



Subject:	Product Safety update
Date:	7 February 2023
Reporting Officer:	Siobhan Toland, Director of City Services
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Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<i>Please</i>	
If Yes, when will the report become unrestricted?	
<i>After Committee Decision</i>	<input type="checkbox"/>
<i>After Council Decision</i>	<input type="checkbox"/>
<i>Some time in the future</i>	<input type="checkbox"/>
<i>Never</i>	<input type="checkbox"/>

Call-in	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

1.0	Purpose of Report or Summary of main Issues
1.1	This report is to: i) update Members on the Council's work to protect consumers in Belfast and Northern Ireland from unsafe consumer products; and ii) highlight available funding to support Belfast City Council's activity in this area.
2.0	Recommendations
2.1	The Committee is asked to: a. Note the Council's ongoing activity and statutory function in relation consumer product safety; and

	b. Agree to avail of current grant funding opportunities to support Belfast City Council's work on product safety.
	Main report
3.1	NI councils have a number of statutory obligations in relation to consumer safety legislation, principally the Consumer Protection Act 1987, and Regulations for safety of specific products such as toys, electrical goods, cosmetics etc. More recently the Market Surveillance (Northern Ireland) Regulations 2021 have also been introduced, setting out how councils must carry out certain functions for product safety, including some additional enforcement powers.
3.2	Environmental Health officers have undertaken this regulatory function for several decades. In England, Scotland and Wales, this function has been (and continues to be) carried out by Trading Standards Departments of Local Authorities.
3.3	<p>Principally, councils must ensure that businesses involved in the importation, supply or sale of goods comply with their legal obligations and to ensure that goods presented on the market do not present risk of harm or injury to consumers. Councils' activity include:</p> <ul style="list-style-type: none"> - Identification and investigation of potentially unsafe goods through receipt of consumer complaints, visits to premises and inspections/sampling and testing of products. - Receipt and sharing of intelligence surrounding unsafe goods or their supply chains, between relevant authorities, including Council Environmental Health Departments in NI, Trading Standards Officers across GB Local Authorities, the Office of Product Safety and Standards (OPSS) and Border Force. - Providing advice and education to businesses to raise awareness of product safety requirements to reduce potential for businesses to procure and place unsafe goods on the market in the future. - Taking enforcement actions including steps to remove unsafe goods from the market, or to have the goods made safe.
3.4	A range of product safety initiatives are undertaken each year in co-ordination with all 11 district councils. These are co-ordinated via Environmental Health NI (NI Consumer Protection Subgroup), and may involve partnership working and engagement with agencies and stakeholders operating in related regulatory fields across Government in NI, UK, RoI and beyond. Belfast City Council continues to actively support this work – in 2022/23 initiatives are focusing on:

- Undertaking a campaign to raise awareness of the dangers of button batteries by supporting the OPSS 'Nil by Mouth' campaign, raising awareness with retailers and consumers, market surveillance through partnership with other relevant services within Environmental Health and external agencies.
- Working with Driver and Vehicle Standards Agency to carry out a Part worn tyre initiative to assess the safety and compliance of part worn tyres on the market.
- Developing and disseminating guidance to businesses on the topics of PAS 7050 (publicly available specification) 'Bringing safe products to market' and E-Cigarettes and E-Liquids.
- In conjunction with OPSS, upskilling staff as required on product safety issues including the consistent enforcement of consumer protection regulations, the introduction of new legislation/standards and emerging issues.
- Maintaining closer working relationships with relevant partners across NI, UK and Ireland e.g. Trading Standards NI, Invest NI, NI Fire and Rescue, HSE NI, Ministry of Housing Communities and Local Government, Medical and Healthcare products Regulatory Agency, The Competition and Consumer Protection Commission (CPC) and Health Products Regulatory Authority, to ensure effective communication and sharing of information where relevant; to develop mutual understanding of respective roles in order to promote cross departmental working and help to resolve cross cutting issues.

3.5

In year funding (in 2022/23) of up to £120,000 has been recently made available by OPSS to Belfast City Council to support activity in these areas of work. Two potential grant funding opportunities are available comprising:

- a. A £65,000 grant available to councils that have specific duties to assess product safety and compliance of higher risk consumer goods arriving at UK and NI ports, to ensure unsafe goods are prevented from entering the UK market. These products are typically identified by OPSS on the basis risk assessments carried out using customs data for specific commodities. Details of potentially dangerous products are referred to Councils for the relevant ports around GB and NI for intervention. These products typically involve high risk/poor quality manufactured goods arriving from countries across the world such as China, Hong Kong, Taiwan etc. Eligible activities under this grant include the potential to support

	<p>engagement with businesses to educate and raise awareness while creating a deterrent for importing unsafe goods, building partnerships with relevant trade bodies and other stakeholders, and improving current processes.</p> <p>b. A £55,000 grant is also available to councils to build capability and capacity for product safety work. This is to ensure council's are sufficiently equipped to carry out the statutory duties, while also building strong partnerships with businesses, other councils and Government Departments to improve future compliance across the consumer market. A significant portion of Belfast City Council's activity for delivering the NI Consumer Protection workplan in 2022/23 is eligible for this funding.</p>
3.6	<p>Officers have reviewed the 2 available grant funding offers and have confirmed that Belfast City Council is eligible to claim the available funding in full, in line with the eligibility criteria.</p> <p><u>Financial and Resource Implications</u></p>
3.7	<p>Following Committee approval in November 2020, Council has previously accessed similar OPSS funding opportunities to support product safety work in years 2020/21 and 2021/22. As a result, the potential for grant funding income in 2022/23 was forecasted as part of earlier financial estimates for the current financial year, to support this work area.</p> <p><u>Asset and Other Implications</u></p>
3.8	<p>None.</p> <p><u>Equality or Good Relations Implications/ Rural Needs Assessment</u></p>
3.9	<p>None.</p>
4.0	Appendices – Documents Attached
	None