

<p>Title of Report:</p> <p>Grant Funding to Support Market Surveillance and Effective Implementation of the Northern Ireland Protocol, with respect to the supply of safe Consumer Products</p>	<p>Officer Presenting: Director of Health and Community</p> <p>Author: Head of Health and Community Wellbeing</p>
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1 Purpose of Report/Recommendations

- 1.1 The purpose of this report is to seek members' approval of grant funding and associated agreement between Secretary of State for Business, Energy and Industrial Strategy ("BEIS") and Derry City and Strabane District Council (DCSDC) in order to support safety related surveillance of the consumer product marketplace and to ensure effective implementation of the Northern Ireland Protocol, post the end of the UK/EU transition period on 01 January 2021.

2 Background

- 2.1 The Office for Product Safety and Standards (OPSS) is the national regulator for product safety. It was established to lead and co-ordinate the UK product safety system to deliver improved protections for consumers and better support for industry across the UK.
- 2.2 Market Surveillance Authorities, including Derry City and Strabane District Council, have a range of obligations, these are set out in the Regulation 765/2008 for Accreditation & Market Surveillance (RAMS) of consumer products entering the community market and a wide range of other product specific legislation.

3 Key Issues

- 3.1 The purpose of the funding is to effectively implement the Northern Ireland Protocol with the aim of supporting a successful, thriving and compliant business sector across NI. Businesses should have the confidence to trade within NI, GB and the EU, while ensuring that unsafe/non-compliant goods do not enter the UK market including NI.
- 3.2 Aims and Objectives of the Funded Activities

The Grant is provided to Council to establish a flexible resource with the capacity and capability to:

- Undertake risk-based market surveillance interventions on goods throughout the supply chain;
- Manage and act on intelligence to drive a risk-based approach;
- Provide advice and support to local businesses to meet their obligations under product safety legislation for importing and appropriate labelling/marketing of goods;
- Co-operate and coordinate market surveillance activity across NI to ensure compliance with EU regulatory requirements; and
- Monitor and report on interventions.

3.3 Funded Activities

The range of funded activities is expected to include:

- Providing advice and guidance to NI manufacturers and importers about placing goods on NI and GB market, with a particular focus on those businesses that are currently distributors and will become importers following the end of transition;
- Implementing co-ordinated business support programmes e.g. linking to economic development work if appropriate;
- Sampling products from NI manufacturers and importers for safety testing and effectively following up any non-compliance detected;
- Participating in market surveillance projects;
- Identifying locations in the District Council area where goods are released from customs control into free circulation, for example External Temporary Storage Facilities and Fast Parcel Operator distribution centres:
 - putting in place arrangements to inspect goods for regulatory compliance at these locations, and;
 - informing OPSS of your capacity to make inspections at these locations, should OPSS' risk profiling activity identify relevant consignments being released from customs control at this location (posing a high risk to consumers).
- Working with OPSS on developing product safety intelligence-gathering and prioritisation within NI;
- Building relationships with Competition & Consumer Protection Commission in the Republic of Ireland; and
- Undertake any other associated market surveillance activities to support any agreed UK/EU reporting requirements.

3.4 Deliverables to be reported to OPSS

These are expected to include:

- Details of all market surveillance activity, including sampling and screen testing to be recorded on the OPSS national product safety database;

3.4.1 Monthly report of activities to include:

- Summary of market surveillance activity
- Number of businesses advised on importing and appropriate labelling/marketing of goods
- Number of locations identified where goods are released from customs control into free circulation;
- Activity undertaken to build relationships with other MSAs in NI and
- Details of training and development opportunities taken up including number of officers trained on end of transition;
- Number of officers completed the Certificate of Competency in Product Safety;
- Other activities e.g. building intelligence capability, relationships with other MSAs in NI and the Consumer Protection Commission in ROI;
- OPSS will provide a monthly return template to facilitate the monthly returns information.

4 Financial, Equality, Legal, HR, Improvement, Rural Needs and other Implications

- 4.1 Funding of up to £55,000 is available to each council to cover the recruitment of Environmental Health staff and associated costs. This resource is offered from 23 October 2020 to 31 March 2021 initially and is planned to continue for subsequent years, subject to normal funding cycles.
- 4.2 Claims will be paid by OPSS to Derry City and Strabane District Council in arrears on receipt of eligible expenditure claims including a record of work conducted (reporting requirements to be confirmed).

5 Recommendations

- 5.1 It is recommended that members approve the grant funding agreement between Secretary of State for Business, Energy and Industrial Strategy ("BEIS") and Derry City and Strabane District Council (DCSDC) in order to build capacity and capability for market surveillance in the DCSDC area during 2020/21.

Background Papers

Appendix 1: Secretary of State for Business, Energy and Industrial Strategy ("BEIS") and Derry City and Strabane District Council (DCSDC).

Appendix 2: PowerPoint presentation (PDF): Office for Product Safety and Standards (OPPS)