. In doing so they will consider:
- What has happened (facts and impacts)?
 - The strategic aim.
 - What tasks are needed to achieve our aim?
 - What are the immediate priorities?

- What support is required to deliver the priorities (resources, information, authority, finance)?
- Who needs to know what and when through the creation of a stakeholder engagement plan?
- Planning the exit strategy.

6.6 Throughout an incident response, the SCG or ERT will liaise with counterparts in BEIS, other government departments, local authorities and industry as necessary to gather situational awareness and respond effectively to the incident. The SCG or ERT will set clear deadlines for updates, which must be met by partners.

Emergency Response Capabilities and Operations (ERCO)

- 6.7 ERCO was established within BEIS to improve the way the Department coordinates its preparation for and response to emergencies.
- 6.8 For the purposes of incident response, OPSS will engage with ERCO in the case of an incident that is, or could develop to be, risk assessed as High or Critical. If ERCO establishes an ERT, OPSS will provide policy advice, links to industry and ensure that subsequent implications are considered.
- 6.9 The ERT works within central government response mechanisms, potentially as the Lead Government Department (LGD).
- 6.10 OPSS, on advice from ERCO, will decide when to notify the Cabinet Office Civil Contingencies Secretariat (CCS) of an incident of concern. CCS in liaison with the Lead Government Department (LGD) will decide whether an emergency requires a coordinated response under the Civil Contingencies Act 2004. CCS, the LGD and No.10 may choose to activate Cabinet Office Briefing Rooms (COBR) to facilitate decision making and allow rapid execution of the coordinated central government response.

Tactical Coordination Group (TCG)

- 6.11 The TCG manages and coordinates the response at a tactical level through the application of the strategy set by the SCG.
- 6.12 It will usually be chaired by the deputy director responsible for OPSS IMT providing advice and guidance to the SCG and guidance and instruction to operational teams.
- 6.13 The TCG will decide the schedule of events, review risk assessments and agree management strategies, agree an engagement strategy, confirm financial resources and consider staff resources.
- 6.14 An incident manager will be appointed by the TCG and is accountable to the TCG Chair. The incident manager will usually be either the Head of the IMT or OPSS' Product Safety Enforcement Team and is responsible for incident classification and management, providing assurance that OPSS, local authorities and businesses are taking necessary actions.
- 6.15 In the event of a protracted incident, it may be necessary to remain in response mode for an extended period. The incident manager will lead the establishment of a succession plan to ensure continuity of capability.

- 6.16 Relevant Functional Team Leaders (FTLs) will sit on the TCG and are accountable to the TCG chair. FTLs are responsible for specific areas of OPSS' incident response and will be expected to attend TCG and other related meetings. FTLs may convene working groups to co-ordinate specific workstreams. FTLs will hold cascade briefings on a regular basis with their team members, covering relevant output from the TCG and SCG meetings, assigning tasks to the team, agreeing timescales, and setting quality standards.

Bird table / stand up meetings

- 6.17 Bird table meetings are conducted to:
- provide a structure for the management of the incident by meeting regularly;
 - facilitate the effective management of the incident by ensuring communication between all policy, operational, and communications functions involved;
 - provide brief situation reports on all aspects of the operation to those concerned in its management;
 - encourage a coordinated and cooperative response; and
 - identify key emerging issues and allocate responsibility for resolving them and reporting back.
- 6.18 All OPSS staff are encouraged to attend bird table meetings to reduce the need for situation updates in other meetings.
- 6.19 Updates include a strategic overview, short situation reports from each team, including any issues they are coming across and communication of key items from the schedule of events.

Ad-hoc groups

- 6.20 In addition to regular meetings of groups such as the TCG which form an established part of the incident response command and control structure, it may be appropriate to establish other ad-hoc groups including:
- **Product Safety Expert Group** – may be convened where there is a need to obtain specialist advice or independent verification of OPSS considerations. Attendees will reflect the issues under consideration and may include representatives from OPSS, modelling experts, economists and scientists in the required fields. These may be sourced within government, its agencies or from external organisations such as academia.
 - **Product Safety Evidence Groups** – may be convened at a strategic and tactical levels to ensure coordinated and timely scientific, technical and analytical advice is made available to SCG, TCG, policy and enforcement colleagues and/or others as required such as the Product Safety Expert Group. Attendees would be drawn from the main analytical teams in OPSS.
 - **Regulatory Co-ordination Cell (RCC)** - may be convened to provide specialist advice and coordinated support for dealing with national regulatory issues. Members of the group may share intelligence and analysis on market surveillance activities to focus strategic efforts and if necessary, coordinate with Notified Bodies, test houses and government laboratories to support UK testing capability and capacity, and to facilitate the rapid testing of products to inform decision making. Attendees will reflect the issues under consideration and may include

representatives from OPSS and other UK regulators such as the Health and Safety Executive (HSE and HSE Northern Ireland), Medicines & Healthcare Regulatory Agency (MHRA), etc.

- 6.21 During the commissioning and establishment of ad-hoc groups, OPSS will consider its exit strategy, including the identification of longer-term responsible persons or groups.

Roles and responsibilities

Strategic functions

- 6.22 Strategic functions will be kept informed and depending on the nature of the incident, may become directly involved. Key functions include:
- **Ministerial team:** The Secretary of State (SoS) and departmental ministers may be required to brief Parliament, the Cabinet and No. 10 about the incident and emerging risks.
 - **Permanent Secretary:** Will work with the ministerial team to ensure No.10 and other government departments are appropriately engaged.
 - **OPSS Chief Executive & Deputy Directors:** Are responsible for setting the strategic direction and incident decision making. They will plan the delivery of strategic and tactical decisions and ensure appropriate management is in place to handle the incident. They will authorise recruitment of additional staff and ensure the Permanent Secretary and the ministerial team are kept informed of progress and risks.

Tactical functions

- 6.23 Tactical leads may be drawn from the following teams, some or all of which may also have a role in the operational response:
- **Analysis:** evaluates and models product-related data to help drive decision-making and interventions.
 - **Borders Policy:** leads policy engagement on borders with government departments, other border agencies and trading standards.
 - **Business Engagement:** provides the main point of contact between OPSS and businesses and trade associations.
 - **Insights & Science:** provides scientific expertise and develops mechanisms to understand how consumers, businesses and regulators behave, to develop and evaluate interventions.
 - **Intelligence:** provides intelligence-gathering and analytical capability to assist with incident assessment and targeting of resources.
 - **Legal:** provides expertise on legal process for Primary Authority and Enforcement teams enabling them to carry out regulatory duties in a legally compliant manner. Provides the primary link between OPSS and BEIS legal.
 - **Local Delivery:** supports implementation and development of Primary Authority and brings together national regulators, local authorities and businesses to address regulatory issues.

- **Policy and Briefing:** provides policy expertise in the relevant legislation and lead on ministerial and parliamentary business.
- **Risk:** provides expert risk advice and reviews of product risk assessments.
- **Engineering & Technology Team:** provides scientific and technical expertise and ability to commission academic and industry-specific specialist expertise.
- **Stakeholder Engagement Management:** manages the approach to relationships with key stakeholders and leads on relationships with consumer bodies.
- **Testing Strategy:** provides technical services including product regulation testing that underpin operations.
- **Trading Standards Coordination:** leads on engagement with local trading standards in relation to product safety and metrology.
- **International:** lead on engagement with trading partners for cases with an international focus and provides link with the Foreign, Commonwealth & Development Office (FCDO).

Tactical functions (Operational)

- **Borders Operations:** provides coordination of border and ports enforcement.
- **Connections:** develops key messages, communicates live issues and delivers engagement tools. Provides primary link between OPSS and BEIS Press Office.
- **Digital and Technology:** develops new digital systems for use by OPSS, local authorities and other market surveillance authorities to share data and information about product risks and receive rapid alert notifications.
- **Enforcement:** provides capability to conduct investigations and take necessary enforcement action.
- **People and Management Support:** supports and advises on recruitment, training and development, HR and performance management. Provides mental health and wellbeing advice for OPSS staff. Provides primary link between OPSS and BEIS HR functions.
- **Operational Support Unit:** logs and tracks enquiries and concerns as part of role as OPSS' key public-facing team.
- **Resource Management:** provides advice for procurement and spend.

Operational partners

6.24 Depending on the nature, scale and severity of an incident, the TCG may include representation from operational partners and other government departments to provide a coordinated response. These may include:

- Home Office
- Cabinet Office, Civil Contingencies Secretariat (CCS)
- Competition and Consumer Protection Commission (CCPC)
- Ministry for Housing, Communities and Local Government (MHCLG)
- Health and Safety Executive (HSE)
- Medicines and Healthcare products Regulatory Agency (MHRA)
- Foreign, Commonwealth & Development Office (FCDO)
- Office of Communications (OFCOM)

- Local authority trading standards product safety teams
- Northern Ireland Environmental Health
- Association of Chief Trading Standards Officers (ACTSO)
- Chartered Trading Standards Institute (CTSI)
- National Product Safety Group
- Fire services

OPSS Incident Management Team (IMT)

6.25 IMT coordinates activities across the strategic and tactical levels to support emergencies. The main functions include:

- Secretariat – Undertakes secretariat functions for specific meetings within OPSS and sets the schedule of meetings, including timings, in conjunction with the chair of the TCG.
- Management Information – Collates management information from OPSS and the wider operational teams (trading standards).
- Reporting – collates updates from teams involved to provide management information and reports to OPSS, BEIS and wider government as required.
- Forward planning and horizon scanning.
- Agrees the schedule of meetings including timings.
- Issues resolution – Provides advice and guidance on emergency management and takes forward issues for resolution, ensuring the correct people are involved in solving the issue.

Schedule of events (battle rhythm) and situation reports

- 6.26 A schedule of events (often referred to as the battle rhythm) is established to allow all participants to be aware of the incident activities and meetings, so they can better plan their involvement.
- 6.27 The schedule will be agreed by the TCG depending on the size and scale of the issues being faced and may change over time.
- 6.28 The IMT will produce regular situation reports ('sitreps') on an agreed template. The TCG will set the frequency for production of the sitreps taking into consideration the reporting needs of wider BEIS and Government response structures.
- 6.29 If CCS activate COBR, OPSS sitreps will be used to provide specific OPSS information into any Commonly Recognised Information Picture (CRIP). The timings for these contributions will be agreed with CCS.

Escalation, de-escalation and closure

- 6.30 The management of an incident at the appropriate level will help to ensure an effective and proportionate response. A decision whether to escalate an incident through the differing response levels will be driven by its severity, scale and impact, and the expectations of OPSS to respond. The IMT lead decides whether to flag an incident for escalation at the appropriate level.

- 6.31 As an incident draws towards resolution, it may be appropriate to de-escalate to a lower level, or to return completely to routine business. This decision will be taken by the incident manager and the chair of the TCG in consultation with the SCG.
- 6.32 IMT will co-ordinate de-escalation, agreeing transition of incident activities back into normal operations and ensuring residual work is programmed back into relevant functional work project plans.
- 6.33 Once closed, all OPSS led incidents are subject to incident review as described in section 9 of this plan.

7 Engagement

Strategy

- 7.1 Engagement with the business(es) involved in the supply chain of the affected products will be led by OPSS or local authorities depending on operational decisions.
- 7.2 OPSS will engage with national consumer groups, trade associations and other national or international agencies, media and other national stakeholders.
- 7.3 In addition to the meetings which form part of the daily routine for managing incidents, the TCG may decide to call other stakeholder meetings that have their own distinct aims, for example, seeking industry views on a specific technical issue. The TCG will work with the operational team closest to an issue to identify appropriate membership.
- 7.4 OPSS will engage with relevant operational partners in the management of the incident.
- 7.5 OPSS will, when appropriate create a stakeholder engagement plan which will take account of the above and ensure we:
 - provide local authority trading standards with timely information about our actions, the actions of the businesses involved and what they need to do;
 - provide consumers and businesses with appropriate information where they need to act (this includes publishing safety messages on the government's product recall website);
 - work with business(es) and local authorities as appropriate, ensuring safety messages get to the right consumers, including focusing on vulnerable consumers;
 - protect enforcement action or legal proceedings by not publishing information that may prejudice investigations, unless the need to protect consumers would require immediate release of information;
 - notify ERCO in the case of an incident that is, or could develop to be, risk assessed as High or Critical; and
 - keep BEIS, other government agencies and the devolved administrations informed where they have a significant interest in the incident.
- 7.6 OPSS has the ability, through procurement of an external call centre service, to quickly scale up its emergency call handling operations to process commensurate levels of consumer enquiries. This will ensure OPSS is able to provide timely and accurate advice and reassurance to consumers.
- 7.7 There may be incidents with a product safety element, but where another government department or agency is leading on the overall response. In these instances, OPSS' incident management plan will be put into place to feed into the overall response, and to cover OPSS' areas of responsibility.

International

- 7.8 OPSS has strong links with product safety regulators internationally, and bodies such as the OECD. OPSS may liaise with other regulators when co-operating on incidents and serious product safety issues.
- 7.9 OPSS continues to exchange information on serious risk consumer products as part of the European Union (EU) Withdrawal Agreement⁵ and ensures that information is shared with relevant local authorities to undertake follow up action where required.
- 7.10 OPSS also ensures that UK recalls are uploaded to the [OECD global recall portal](#).
- 7.11 As part of trade agreements, the UK is expected and sometimes required to report and share information on goods identified as posing a serious risk to human health. OPSS may engage directly with trade partner officials or via the Department for International Trade. If the source of the goods is an import from a trade agreement partner, OPSS can engage and sometimes mandate the provision of information or cooperation from the authorities of that nation.
- 7.12 Further information on OPSS' role in liaising with international product safety regulators is available on [GOV.UK](#).

⁵ The UK continues to report serious risk and non-compliance to the EU in the following circumstances:

- If the product is manufactured, imported, or distributed by a business based in Northern Ireland;
- If the product has measures enforced on it by a Northern Ireland based market surveillance authority;
- If the product was placed on the market in the UK before 01 January 2021.

8 Incident review

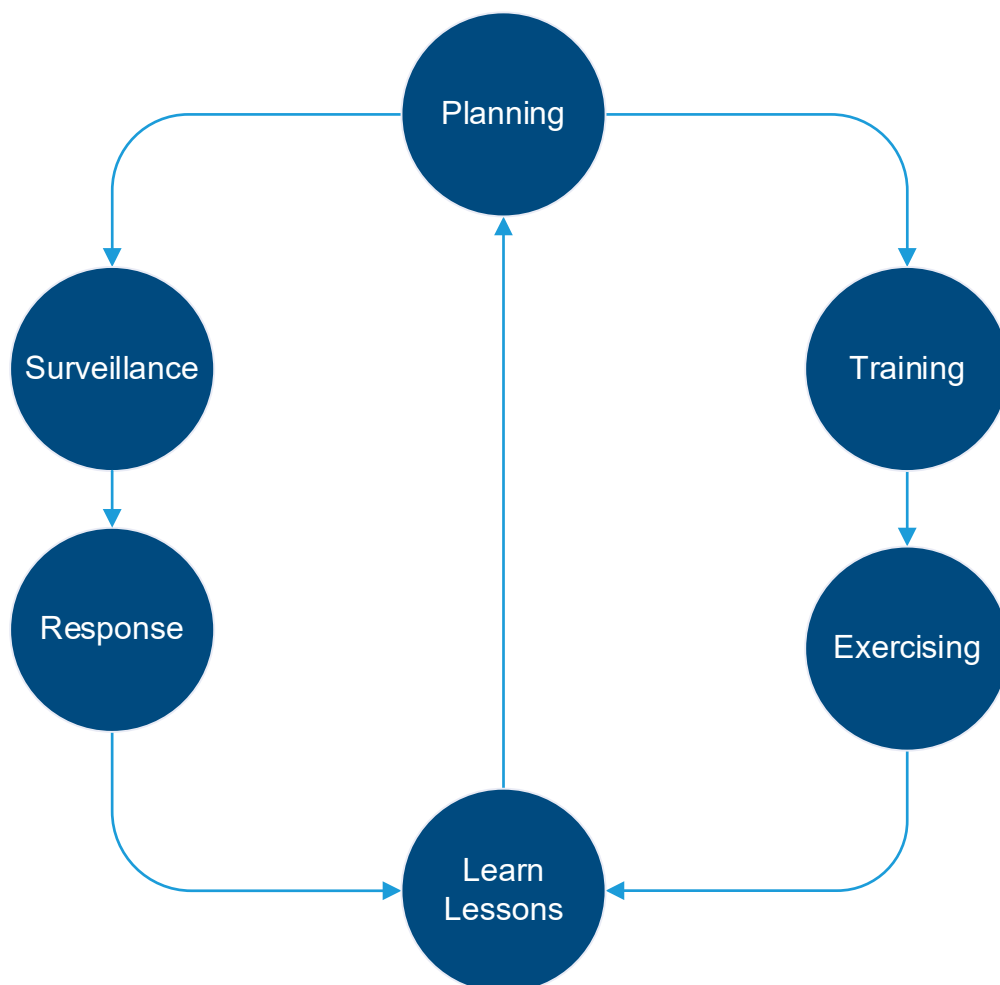
- 8.1 A review process will take place for all OPSS led incidents to identify areas for improvement and 'lessons to be learned'. These will be fed back into the Incident Management Plan to adapt and improve incident response procedures.
- 8.2 Reviews may involve stakeholders and examine any element of the incident response including detection, notification, assessment, mobilisation, response strategy, response effectiveness, command and control structure, communications/engagement, and stakeholder relations.

9 Readiness for incidents

9.1 The Head of IMT is responsible for ensuring that OPSS is prepared to respond to product safety incidents. Adopting the principles for emergency planning contained in Part 1 of the Civil Contingencies Act illustrated in Figure E, they ensure that:

- suitable plans are in place and exercised;
- staff are suitably trained;
- Notifications are monitored and surveillance is undertaken to identify, assess and act on emerging trends / risks;
- post-incident reviews are undertaken as described in section 8 and lessons identified are implemented;
- effective relationships exist with key operational partners; and
- contingency planning best practice is shared with OPSS teams and local authorities.

Figure E – Adopted principles for emergency planning



Plans and operational instructions

- 9.2 OPSS will conduct annual reviews of this plan to ensure it remains fit for purpose. These reviews will ensure that the incident assessment and classification process is effective, and that there is a robust command and control structure, with roles and responsibilities correctly assigned. In addition, lessons learned from invocations and feedback received will be reviewed for incorporation into the plan. Feedback on this plan should be sent to opss.enquiries@beis.gov.uk for the attention of “Incident Management”.
- 9.3 To ensure resources can be made available to invoke and implement this incident management plan, OPSS has identified its critical business activities and planned for the prioritisation of its routine activities. Deputies for key personnel have been identified and succession plans developed.
- 9.4 This incident management plan is supplemented by instructions maintained within the key OPSS teams.
- 9.5 IMT is working with OPSS teams to ensure a consistent approach is taken when writing, presenting and maintaining operational instructions to maximise familiarity and flexibility of the workforce.

Training

- 9.6 Functional team leaders are responsible for ensuring staff identified for response roles receive adequate, in-role, training to enable a rapid deployment into that role.
- 9.7 Staff are also expected to play active roles in the exercising of the incident management plan and associated procedures.
- 9.8 IMT co-ordinate training needs analysis to identify training opportunities across OPSS. Since the last iteration of this plan, these activities identified a need for emergency/incident response training that IMT fulfilled via a specialist training provider.

Exercises

- 9.9 OPSS coordinates exercises to refine and demonstrate emergency preparedness to deal effectively with product safety incidents.
- 9.10 Since the last iteration of this plan, OPSS has undertaken scenario-based exercises that examined processes as well as business continuity, risk assessment, incident readiness and horizon scanning capabilities.
- 9.11 In addition, this plan was invoked to deal with an incident involving potential fires washing machines and the command and control arrangements described in this plan were invoked to co-ordinate OPSS activities on the Coronavirus pandemic.
- 9.12 Lessons identified from exercises and invocations have been used to highlight and promote best practice and update OPSS plans.

Surveillance

- 9.13 In addition to passive surveillance carried out through formal notifications from local authorities, OPSS routinely monitors public facing international and domestic recall and product safety sites and the media to identify safety risks and recalls that may apply to products available on the UK marketplace.

- 9.14 Recalls and risks are assessed and where a potentially unsafe products is identified, OPSS will add details to the PSD and refer the matter to the appropriate market surveillance authority to follow up with the business and ascertain whether the same safety risk is apparent in the UK product.
- 9.15 OPSS also facilitate conversations and information transfers with relevant international product safety regulators upon request and dependent on the severity of the safety issue.

Appendix A: Glossary

ACTSO	Association of Chief Trading Standards Officers
BEIS	Department for Business, Energy and Industrial Strategy
CAM	Case Allocation and Monitoring (meetings)
CCS	Civil Contingencies Secretariat
CEO	Chief Executive Officer
COBR	Cabinet Office Briefing Rooms
CCPC	Competition and Consumer Protection Commission
CRIP	Common Recognised Information Picture
CTSI	Chartered Trading Standards Institute
ERCO	Emergency Response (Capabilities and Operations)
ERT	Emergency Response Team
EU	European Union
FCDO	Foreign, Commonwealth & Development Office
FTL	Functional Team Leader
GPSR	General Product Safety Regulations 2005, as applicable in GB and NI
GB	Great Britain
HSE	Health and Safety Executive
IMT	Incident Management Team
LGD	Lead Government Department
MHCLG RED	Ministry for Housing, Communities and Local Government Resilience and Emergencies Division
MHRA	Medicines and Healthcare products Regulatory Agency
NI	Northern Ireland
OECD	Economic Co-operation and Development
OGD	Other government departments
OFCOM	Office of Communications
OPSS	Office for Product Safety and Standards
PAS 7100	Publicly Available Specification 7100 - Code of Practice on Consumer Product Safety Related Recalls and Other Corrective Action
PSD	Product Safety Database
RAMS	Regulation on Accreditation and Market Surveillance (retained and amended to apply to GB and directly applicable in NI).
SCG	Strategic Coordination Group
SID	Strategic Incident Director
Sitrep	Situation report
TCG	Tactical Coordination Group
UK	United Kingdom

Appendix B: Example planning assumptions for risk assessment of notifications

Risk assessments provide a tool to identify and quantify the threat posed by a notification to provoke considerations to either accept or mitigate that risk.

The table below provides examples for to help categorise the risk and consider the need for action:

- Critical risk – their potential consequences are such that they must be treated as a high priority by developing strategies to reduce or eliminate the risk.
- High risk – their potential consequences are sufficiently serious to warrant appropriate consideration be given to develop strategies to reduce or eliminate the risk.
- Medium risk – are less significant and should be monitored to ensure that they are being appropriately managed.
- Low risk – may not be significant in their impact so require minimal monitoring and control.

Indicator	Low Risk	Medium Risk	High Risk	Critical Risk
Nature and potential impact of the issue to the safety of the public	A safety risk to consumers exists, isolated examples of consumer harm may have occurred, but this risk can be mitigated effectively.	High numbers of consumers have experienced moderate harm, or several related cases of more serious harm have occurred, or it is possible that this type/scale of harm may be caused imminently.	A number of consumers have been severely harmed, or it is likely that severe harm to a number of consumers will be caused imminently.	Severe harm to large numbers of consumers has been caused or severe harm to large numbers of consumers is highly likely to be caused imminently.
Nature and potential impact of non-compliance (no public safety issues)	The non-compliance relates to non risk-based compliance and administrative obligations.	There has been a low level of consumer detriment, environmental detriment and/ or adverse impact on other businesses, or it is possible that this type/scale of harm may be caused imminently.	There has been a significant level of consumer detriment, environmental detriment and/ or adverse impact on other businesses, or it is possible that this type/scale of harm may be caused imminently.	

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Remedial Action (complexity)	Remedial action is underway and is being well managed by the business, overseen by OPSS and/ or trading standards.	Urgent remedial action is required that may be complex, require action by multiple businesses or where a business is not conducting the necessary urgent actions.	Urgent remedial action is required that may necessitate action from a large number of businesses. Remedial action to reduce the risk being targeted may impact adversely on other types of risk.	Urgent cross-government action required to make the necessary remedial action effective in reducing the risk.
Public Confidence	Short-term or low level of public concern.	Heightened loss of public confidence.	Significant national loss of confidence in the regulatory protection provided.	Widespread loss of public/ industry/ international confidence in the regulatory protection provided and/or the integrity of the UK supply chain.
Media Interest	None or short-lived interest requiring brief statement.	Increasing interest requiring coordinated briefings and statements.	Prolonged interest requiring significant media monitoring and frequent briefings and statements.	Sustained national and/or international interest requiring clearance of statements beyond BEIS.

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www.gov.uk/government/organisations/office-for-product-safety-and-standards

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