

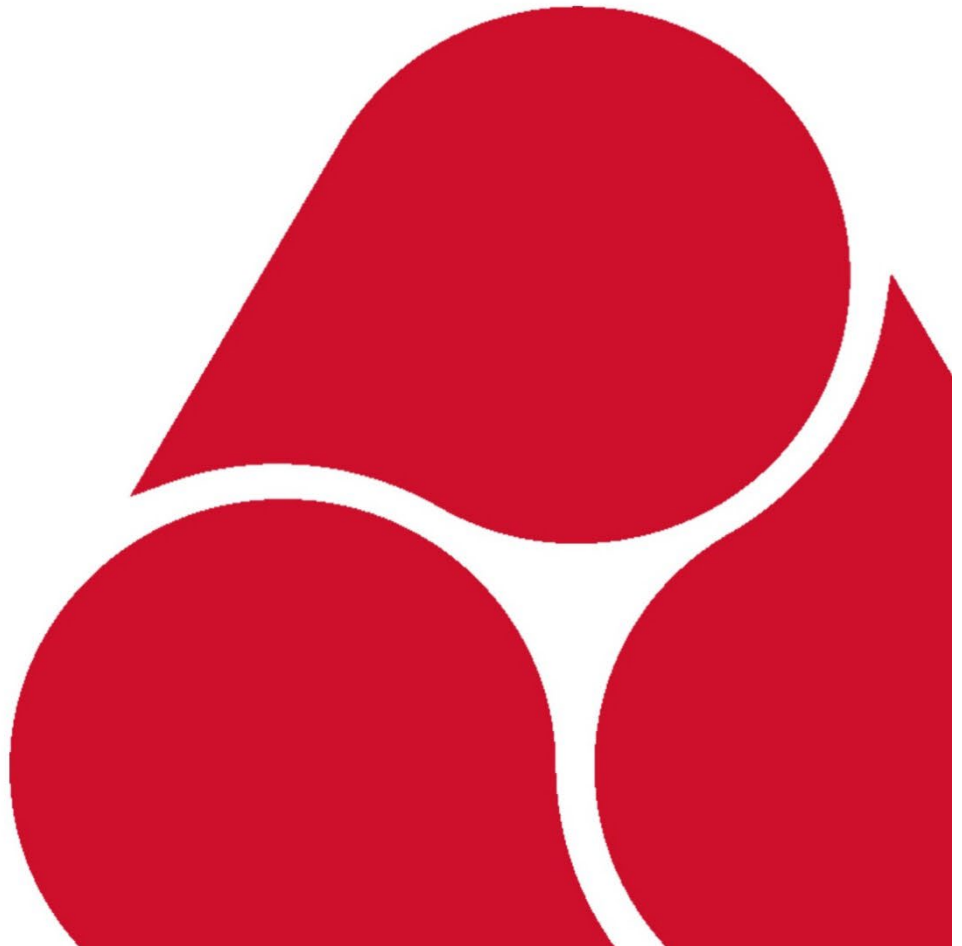


Office for Product  
Safety & Standards

# Product Safety and Industry Research: Wave 2

Wave 2 research findings

December 2023



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## Executive Summary

### Background

One of the goals of the Office for Product Safety and Standards (OPSS) is to strengthen the evidence base for the development of product safety policy, delivery, and enforcement. As such, it launched its Strategic Research Programme in May 2018 and, in August of the same year, its strategy for strengthening product safety<sup>1</sup>, with an updated strategy launched in 2022<sup>2</sup>. Central to both of these initiatives is a suite of research projects to build on the OPSS's understanding of the actors within the system; their attitudes, current behaviours, and how Government may seek to impact on those behaviours. Research to date had primarily focussed on the views and behaviours of consumers in relation to product safety; this project aims to complement this existing work by building a greater understanding of supply-side issues in the system.

This report summarises the second wave of research fieldwork, carried out in 2022; the first wave was carried out in 2020, and comparisons to the first wave of fieldwork are made throughout this report where relevant.

Fieldwork was commissioned by the Department for Business, Energy & Industrial Strategy (BEIS) and conducted by IFF Research, an independent research company. This was a mixed-method research project comprising of a qualitative and quantitative research strand. Qualitative research encompassed 35 depth interviews with a range of organisations (detailed in section 2), which took place between September and October 2022. The quantitative research strand consisted of a Computer Assisted Telephone Interview (CATI) survey with 1000 businesses. The survey sample consisted of manufacturers, distributors, retailers, repairers and installers working in sectors under the OPSS remit. The results from the survey are representative of those who were considered to be in scope for this research, rather than all UK businesses.

Throughout this report references to 'organisations interviewed' refers to the qualitative research strand, and reference to 'businesses surveyed' refers to the quantitative research strand.

### Perceptions of product safety in industry

Most organisations interviewed as part of the qualitative research strand felt that product safety standards in the UK were high, and well maintained. Some raised concerns about products imported from other countries, which they thought might have lower standards and be less well regulated.

A key perception shared by many organisations spoken to in the interviews was that larger, particularly more well-known businesses, would have better resources (such as product safety testing, and specialised resources) and therefore higher product safety standards than smaller businesses and sole traders.

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<sup>1</sup> [Strengthening national capacity for product safety: Strategy 2018-2020 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/682222/Strategy_2018-2020.pdf)

<sup>2</sup> [OPSS Product Regulation Strategy 2022-2025](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/111111/OPSS_Product_Regulation_Strategy_2022-2025.pdf)

Some organisations felt the UK's exit from the EU had been well managed and had not impacted the standards of product safety; others raised concerns on the impact of divergence from the EU, especially regarding differing legislation and lack of clarity.

Across both the qualitative interviews and the survey, businesses outlined a range of motivations to ensure product safety (other than ensuring nobody was harmed), including wanting to maintain a good business reputation (17% of businesses surveyed) and needing to uphold standards because they were accountable or responsible if there was a product safety issue (12%). Five percent of businesses surveyed felt they had no responsibility to ensure product safety standards.

### **Responsibility for product safety**

In line with the findings in 2020, businesses surveyed identified manufacturers as primarily responsible for setting product safety standards (66%), ensuring these standards are upheld (62%), and resolving product safety issues when they arise (65%). Less than a third (29%) of businesses felt the Government was responsible for setting product safety standards. However, this perception varied across businesses type and size, those with medium and large business were more likely to think that the government was responsible for setting standards (43% of those with 50 or more employees vs. 29% of all businesses).

### **Actions businesses take to ensure product safety**

Businesses surveyed said that they undertook a range of different listed actions to ensure high product safety standards are upheld. Most businesses reported that they would assist with product recalls (76%) and would assist in reporting faulty or counterfeit goods (73%). Medium and large businesses were more likely to report taking these listed actions, compared to smaller businesses.

The actions taken by businesses remained largely in line with 2020, though there was a drop in the proportion of businesses who would assist with product recalls (76% vs. 82% in 2020) and have a designated person or department responsible for product safety (25% vs. 30% in 2020).

The level of engagement with product registration remained low, with a minority (12%) of businesses reporting they encourage consumers to register their products. For some businesses, product registration was not applicable for their products; in the white goods sector, over two-thirds (68%) of businesses encouraged consumers to register their products. In line with 2020, the main reasons found for encouraging consumers to register products was in order to activate a warranty (73%), while one third (34%) did so for product safety reasons. Those that did encourage consumers to register their product most commonly did so via leaflets in the packaging (34%). Many organisations interviewed felt that product registration was very reliant upon the consumer choosing to register the product themselves, and there were some concerns from retailers around asking customers for their contact details in order to register product on their behalf.

The majority of organisations interviewed had not experienced a product recall, and most were confident they would not. Very few had a plan in place of what to do in the case of a recall, typically those that did had experienced a recall in the past and would follow the same steps again. There was no consistency in the approaches retailers would take, however many would contact the manufacturer and supplier and believed they would resolve the issue. This is echoed in the quantitative phase as two-thirds (66%) of

businesses surveyed had not heard of the PAS 7100 Code of Practice<sup>3</sup> (Supporting Better Product Recalls), an increase from 60% in 2020.

Awareness of PAS 7050 Code of Practice<sup>4</sup> (Bringing Safe goods to the market) was also found to be low, with 74% of businesses reporting they had not heard of it. 1% of businesses surveyed had used it.

### **Product specific questions: Mitgating the risks of button batteries**

Businesses that were relevant were also asked specific safety questions about button and coin batteries. Among businesses who handle products containing these batteries, awareness of related requirements was low. Slightly more than two in ten (22%) of businesses had heard of any of the listed requirements relating to button and coin batteries, although awareness was much higher among manufacturers (64%).

Among all businesses who handle products containing button or coin batteries, one third (33%) took action to mitigate their risks, most often to display a warning on the product (19%) or to ensure battery compartments are contained (17%).

### **Sources of support and information**

As in 2020, businesses surveyed reported suppliers (67%) and manufacturers (61%) were the most common sources of information for ensuring that they are complying with product safety. Again, they were also reported as the most useful source of information (suppliers 28%; manufacturers 22%).

Organisations interviewed typically felt there were sufficient guidelines and resources already available to ensure that product safety standards are maintained. This was echoed in the quantitative phase as 88% of businesses surveyed (in line with 2020) felt they had all the support and guidance needed to ensure compliance with product safety legislation. However, there was a sense among organisations interviewed that larger businesses may have an advantage in access to resources. Suggestions for additional support included regulators providing more educational resources, such as webinars and podcasts on product safety guidance.

Interaction with National Quality Infrastructure delivery bodies whose customers are largely businesses, such as the UK Accreditation System and British Standards Institute was generally limited to manufacturers (particularly those in the white goods or electronics sector) trade associations and Local Authorities. Almost no other businesses had any interaction with these bodies. Trade associations, Local Authorities, and some legal firms mentioned having interaction with the Chartered Trading Standards Institute.

### **Awareness and understanding of OPSS**

Awareness of OPSS remained low among businesses surveyed; 78% of businesses had not heard of OPSS prior to the survey. However, this represented an improvement from 2020, when 86% of businesses had not heard of OPSS. Medium and large sized businesses were more likely to have heard of OPSS than sole traders and businesses of 1-9 employees (36% of those with 50+ employees vs. 19% of sole traders). As was the case in 2020, setting guidelines for best practice was the most common understanding of

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<sup>3</sup> [PAS 7100 - Supporting Better Product Recalls | BSI \(bsigroup.com\)](#)

<sup>4</sup> [PAS 7050 Bringing safe products to the market - Code of practice | BSI \(bsigroup.com\)](#)

OPSS' role (39% among businesses that had heard of OPSS). This was followed by ensuring guidelines and standards are met (25%). Over a third (36%) of businesses that had heard of OPSS did not know what the role of OPSS was.

Low awareness of OPSS was echoed in the qualitative interviews; those who had interacted with OPSS tended to be specialists within the industry such as legal firms, trade associations, and Local Authorities. However, most organisations who had interacted with OPSS were generally positive about their experience and the role of OPSS in the industry.

### **The role of Local Authorities**

Interaction with Local Authorities remained low in 2022. Overall, one in twenty (5%) of businesses surveyed had interacted with Local Authorities regarding product safety issues, in line with 2020. Businesses with over 50 employees were more likely to have had any interaction with Local Authorities compared (15% vs. 3% of sole traders). Among those businesses surveyed who had interacted with Local Authorities, the most common reason for this was needing advice on complying with product safety legislation, an increase since 2020 (79% vs. 59%). Awareness of Primary Authority Partnership was particularly low, 18% of businesses surveyed had heard of them and 1% had one.

Most of the businesses interviewed had experienced no interaction with Local Authorities and were under the impression that the only reason they would is if there had been a complaint about one of their products. Trade associations and Local Authorities themselves generally felt that Local Authorities did not have the necessary resources to have a more proactive relationship with businesses.

### **Key challenges**

As we found in 2020, most businesses (65%) did not believe that they faced any challenges regarding product safety compliance. Where concerns were mentioned, the concern most commonly mentioned was reliance on others to meet standards (8%), rather than concerns about their own capacities. There were more concerns from businesses surveyed about the challenges that their industry faced, with three in ten (30%) saying their industry faced no challenges. Around one in eight (12%) businesses said that there were challenges within their industry of consistency and reliability of everyone in the supply chain. There was concern particularly among organisations interviewed qualitatively about the rise in online marketplaces and the lack of accountability that third party sellers outside of Europe faced. However, the survey results present a slightly more balanced picture with around a quarter (26%) disagreeing that there is effective regulation in place to ensure that products sold by third parties through online marketplaces to UK customers are safe and 46% agreeing. Three percent of businesses had changed production or used different materials a result of price inflation, however this rose to almost a quarter (23%) among manufacturers.

### **Future opportunities**

Organisations interviewed in the qualitative research strand were asked to reflect on future opportunities which could improve the product safety system. Three key themes emerged, the first of which was the availability of a support body businesses could contact for help and advice, particularly around interpreting guidance. Those who were aware of OPSS felt existing guidance and resources (such as webinars) already available from the department could be better promoted to businesses. The second theme concerned clearer guidance,

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particularly following divergence from the EU. The final theme centred around considerations of future innovation. This included technological advances to improve product safety – such as ‘smarter’ products better able to monitor and automatically respond to faults – as well as opportunities for OPSS to extend their guidance and reach to cover new and rapidly evolving products (such as the use of new and potentially harmful chemicals).



## Introduction

### Background

One goal of the Office for Product Safety and Standards (OPSS) is to strengthen the evidence base for the development of product safety policy, delivery, and enforcement. As such, it launched its Strategic Research Programme in May 2018 and, in August of the same year, its strategy for strengthening product safety. Central to both of these initiatives is a suite of research projects to build on the OPSS's understanding of the actors within the system; their attitudes, current behaviours, and how Government may seek to impact those behaviours. Research to date had primarily focussed on the views and behaviours of consumers in relation to product safety; this project aims to complement this existing work by building a greater understanding of supply-side issues in the system.

Specifically, the objectives of the research were to investigate and track perceptions and attitudes towards product safety, and the product safety system; and to identify the extent to which these perceptions and attitudes vary across different system actors.

This report summarises the second wave of research fieldwork, carried out in 2022; the first wave was carried out in 2020. Comparisons to the first wave are made throughout this report where relevant, and full findings from that initial study can be found in the published report on [gov.uk](https://www.gov.uk)<sup>5</sup>.

### Methodology

All fieldwork was commissioned by the Department for Business, Energy & Industrial Strategy (BEIS) and conducted by IFF Research, an independent research company. This was a mixed-method research project comprising of a qualitative and quantitative research strand. The quantitative research strand consisted of a Computer Assisted Telephone Interview (CATI) survey with 1000 businesses, covering a broad range of sectors (see Figure 1). Survey fieldwork ran between June and July 2022. The qualitative research encompassed 35 depth interviews with a range of organisations (detailed in table 2) between September and October 2022.

#### Profile of respondents in quantitative survey

Table 1 and Figure 1 show a profile of the 1000 businesses who took part in the 25-minute CATI survey. It should be noted that businesses were sampled based on their SIC Code, but were asked to identify, during the survey, what their primary business function was, the results shown in Table 1 show business responses to this question.

**Table 1. Number of businesses surveyed by size and business type**

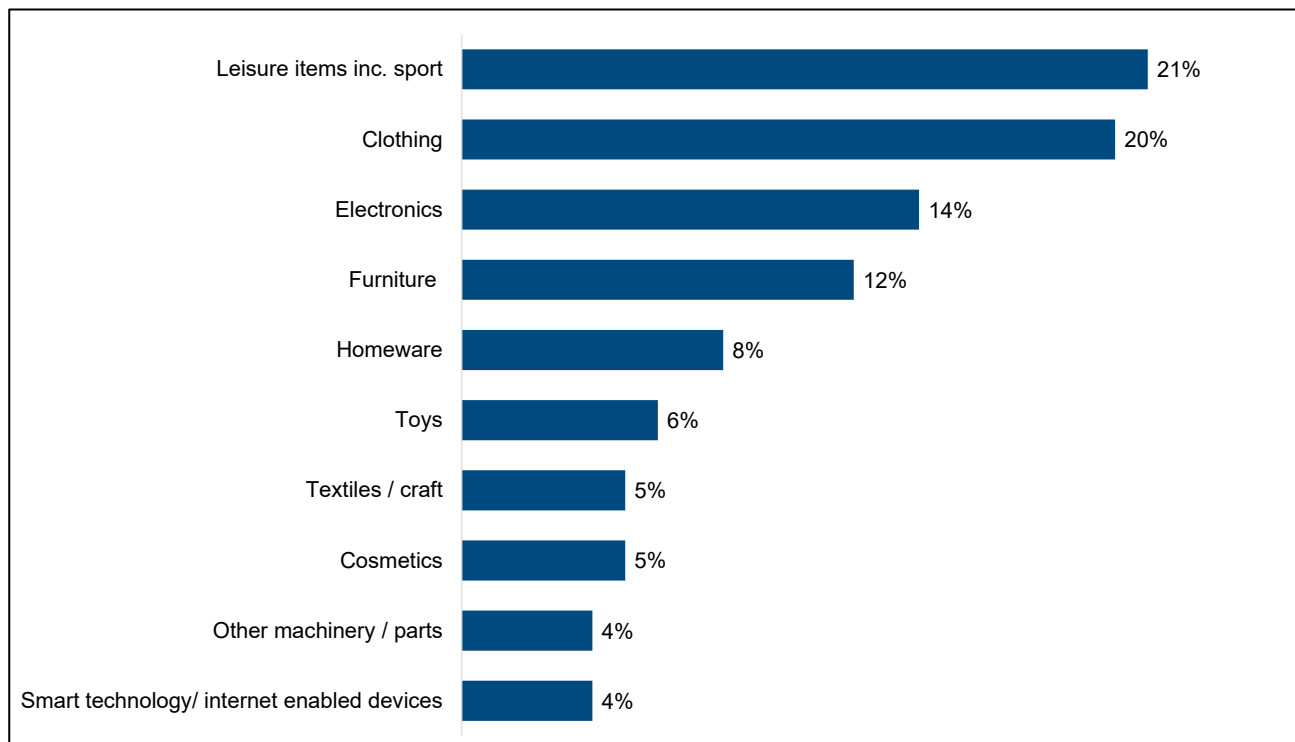
| Primary business type | Sole (0) | Micro (1-9) | Small (10-49) | Medium (50-249) | Large (250+) | Total |
|-----------------------|----------|-------------|---------------|-----------------|--------------|-------|
| Retailer              | 56       | 199         | 19            | 20              | 11           | 305   |
| Manufacturer          | 38       | 145         | 112           | 96              | 26           | 417   |

<sup>5</sup> [Product Safety and Industry: Main Report \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk)

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|                          |     |     |     |     |    |       |
|--------------------------|-----|-----|-----|-----|----|-------|
| Installer                | 3   | 27  | 11  | 5   | 0  | 46    |
| Wholesaler               | 6   | 47  | 28  | 15  | 5  | 101   |
| Distributor <sup>6</sup> | 5   | 21  | 10  | 12  | 3  | 51    |
| Repairer                 | 22  | 45  | 7   | 5   | 1  | 80    |
| Total                    | 130 | 484 | 187 | 153 | 46 | 1,000 |

**Figure 1. Main sector of businesses surveyed**

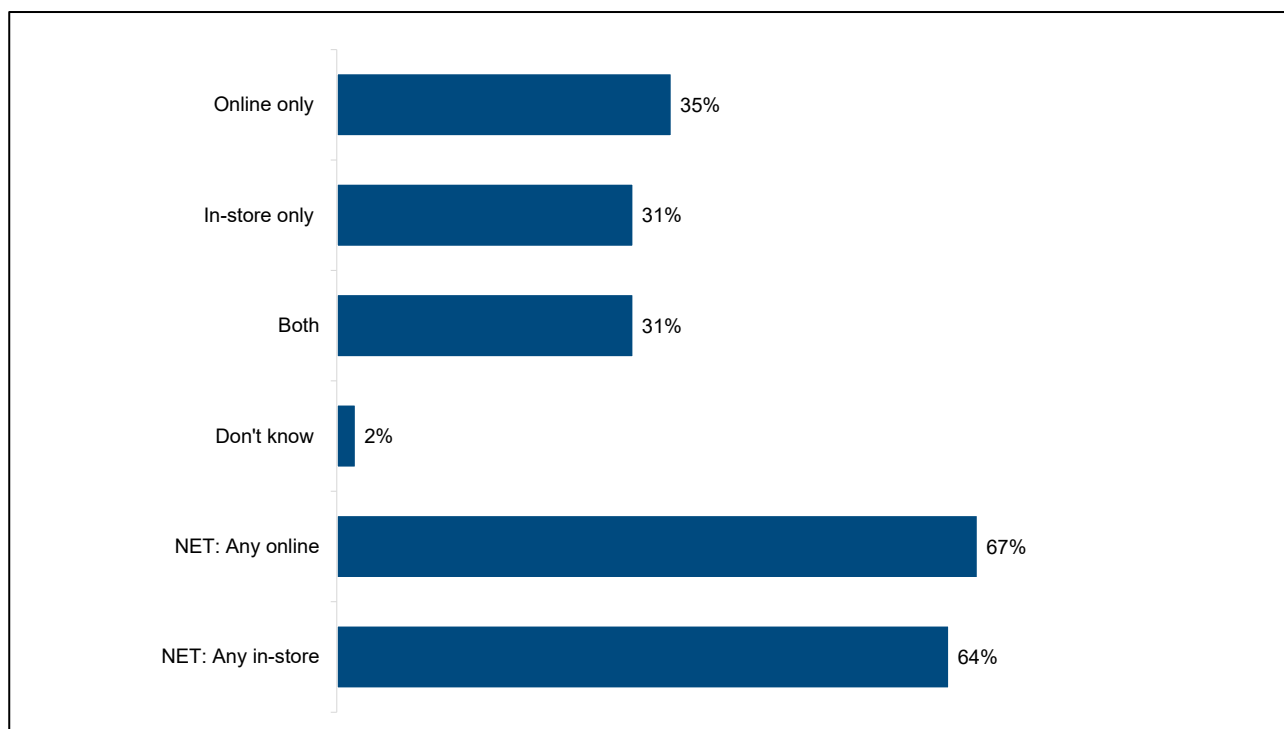


. A4. What type of product does your company [sell/manufacture/install/distribute/repair]? Base: All businesses (1000)

A range of online and instore retailers are represented in the survey findings. As shown in Figure 2 below, 67% of retailers surveyed sold products online. Among these, 78% sold through their own website or app, 24% sold through third-party online marketplaces (such as Amazon Marketplace or eBay) and 13% sold through third-party social media marketplaces (such as Facebook marketplace).

<sup>6</sup> Distributor category encompasses distributors, wholesalers and fulfilment services providers.

**Figure 2. Methods used by retailers to sell their products**



A5. Do you sell your product in-store or online? Base: All retailers (428)

**Profile of respondents in qualitative depth interviews**

Table 2 shows the profile of the respondents who took part in the qualitative depth interviews.

**Table 2. Number of completed depth interviews by main sector, where relevant**

| Primary business type   | Electronics | Toys | Cosmetics | 'Smart' technology | Clothing | Total |
|-------------------------|-------------|------|-----------|--------------------|----------|-------|
| Retail and distribution | 3           | 1    | 1         | -                  | 2        | 7     |
| Manufacturer            | 7           | -    | -         | -                  | 1        | 8     |
| Repair and Installation | 2           | 1    | -         | 1                  | 1        | 5     |
| Total                   | 12          | 2    | 1         | 1                  | 4        | 20    |

Please note table shows main product type only. 'Smart' technology includes internet-enabled devices.

In addition to the 20 respondents detailed in table 1, in-depth interviews were also carried out with representatives from 1 response management company, 3 insurance companies, 3 trade associations, 3 trading standards officers and 5 legal advisers.

Table 3 shows the breakdown of the size of the businesses interviewed qualitatively, by primary business type.

**Table 3. Number of completed depth interviews by size, where relevant**

| <b>Business size by number of employees</b> | <b>Sole trader</b> | <b>Micro (1-9)</b> | <b>Small (10-49)</b> | <b>Medium (50-249)</b> | <b>Large (250+)</b> | <b>Total</b> |
|---|--------------------|--------------------|----------------------|------------------------|---------------------|--------------|
| Retail and distribution                     | -                  | 6                  | 1                    | -                      | -                   | 7            |
| Manufacturer                                | -                  | 1                  | 1                    | 6                      | -                   | 8            |
| Repair and Installation                     | 1                  | 4                  | -                    | -                      | -                   | 5            |
| <b>Total</b>                                | <b>1</b>           | <b>11</b>          | <b>2</b>             | <b>6</b>               | <b>-</b>            | <b>20</b>    |

### Weighting approach and standard error

The sample was originally selected based on relevant Standard Industrial Classification (SIC) codes<sup>7</sup>, and screener questions at the start of the survey ensured that only in-scope businesses completed the survey. Responses from the quantitative survey were weighted by business type to be representative of all businesses in scope for the research.

Therefore, it should be noted that quantitative survey results are representative only of businesses in scope for the research (retailers, manufacturers, distributors, repairers and installers) rather than all UK businesses.

Where results are reported from 'all businesses' (n = 1,000), the maximum standard error based on the 'worst case scenario' of a response of 50%, at the 95% confidence level is +/- 3.1 percentage points. Results reported on a subset of respondent will be based on a smaller sample size and therefore the maximum standard error will be greater. For example, results from manufacturers only (n=417) have a maximum standard error of +/- 4.8 percentage points (based on a response of 50% at the 95% confidence level).

Further details on the methodology and weighting approach and maximum standard error can be found in the accompanying technical report.

### Reporting conventions

Throughout the report, references to 'organisations interviewed' refers to the qualitative research strand, and reference to 'businesses surveyed' refers to the quantitative research strand. Where percentages are given, these exclusively refer to quantitative survey findings.

Throughout the report references to businesses size are based on number of employees. 'Large' businesses refer to those with 250 employees or more, 'medium' refers to 50-249 employees, 'small' refers to 10-49 employees and micro refers to 1-9 employees. Sole trader refers to a self-employed business owner with no employees.

<sup>7</sup> SIC 2007 codes 13,14,22,26,27,21,31,95,46,47

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'Distributor' is used as shorthand throughout for the distributor / fulfilment centre / wholesaler category.

When percentages are provided in the text for sub-groups such as by size and sector, this proportion of this sub-group that gave an answer is statistically significantly different to the average of those not in this sub-group, at the 95% confidence level. The phrasing "most likely", "more likely than average" or "particularly likely" etc. is used as a shorthand for this.

Unless explicitly noted, all findings are based on weighted data. Unweighted bases (the number of responses from which the findings are derived) are displayed on tables and charts as appropriate to give an indication of the robustness of results.

Please note that results may not sum to 100% due to rounding and/or due to businesses being able to select more than one answer to a question.

# 1. Perceptions of product safety in industry

This section looks at overall perceptions of product safety standards in the UK, what works well and the motivations that businesses have to ensure standards are upheld.

## Views on product safety standards in the UK

As in 2020, organisations interviewed qualitatively believed that the UK has very high standards of product safety. It was felt that product safety was well regulated and existing standards, such as the CE mark, were trusted.

“In the UK, there are high standards which are adhered to and high expectations in terms of safety of product put onto the market. There are other regulators in Europe where there is a greater involvement in matters ... the regulators [in the UK] probably get a good balance between the interest of manufacturers and the interest of consumers”

**Insurer**

There was some variation among businesses that were able to maintain high standards of product safety and medium sized and larger businesses often had the ability to implement better systems that were more likely to ensure product safety.

““We have third party testing on critical parts of the product. We have controls and it works okay”

**Manufacturer, Electronic, Medium**

Furthermore, larger businesses were likely to be more concerned about their liabilities and therefore required more dedication to ensuring product safety.

“[Product safety] awareness differs more by business size than by sector. Big companies have huge liability, so have big teams that specialise in abiding by product safety regulations...they're often ahead of the curve”

**Trading standards**

As with the findings from 2020, organisations tended to agree that the UK and Europe had standards that were superior to other parts of the world, and there remain concerns among organisations about the safety of products manufactured outside of the UK.

"The rules in general for Europe are fairly good, fairly robust, most people follow those, they're not flouted highly because of the penalties involved. Those that are outside of that jurisdiction have a little more leeway to be more flagrant with those requirements."

**Distribution, Medium, Electronics**

Some organisations felt the UK's exit from the EU had been well managed and had not impacted the standards of product safety; however, there remained concerns on the impact of divergence from the EU, especially regarding differing legislation.

"I have colleagues where it's a full-time job to keep up with everything and it's worse now because we've got things in Europe happening separate to the UK and we're keeping up with two territories and that's much harder. And the majority of our members will trade with Europe, so we need to have systems that allow for the UK and for Europe. So divergences are a huge issue for us as well."

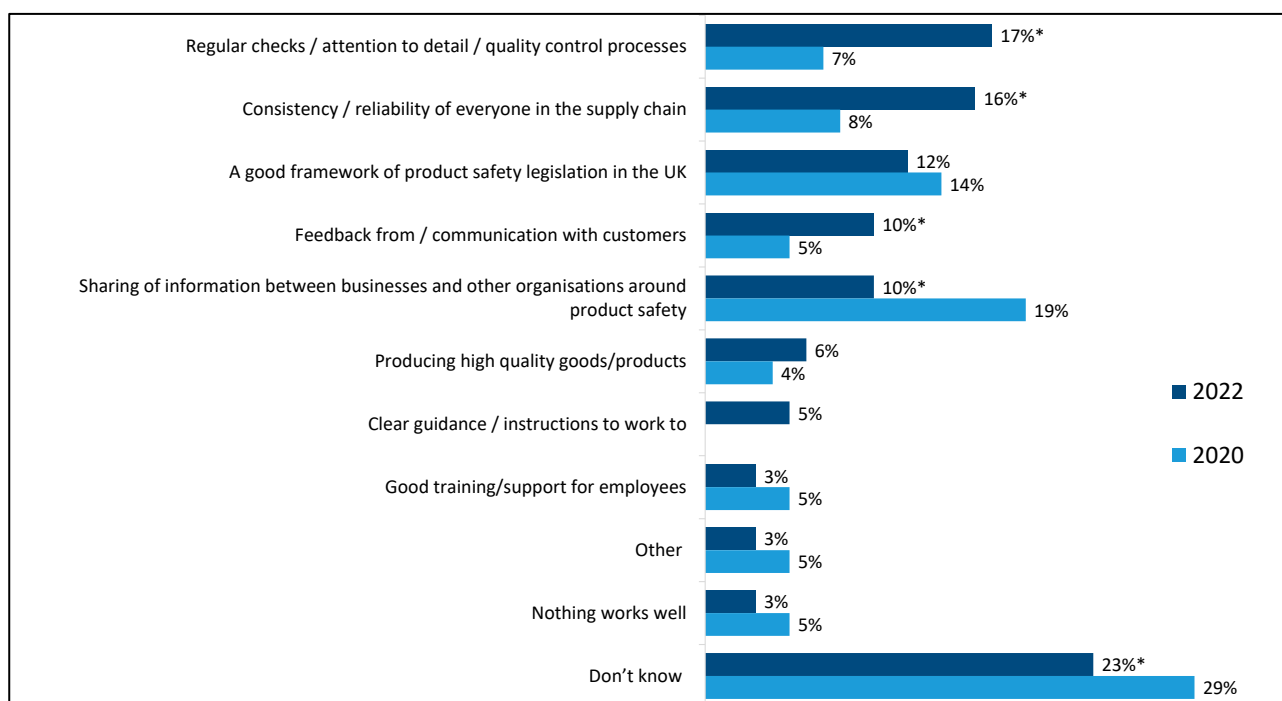
**Trade Association**

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The survey returned similar responses. Businesses were asked, as they were in 2020, what they think works well to ensure product safety in the industry. Figure 3 shows the responses from 2022, compared with 2020 and highlights there have been changes to the most selected things that work well.

In 2022, 17% of businesses felt that regular checks, attention to detail, and quality control processes worked well, a rise from 7% in 2020. A similar number of businesses (16%) felt that consistency and reliability of everyone in the supply chain worked well to help ensure product safety in their industry, a rise from 8% in 2020. There was also an increase in the number of businesses that felt that feedback from and communication with customers worked well (10% vs. 5% in 2020). However, 2022 saw a decrease in the number of businesses that felt that sharing of information between businesses and other organisations around product safety worked well (10% vs. 19%). The number of businesses that were unsure what worked well in their industry had fallen from 29% in 2020 to 23% in 2022, however it should be reiterated that, despite this relatively large number of businesses unsure of the specifics, qualitative results suggest that businesses generally believed that there were high standards of product safety in the UK.

**Figure 3. What works well to ensure product safety**



F2. And what do you think works well to ensure product safety within your industry? Base: All respondents: 2022 (1000), 2020 (1000). \*Indicates significant difference between 2022 and 2020.

Installers were most likely to feel that regular checks and quality control processes and consistency / reliability of everyone in the supply chain (33% and 32% respectively vs. 17% and 16% of all businesses). Similarly, manufacturers and repairers were most likely to think that sharing of information between businesses and other organisations worked well (both 18% vs. 10% of all businesses).

Large businesses (250+ employees) were more likely than smaller businesses to agree that the following worked well within their industry: a good framework of product safety

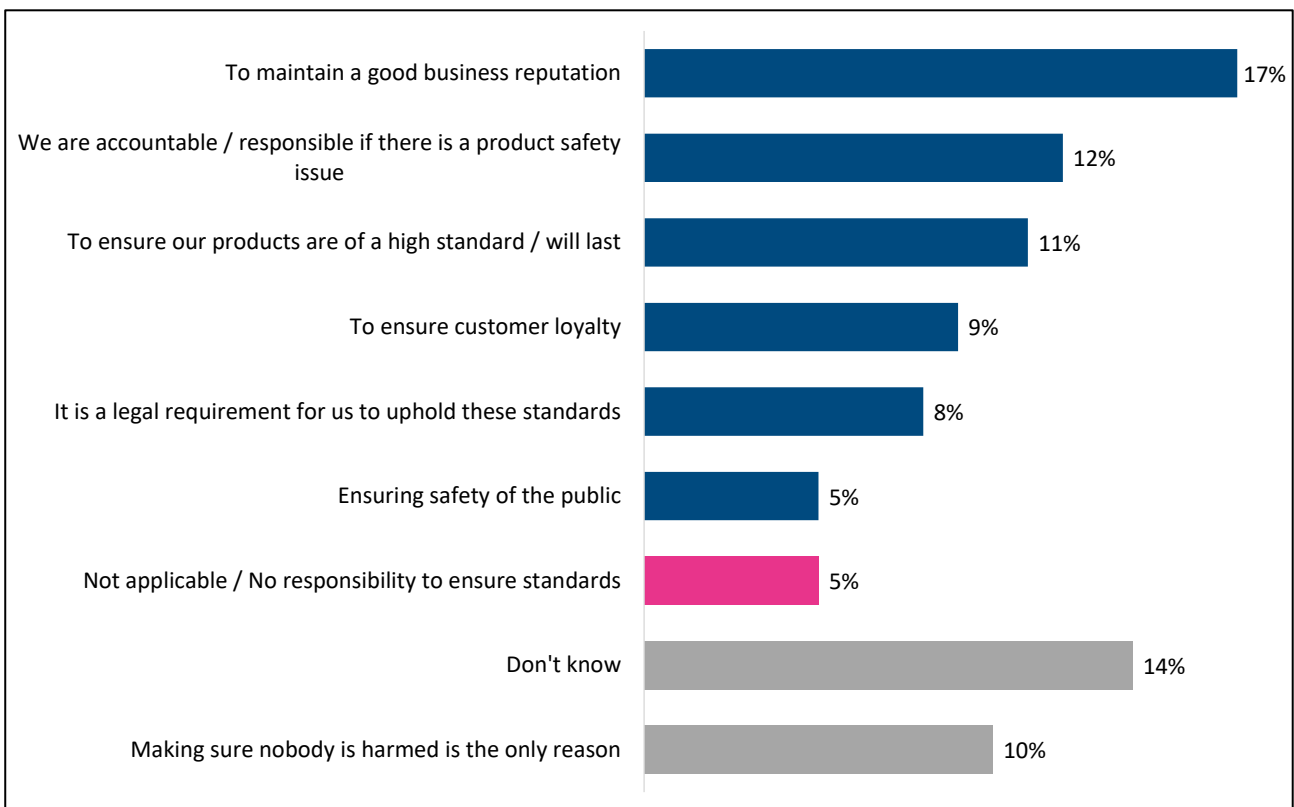


legislation in the UK (25% of businesses with 250 or more employees vs. 10% of sole traders and 13% of businesses with one to nine employees); and sharing of information between businesses and other organisations around product safety (25% large businesses vs. 10% sole traders and 14% micro).

### Motivations for ensuring product safety standards

The survey findings supported the qualitative research and generally remained consistent with 2020, however different response options were used in the 2022 research compared to 2020 so direct comparisons are not possible. Despite this, business reputation and responsibility remained the most common motivations for ensuring product safety (17% of businesses surveyed said they wanted to maintain a good business reputation and 12% said they felt they were accountable or responsible of there was a product safety issues), this can be seen in Figure 4.

**Figure 4. Motivations for ensuring product safety, other than ensuring nobody is harmed**



E2. Other than to make sure nobody is harmed, what is the primary reason your business ensures high levels of product safety standards? (1000)

Distributors and repairers were most likely to want to maintain a good business reputation (25% and 26% respectively), while retailers were least likely to agree with this (14%). Manufacturers were most likely to want to ensure their products are of a high standard and will last (18% vs. 11% of all businesses).

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Businesses from the 'smart' technology and electronics sector were more likely than all others to mention their accountability and responsibility if there was to be a product safety issue (36% and 19% respectively vs. 12% of all businesses).

The qualitative responses echoed the quantitative findings with a number of organisations mentioning they were concerned about their reputation and accountability regarding product safety. Manufacturers commented that they have responsibility not to let a product leave that is not up to standard and, even when their responsibility ends, their product was still in the market, and so their reputation was at risk.

*"I cannot let things go out the door that are knowingly bad because I literally carry some personal burden and responsibility for that. It helps to bring gravitas to one's role within the business."*

**Manufacturer, White goods, Large**

*"It's quite a long protracted period to when your responsibility ends, and even when it does, you've got that branded product out there in the marketplace, you may not have had anything to do it with it for years, but it's got your name all over it, and if something happens of an undesirable nature, your [brand] reputation could still be tarnished."*

**Manufacturer, White goods, Large**

## 2. Responsibility for product safety

This section looks at who organisations felt are responsible for product safety in the UK.

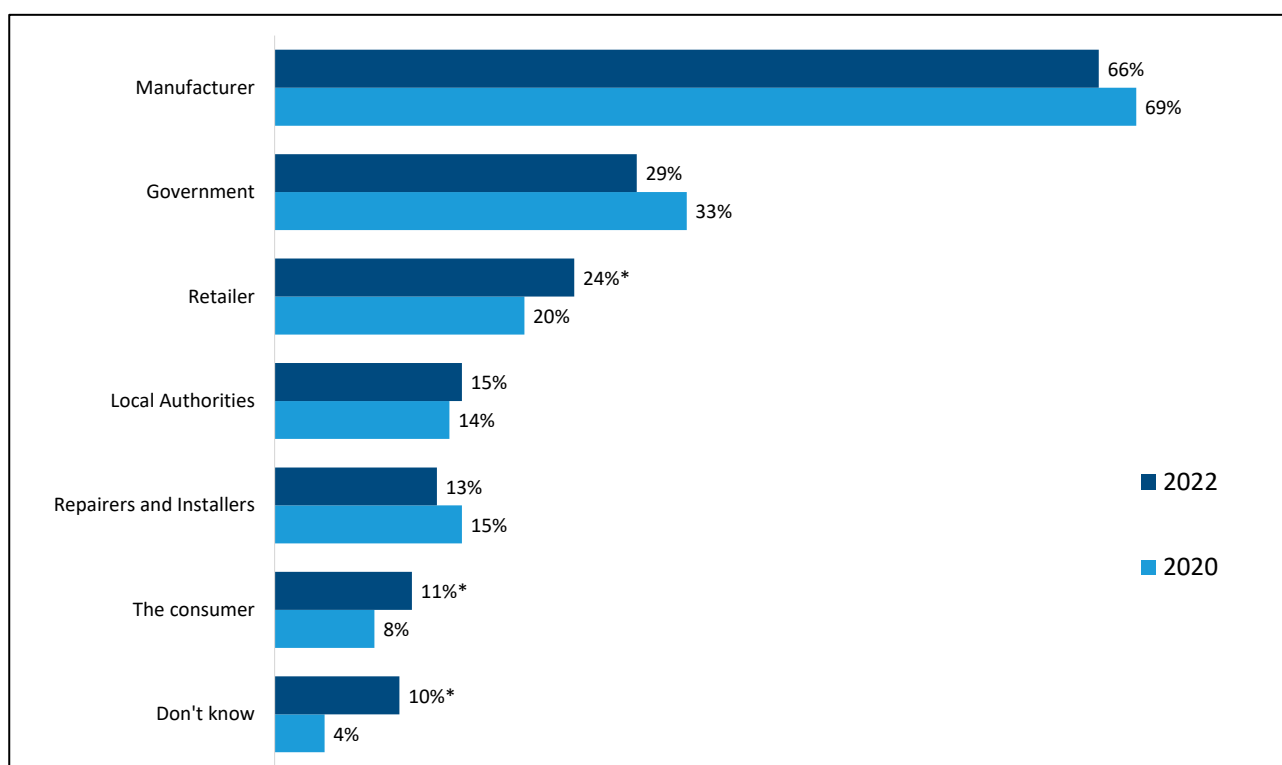
### Views on product safety standards in the UK

Businesses that took part in the survey were asked who they felt had responsibility for varying aspects of product safety in their industry. The results can be seen in Figure 5 to Figure 7 and are generally consistent with 2020 findings, where the manufacturer was considered to have the most responsibility.

#### Responsibility for setting product safety standards

Firstly, businesses were asked who had the most responsibility for *setting* product safety standards, two-thirds (66%) felt that it was the manufacturer and one in three (29%) felt that it was the government. There had been a slight increase in the proportion of businesses that felt that retailers have responsibility for setting product safety standards, with a quarter (24%) of businesses surveyed believing this was the case in 2022, compared to 20% in 2020. Similarly, more businesses in 2022 felt that the responsibility lay with the consumer, though this remained a small proportion (11% vs. 8% in 2020).

**Figure 5. Responsibility for setting product safety standards**



E1\_1. In your industry, who is most responsible for: Setting Product Safety? Base: All respondents: 2022 (1,000); 2020 (1,000). \*Indicates significant difference between 2022 and 2020.

Businesses of all functions were most likely to say that manufacturers were responsible for setting product safety standards, however retailers were more likely to say that this was the case compared to other functions (69% compared to 66% of all businesses).

## Product Safety and Industry Research: Wave 2

Retailers and installers were both most likely to say that businesses with their function had responsibility for setting product safety standards; three out of ten (31%) retailers felt that retailers had responsibility compared to a quarter (24%) of all businesses; whilst approaching six in ten (57%) installers felt that installers had responsibility, compared to 13% of all businesses.

Additionally, distributors were most likely to think that the government had responsibility for setting product safety standards (37% vs 29% of all businesses) and retailers were more likely than other functions to say that Local Authorities had responsibility (20% vs 15% of all businesses).

There was also some variation by sector, with businesses in the electronics sector more likely than other sectors to say that a range of actors were responsible for setting products safety standards including:

- Manufacturers (76% vs. 66% of all businesses),
- Government (37% vs. 29%),
- Local Authorities (23% vs. 15%),
- Repairers and installers (22% vs. 13%),
- Consumer (21% vs. 11%).

Similarly, businesses in 'smart' technology were most likely to think that the manufacturer had responsibility for setting product safety standards (92% vs. 66% of all businesses). Businesses in the electronics sector were most likely to think that the government were responsible for setting product safety standards (37% vs. 29%), while those in the clothing sector were most likely to think retailers had responsibility (30% vs. 24%).

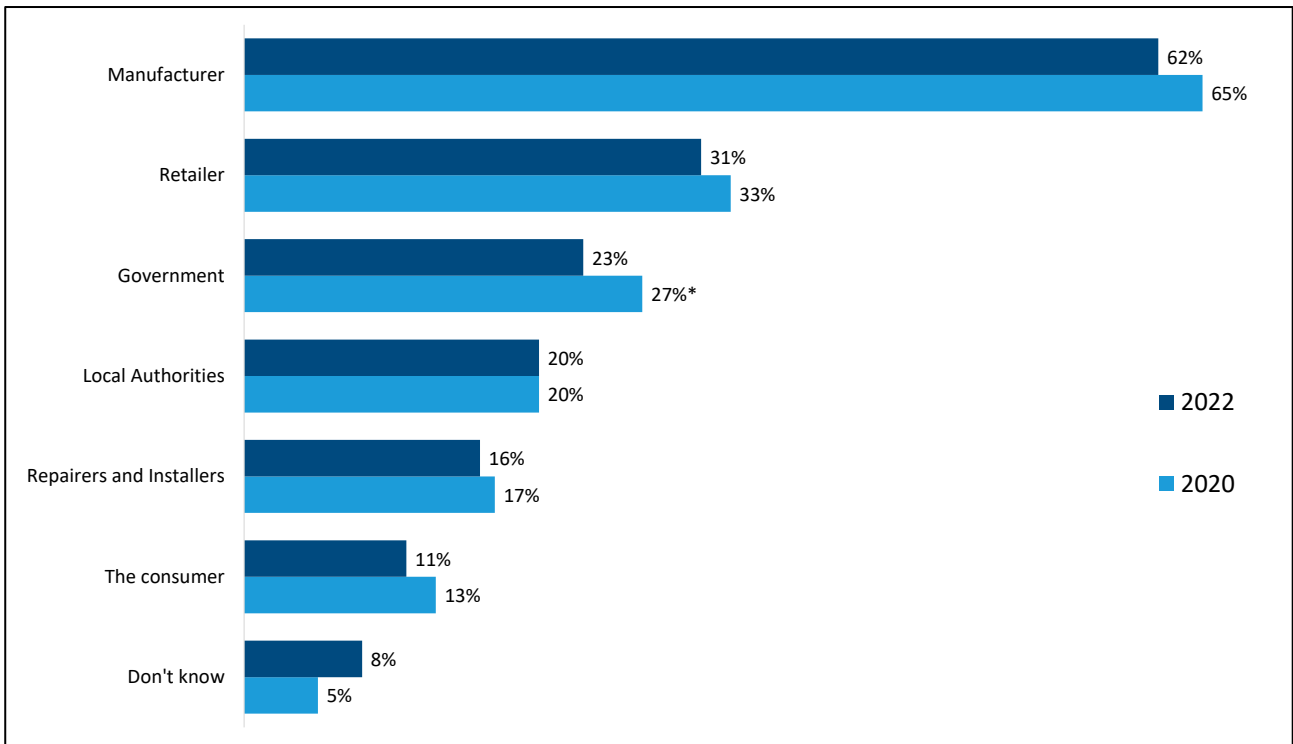
Medium sized and large businesses, those with 50 or more employees, were more likely to think that the government (43% vs. 29%) and repairers and installers (22% vs. 13%) had the most responsibility for setting product safety standards.

Businesses that had interacted with Local Authorities regarding product safety were much more likely than those that had not interacted with Local Authorities to think that government had the responsibility (68% vs. 28%) for setting product safety standards and much less likely to think it was the responsibility of the manufacturer (33% vs. 68%).

### **Responsibility for ensuring product safety standards are upheld**

Following from the previous section, businesses were asked who has the most responsibility for ensuring that the set product safety standards are upheld. Once again, the majority of businesses felt that this was the responsibility of the manufacturers (62%). As seen in 2020, retailers (31%) were considered by more businesses to be responsible for ensuring standards are upheld than the government (23%), and the proportion believing the government is responsible has dropped from 27% in 2020.

**Figure 6. Responsibility for ensuring product safety standards are upheld**



E1\_2. In your industry, who is most responsible for: Ensuring these standards? Base: All respondents: 2022 (1,000); 2020 (1,000). \*Indicates significant difference between 2022 and 2020.

Manufacturers themselves agreed they had primary responsibility to ensure product safety standards are upheld. Indeed, they were more likely to put this responsibility onto the manufacturing industry than other business types were (68% of manufactures believed manufacturers have primary responsibility vs. 62% of all businesses). This tendency towards self-ownership of responsibility for upholding product safety standards was also reflected in findings from retailers (42% of retailers believed retailers were responsible vs. 31% of all businesses), installers (65% of installers believed repairers/installer were responsible vs. 16% of all businesses) and repairers (33% of repairers believed repairers/installer were responsible vs. 16% of all businesses).

On top of this, retailers were more likely than average to believe that manufactures (65% vs. 62%) and Local Authorities (23% vs. 20%) were responsible for ensuring safety standards are upheld, while repairers were more likely than average to believe that the Government were responsible (32% vs. 23%).

Businesses in the electronics sector were once again more likely to place responsibility at the door of a number of actors including:

- Manufactures (70% vs. 62%),
- Retailers (38% vs. 31%),
- Government (31% vs. 23%),
- The consumer (21% vs. 11%).

Businesses in the ‘smart’ technology sector were more likely to than average to think the government had a responsibility to ensure that safety standards were upheld (37% vs. 21% overall).

There was, once again, variation by business size and employers with 250 or more employees were more likely than average to place responsibility with the following actors:

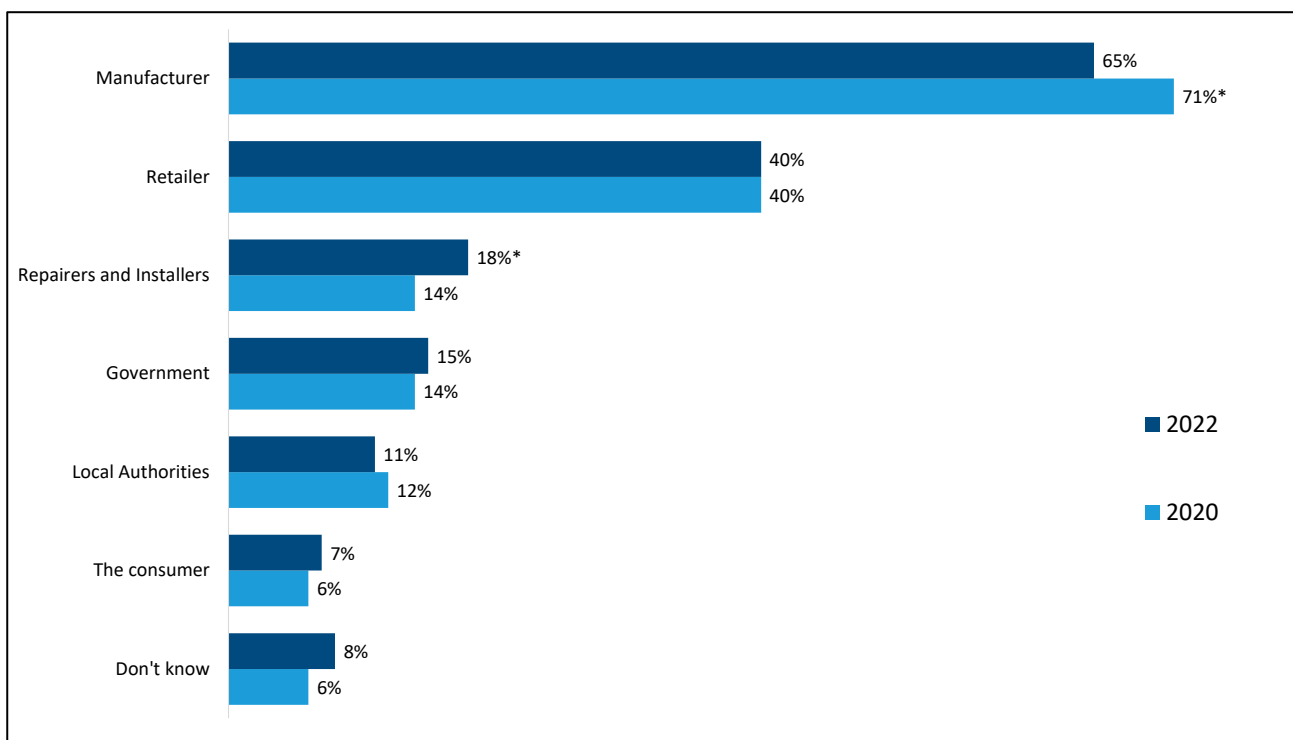
- Retailers (47% compared to 31%),
- Government (52% compared to 23%),
- Local authorities (40% compared to 20%),
- Repairers and Installers (28% compared to 16%).

### Responsibility for resolving product safety issues when they arise

Finally, businesses were asked who they felt had most responsibility for resolving product safety issues when they arose. Manufacturers remain the most chosen actor for responsibility in this area (65%) and retailers remain the second most common actor (40%).

Around one in five (18%) businesses felt that repairers and installers had responsibility for ensuring product, an increase from 14% in 2020. The proportion who felt manufacturers had responsibility had fallen to 65% in 2022 from 71% in 2020.

**Figure 7. Responsibility for resolving product safety issues when they arise**



E1\_3. In your industry, who is most responsible for: Resolving product safety issues when they arise? Base: All respondents: 2022 (1,000); 2020 (1,000). \*Indicates significant difference between 2022 and 2020.

As with the previous two questions, businesses from each function placed greater responsibility on themselves compared to other businesses:

- 91% of manufacturers felt manufacturers had responsibility (vs. 65% of all businesses),
- 54% of retailers felt retailers had responsibility (vs. 40% of all businesses),

## Product Safety and Industry Research: Wave 2

- 64% of installers felt installers/repairers had responsibility (vs. 18% of all businesses), and;
- 54% of repairers felt installers/repairers had responsibility (vs. 18% of all businesses).

Additionally, retailers were more likely to say Local Authorities were responsible for this (13% vs. 11%) and distributors were more likely to say consumers were responsible (11% vs. 7%).

Once again, businesses in the electronics sector were more likely than average to place responsibility for resolving product safety issues on across a range of actors:

- 31% said repairers and installers (vs. 18% of all businesses),
- 20% said government (vs. 15%),
- 17% said Local authorities (vs. 11%).

Businesses in the 'smart' technology sector were more likely than average to place responsibility on repairers and installers (38% vs. 18%) and the Government (29% vs. 15%).

Sole traders were more likely to say they did not know who the responsibility lay with (10% vs. 8%), while businesses with more than 50 employees were more likely to place responsibility on repairers and installers and the largest businesses (26% vs. 18%).

### 3. Actions businesses take to ensure product safety

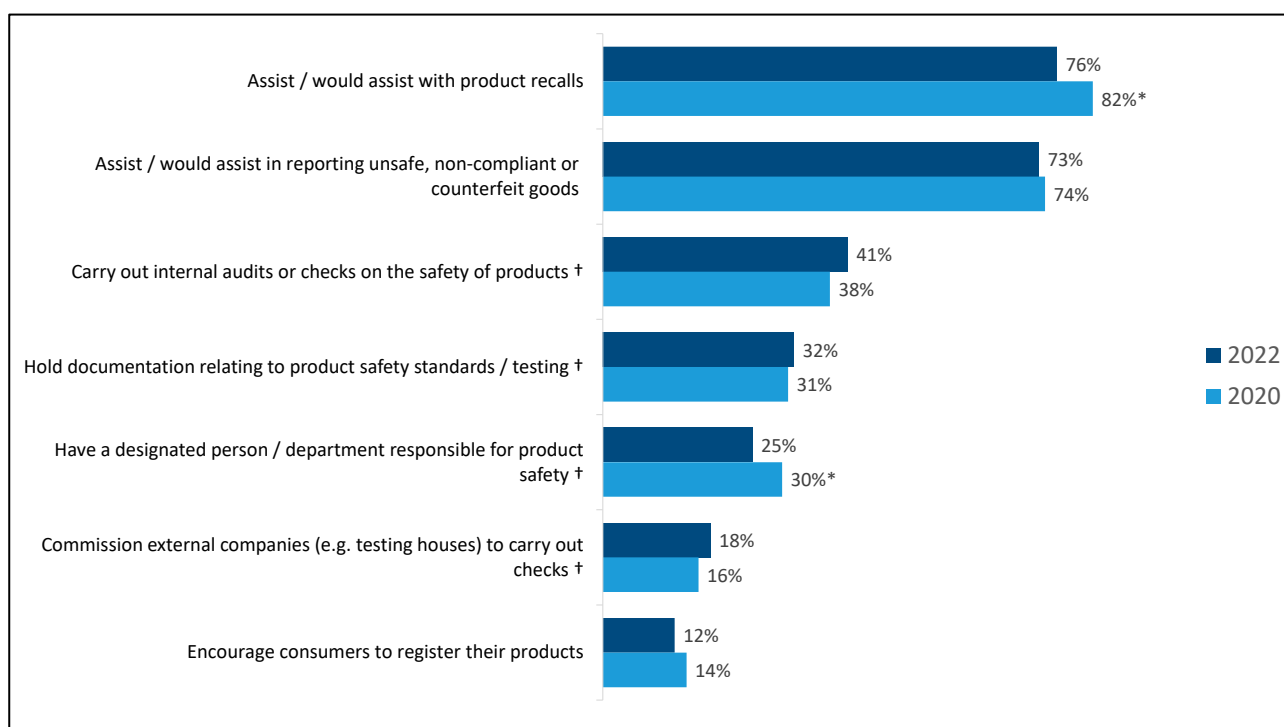
This section looks at the range of actions businesses take to ensure high standards of product safety, including engagement with product registration and recalls. It also investigates awareness of product safety guidance and specific actions businesses take to mitigate the risks of button batteries in their products.

#### Actions taken to ensure product safety

Businesses surveyed reported undertaking several different actions to ensure high standards are upheld. In line with findings from 2020, the most common actions businesses take are to assist with product recalls (76%) and assist with reporting faulty or counterfeit goods (73%).

As shown in Figure 8, there has been a slight reduction in the proportion of businesses who already assist or would assist with product recalls (76% vs. 82% in 2020) and in the proportion who have a designated person or department responsible for product safety (25% vs. 30% in 2020). As discussed later in the [Chapter 9](#), this may be related to the economic climate at the time of fieldwork, namely the increased need for businesses to cut internal costs where possible.

**Figure 8. Actions taken to ensure product safety standards**



C1. Do you or your organisation...? Base: All respondents: 2022 (1000), 2020 (1000). † Indicates code only shown to retailers, manufacturers and distributors. \* Indicates significant difference between 2022 and 2020.



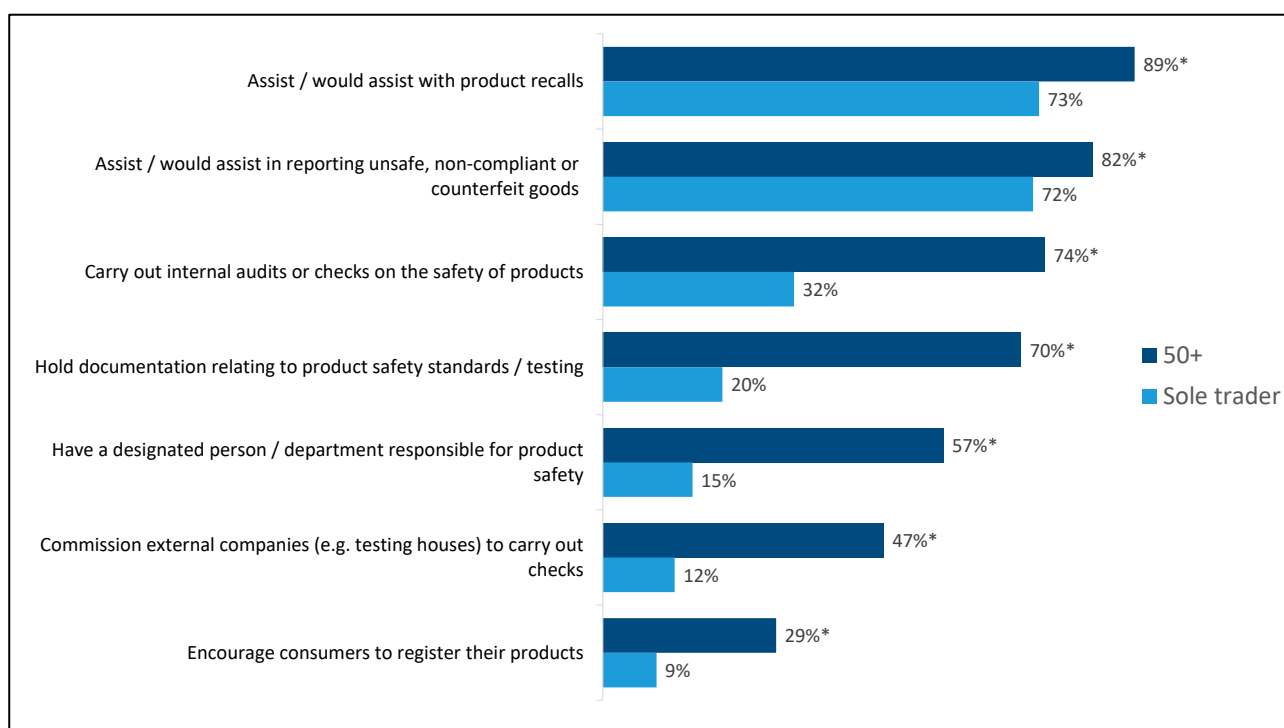
## Product Safety and Industry Research: Wave 2

Some differences can be observed by business type and sector, with distributors being the most likely to assist with reporting unsafe, non-compliant or counterfeit goods (81% vs. 60% of manufacturers and repairers). Distributors were also more likely than manufacturers and retailers to hold documentation relating to product safety standards or testing (57% vs. 38% manufacturers and 27% retailers). In addition to this, businesses in the electronics sector were more likely than any other group to assist with the reporting of unsafe, non-compliant or counterfeit goods (82% vs. 73% of all businesses).

An investigation of the businesses who were more and less likely to assist in a product registration is discussed further in the next section.

In line with findings from 2020, larger businesses were more likely to take steps to ensure product safety. Indeed, as show in figure 9 below, medium and large businesses were more likely to take each of the listed actions, compared to sole traders.

**Figure 9. Actions taken to ensure product safety standards, by business size**



C1. Do you or your organisation...? Base: Businesses with 50 or more employees (199), Sole traders (130).

† Indicates code only shown to retailers, manufacturers and distributors. \* Indicates significant difference between 2022 and 2020.

### Use of risk assessments

Organisations interviewed in the qualitative research strand were also asked specifically about their use of risk assessments. These were found to be commonly used by the manufacturers interviewed, who typically carry out formal risk assessments during the design and testing phase of a new product. The risk assessments detailed by manufacturers interviewed covered not only risks due to faults or 'wear-and-tear' of the products, but also related to consumer use.

*“Part of the initial new product instruction process includes a risk assessment of what could go wrong with a product as well as identifying typical usage so in our technical file will be a risk assessment ... within [BS EN 61010-1], there are various things we have to look for so we will do all the checks on that as well as what might wear out, so we do reliability checks on that as well”*

**Manufacturer, electronics**

*“Risk assessments cost [our business] hundreds and hundreds of pounds because... when you are selling a product to someone who might hire it out, you need to provide them that assessment. [The assessment] needs to take in a huge range of things, like where [the product] might be used.”*

**Manufacturer, electronics**

*“[The business] will conduct a risk assessment as part of the technical file for each product. This technical file will contain safety certifications...also the risk assessments will consider safety aspects of installation of the product, for example the height it will be installed.”*

**Distributor, electronics**

Organisations further down the supply chain, such as retailers, typically trusted that manufacturers would have carried out thorough risk assessments as part of their testing and design procedures.

## **Product registration**

### **Business engagement with product registration**

As seen in 2020, the level of engagement among businesses with product registration remains low (12% of all business encourage registration). However, a large amount of variance could be seen in registration rates between sectors. For many, such as those in the clothing sector, product registration was not available for their products. Over two thirds (68%<sup>8</sup>) of businesses in the large white goods sector encouraged consumers to register their products, as did 54% in the ‘smart’ technology sector and 33% in the electronics sectors. In line with findings from 2020, one in fifty (2%) businesses in the toys sector encouraged consumers to register.

As previously discussed, sole traders were less likely to encourage consumers to register their products (9% vs. 29% of medium and large businesses).

Installers and repairers were more likely to encourage consumers to register their products (35%, 24% respectively) and least likely were manufacturers themselves (6%), potentially as manufacturers are less likely to interact with the consumers directly.

Organisations spoken to in the qualitative research strand felt that the product registration system was highly reliant on consumer engagement. In some cases, organisations felt unable to promote or 'push' product registration, given sensitivities around asking for any personal data, such as consumer contact details.

*“Asking consumers for their details to help with registration can be contentious...even if it is for good reasons...people feel it is intrusive and an invasion of privacy.”*

**Trade Association**

Some organisations felt that product registration was the responsibility of the manufacturer, and so did not feel any onus to encourage consumers to register their product.

*“[Product registration has] no impact on my industry, it is not my remit. I will exchange a product if it is found to be faulty or broken, regardless of product registration, as long as the purchase is traceable in my system. I would not encourage customers to register their products because that’s the manufacturer’s responsibility.”*

**Distributor, mixed sector**

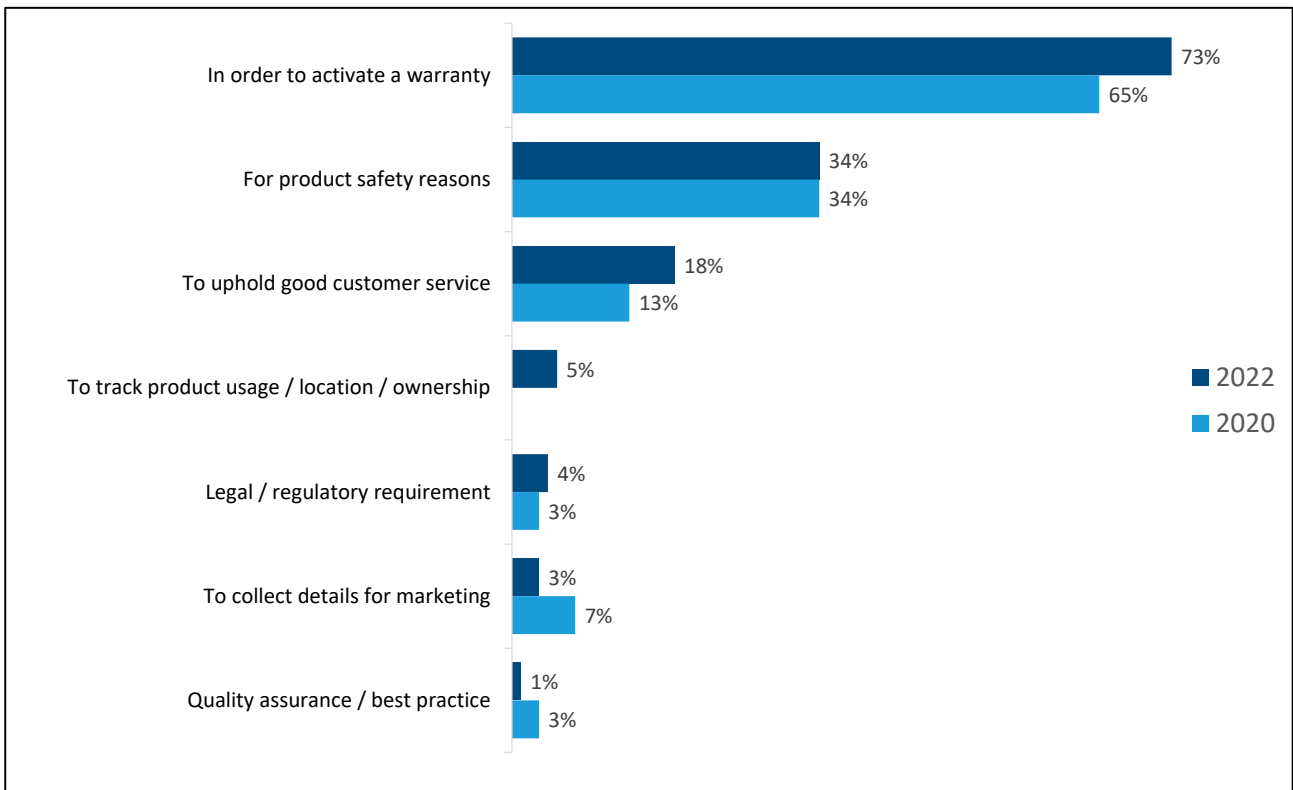
*“Our manufacturers encourage registration by including product registration cards with each product. [Our business is not] involved in the process it’s down to the individual (consumer)”*

**Retailer, electronics**

### **Reasons for encouraging product registration**

Businesses who encouraged consumers to register their products were asked a spontaneous response question about why they do so. As seen in figure 10, results remained in line with 2020, with the majority (73%) of businesses encouraging registration in order to activate a warranty. Around a third (34%) of businesses encouraged consumers to register products for product safety reasons.

**Figure 10. Reasons for encouraging product registration**



. C3. Why does your business encourage consumers to register their products? Base: All businesses who encourage consumers to register products: 2022 (174), 2020 (187)

Retailers were the most likely group to encourage registration in order to activate a warranty (78% vs. 49% of manufacturers). Manufacturers were more likely to state upholding good customer service as a reason for encouraging product registration (63% vs. 12% of retailers).

Few organisations interviewed in the qualitative research strand felt incentivised to actively encourage product registration. However, one retailer explained this was part of their ethos of going the extra mile as a premium brand.

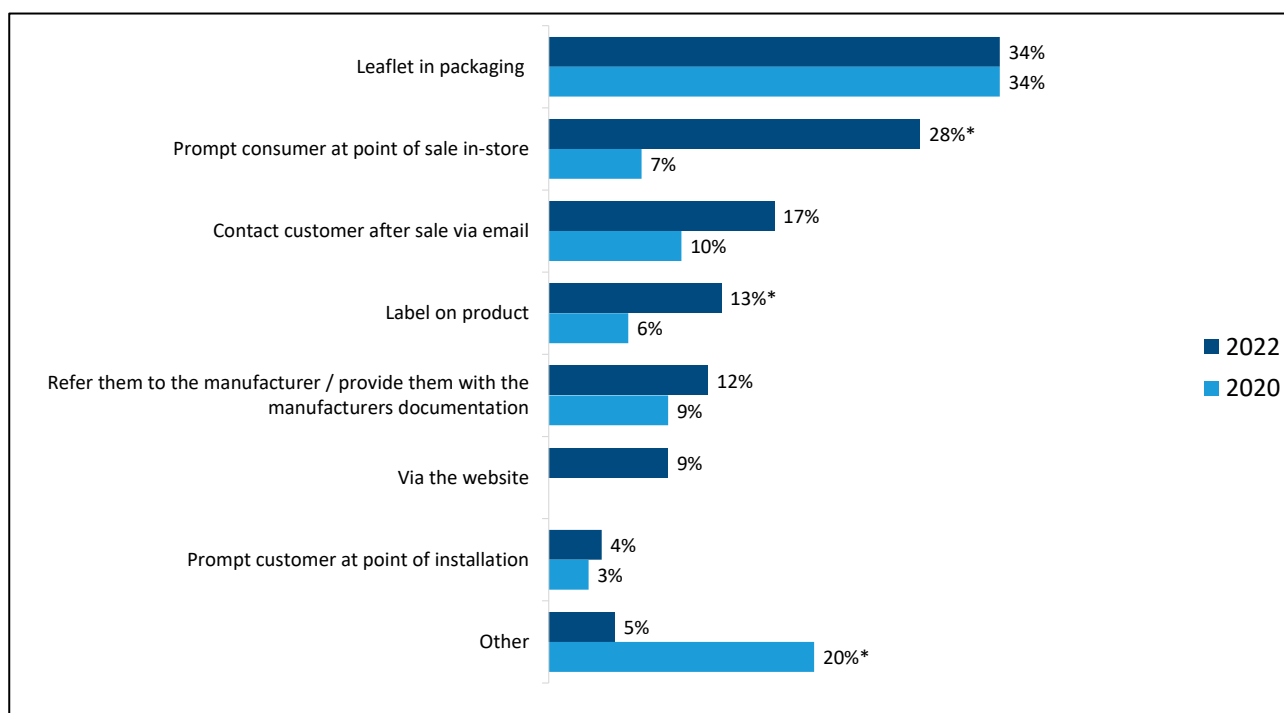
*“A lot of our customers chose to use them as a premium brand and because of our efficiency...so we are engaged with product registration.”*

**Manufacturer, white goods**

As seen in Figure 11, businesses surveyed encouraged consumers to register their products in several ways. In line with 2020, the most common forms of encouragement remained leaflets in packaging (34%). However there has been an increase in the proportion of businesses prompting consumer at point of sale in-store (28% vs. 7% in 2020) and using a label on the product (13% vs. 6%). The proportion of businesses encouraging consumers to register at point of sale in-store in 2020 is likely to have been

suppressed due to Covid-19 restrictions in place at the time of fieldwork reducing in-store shopping.

**Figure 11. How consumers were encouraged to register their products**



C2. You mention that your business encourages consumers to register their product. How do you do this?  
 Base: All respondents who encourage consumers to register products: 2022 (174), 2020 (187)

Manufacturers were the most likely to encourage product registration by contacting their consumers via email after sale (37% vs. 17% of all relevant businesses). Businesses in the electronics sector were also more likely to encourage consumers to register this way (30% vs. 17% of all relevant businesses).

Medium and large businesses were more likely to refer customers to the manufacturer or provide them with the manufacturers’ documentation (29% of businesses with 50 or more employees vs. 12% of all relevant businesses) and less likely to encourage registration by leaflet in packaging (13% vs. 34%).

## Product recalls

As seen in Figure 8 above, 76% of businesses surveyed would assist in the process of product recalls. However, the qualitative interviews revealed that many businesses did not have a set plan of how they would react if a recall was needed, and many highlighted the difficulties they would have reaching all affected consumers if needed.

Among organisations interviewed, responsibility for overseeing a product safety recall was typically seen to lie with the manufacturer, though as discussed in [Chapter 6](#), Local Authorities were also found to have a key role in facilitating product recalls, especially in cases where the responsible organisation was not taking the correct recall action. Many distributors, retailers, repairers and installers felt that if a recall was needed, they would report it to the manufacture who would then arrange for items to be returned. Among the few businesses who had experienced a recall, returning faulty items to the manufacturer or supplier resolved the issue to their satisfaction.

“We would contact the manufacturer. We do get faulty products returned from customers and we will always work with the manufacturer ... there was an incident ten years ago where there was a fault with the whole batch, so they were withdrawn from sale, not just by us but a recall by the manufacturer so they pulled them back from every retailer.”

**Retailer, clothing**

Manufacturers themselves were the most likely to have processes in place to deal with a recall, though not all did. Some manufacturers highlighted the importance of product returns and recalls as part of their product safety assurance measures.

*“We monitor any warranty returns or chargeable returns notified to us, and we will review those to see if there are any significant issues that either need corrective action and update or may even require a product recall. We control the quality of product leaving us and then review and monitor returns we get”*

**Manufacturer, electronics**

Few organisations interviewed had specific guidelines in place on how to deal with a product recall. Typically, those who had a process in place had experienced a recall in the past, which triggered them to formalise a procedure they would follow again.

Many outlined the steps they would take to try and contact affected customers if they were to attempt a recall in the future, though the methods of doing so varied. Some organisations had contact details from mailing lists, others felt the only course of action would be a notice in their shop or an alert on social media.

In some cases, the lack of established guidelines or processes within the business on how to deal with a recall was driven by the perception that product safety recalls were rare (few businesses interviewed had experienced one) and many businesses were confident it would not happen to them due to the quality of their products.

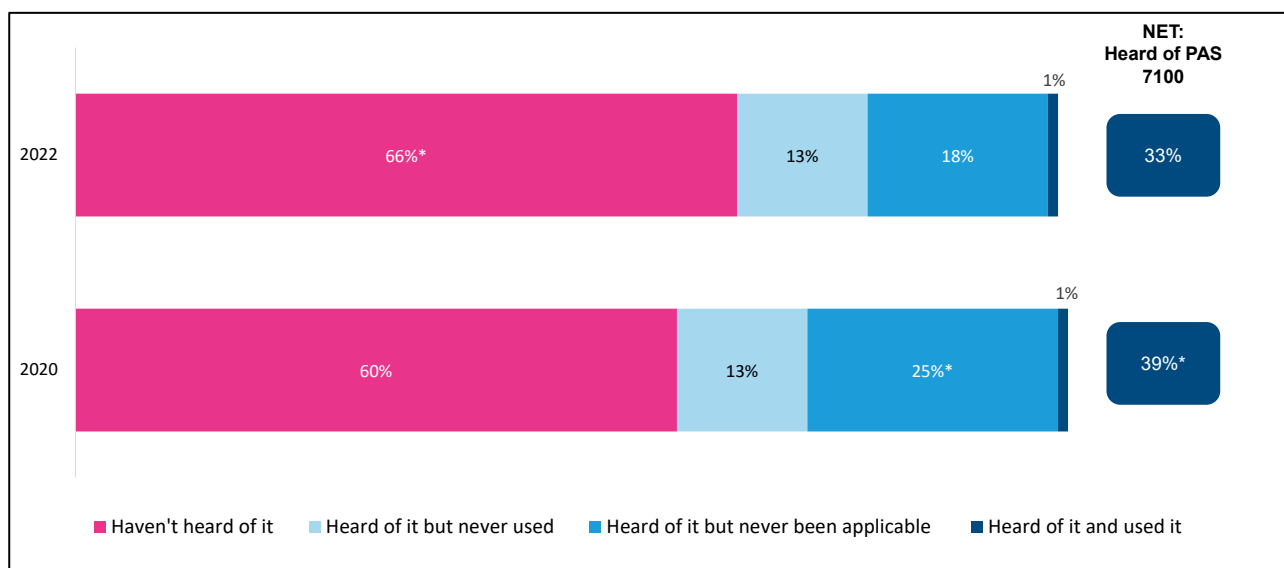
“We're normally ahead of the game. A washing machine or refrigerator recall that you might hear associated with fires is not likely to be us.”

**Manufacturer, electronics**

### Awareness of PAS 7100 Code of Practice (Supporting Better Product Recalls)

In line with findings from the qualitative research strand, a third (33%) of businesses surveyed had heard of PAS 7100 Code of Practice on consumer product safety related recalls and other corrective actions, a fall from 39% in 2020. One percent of businesses surveyed had used it.

**Figure 12. Awareness of PAS 7100 Code of Practice (Supporting Better Product Recalls)**



B10. Which of the following statements most closely applies to your awareness of Publicly Available Specification (PAS) 7100: Code of Practice on consumer product safety related recalls and other corrective actions? Base: All respondents: 2022: (1000) 2020 (1000)

Distributors were more likely than other business types to have heard of PAS 7100 (40% vs. 33% of all relevant businesses), as were those in the electronics sector (47%).

Among the 23 businesses who had used PAS 7100<sup>9</sup>, 18 felt some action was needed as a result. Among these 18, 8 had not yet taken any action, 6 had put corrective action processes in place, 3 had established processes to investigate a potential product safety issue, 2 had established a mechanism to monitor the safety of consumer products and 1 had built or incorporated robust processes and procedures to recall stock.

### Challenges to a successful product recall

Low rates of product registration, the difficulty in contacting affected consumers, and lack of standardised guidelines and procedures within businesses to deal with a product recall combined to raise concerns for some organisations interviewed about the success of product recalls in industry.

With these challenges in mind, one trade association representative estimated the success of a product safety recall to be as low as 10% for low value items such as cosmetics.

<sup>9</sup> Unweighted values reported, rather than percentages, due to small base size.

“Difficult to tell how successful product recall is as some retailers put it as low as 10% which tends to be low value items like cosmetics and others say it is 90%, which tends to be more high-profile things like electronics”

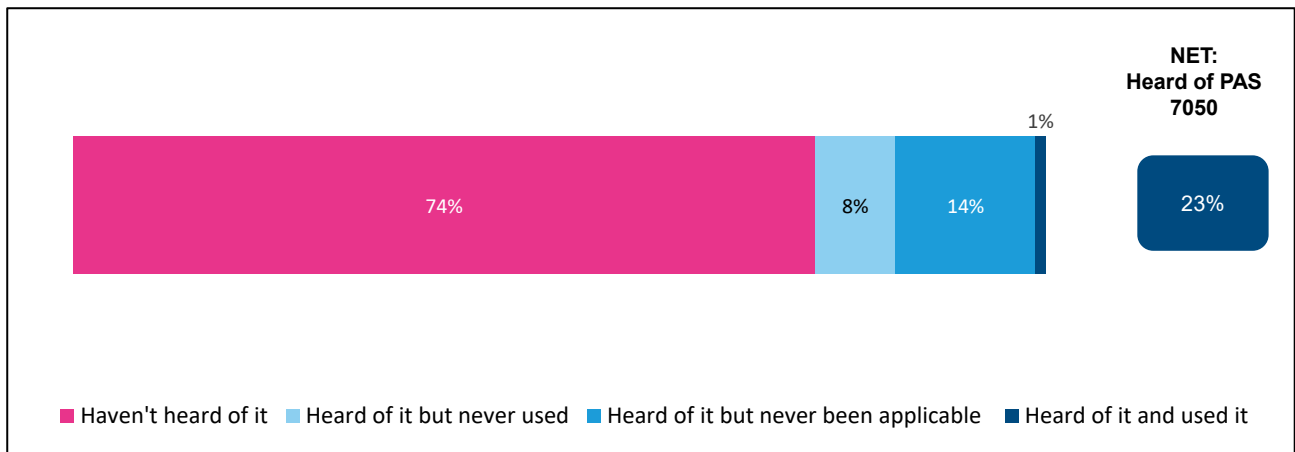
**Trade Association**

### Awareness of PAS 7050 (Bringing safe goods to the market)

In 2022, a new question was added to the survey to investigate awareness of PAS 7050: Bringing safe goods to the market.

In line with findings about awareness of PAS 7100, the majority of businesses (74%) had not heard of PAS 7050.

**Figure 13. Awareness of PAS 7050 code of practice**



B12. Which of the following statements most closely applies to your awareness of Publicly Available Specification (PAS) 7050: Bringing safe goods to the market? Base: All respondents (1000)

Awareness of PAS 7050 was highest among distributors (36% vs. 23% of all businesses) and lower among retailers (20%). Awareness also increased by business size, with 36% of medium/large businesses aware, compared to 17% of sole traders.

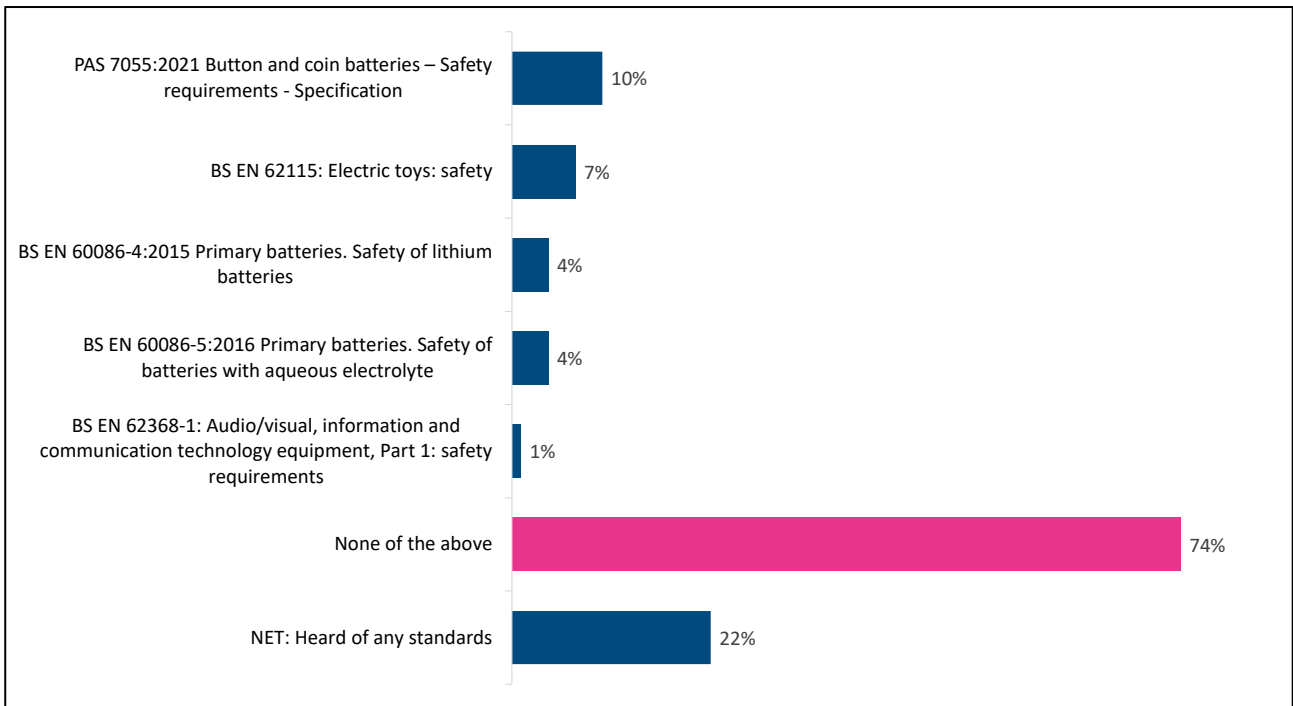
### Mitigating the risks of button batteries

Another new set of questions in the 2022 survey investigated awareness of guidelines relating to button or coin batteries, and specific actions business take to mitigate the risks of these batteries in their products.

One in ten (10%) businesses survey said that they dealt with any products that were powered by button or coin batteries. Among the businesses who had handled products containing button or coin batteries, awareness of requirements was low. When prompted (by an interviewer reading out the list) 22% of businesses who handled such products had heard of any of the requirements listed in figure 14. Prior to the interviewer prompting none of these businesses were able to spontaneously cite any of the listed requirements.



**Figure 14. Awareness of requirements relating to button or coin batteries**

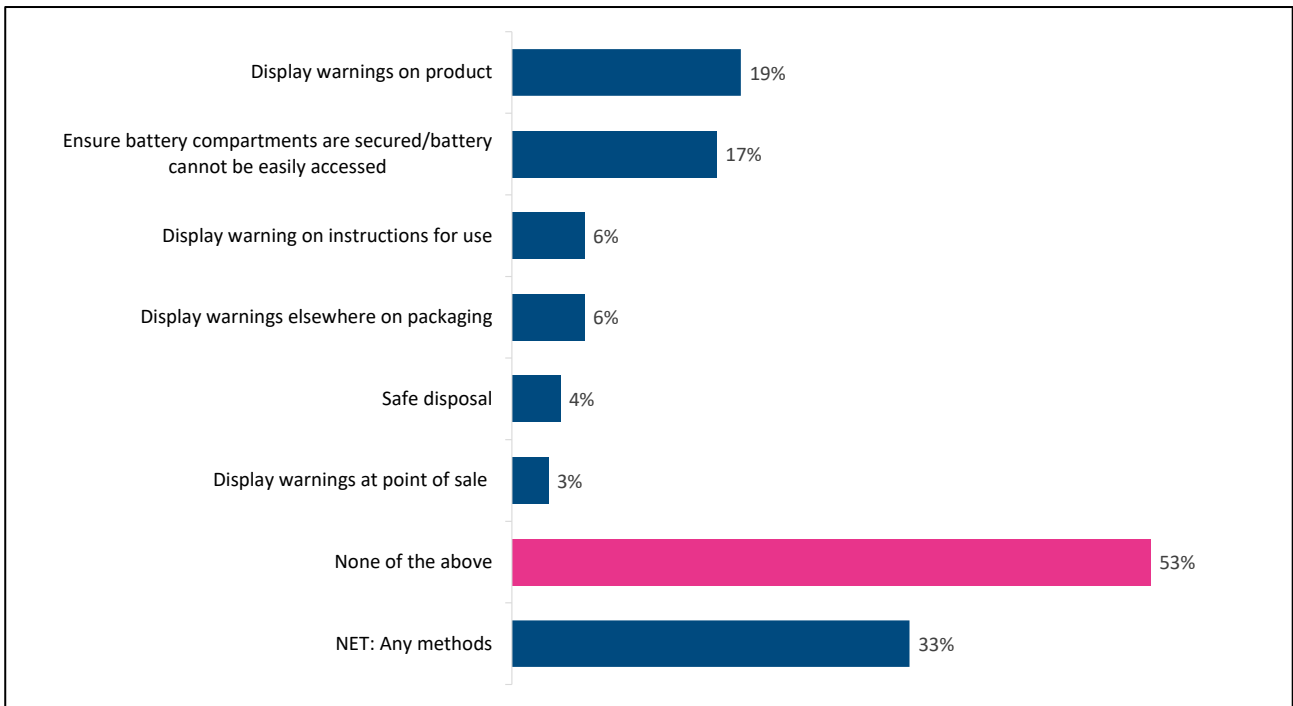


H2. And have you heard of any these safety standards relating to button or coin batteries? Base: All respondents who sell/manufacture/install/distribute/repair/products powered by button or coin batteries (103)

Awareness was higher among manufacturers, with 64% of those who carry out any manufacturing of products with button or coin products aware of at least one of the listed requirements. In particular, they were more likely to have heard of BS EN 62115: Electric toys: safety (39% vs. 7% of all relevant businesses), BS EN 60086-4:2015 Primary batteries. Safety of lithium batteries (25% vs. 4% of all relevant businesses) and BS EN 60086-5: 2016 Primary batteries. Safety of batteries with aqueous electrolyte (24% vs. 4% of all relevant businesses).

Among all businesses who handle products containing button or coin batteries, one third (33%) took action to mitigate their risks. As shown in Figure 15, the most common actions were to display a warning on the product (19%) or to ensure battery compartments are contained (17%).

**Figure 15. Actions taken to mitigate the risk of button or coin batteries**



H3. Are there any methods in which you mitigate the safety risks of button or coin batteries in your products?  
 Base: All respondents who sell/manufacture/install/distribute/repair/products powered by button or coin batteries (103)

Businesses who carry out any manufacturing (even if not their primary business function) were more likely to take action to mitigate the safety risks of button or coin batteries in their products (66% vs. 33% of all relevant businesses), specifically they were more likely to display a warning on the product (61% vs. 19% of all relevant businesses).

## 4. Sources of support and information

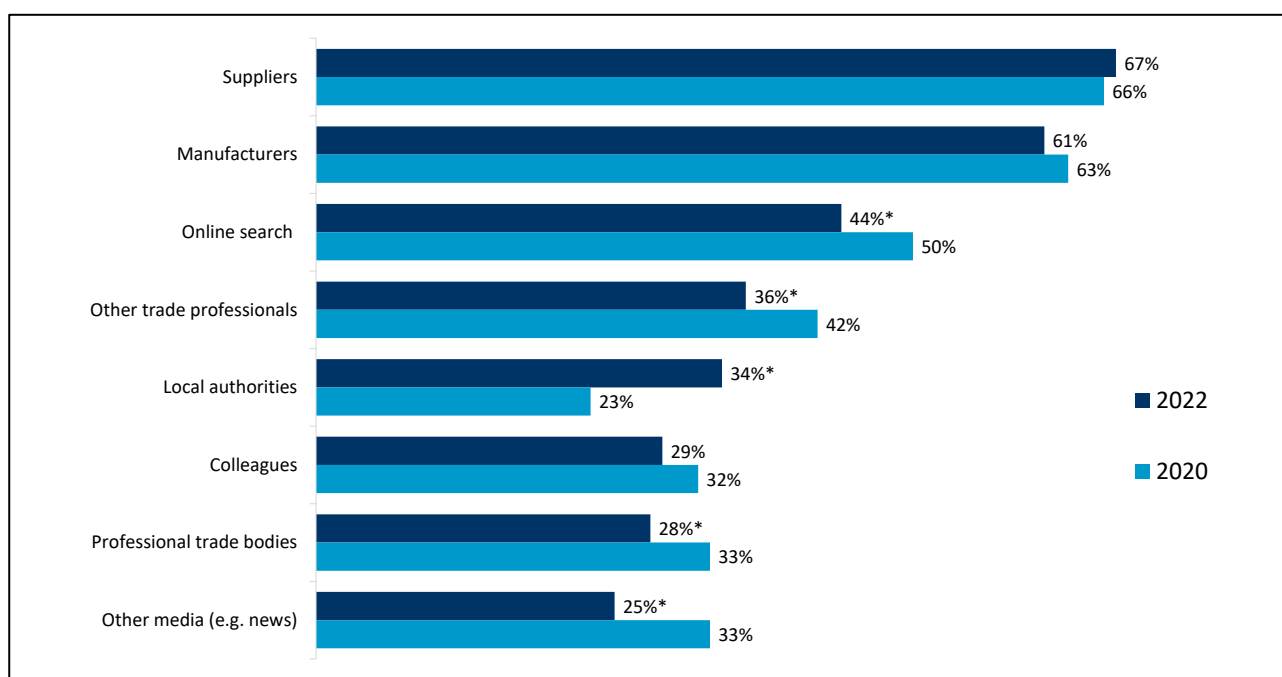
This section looks at the most common sources of support and information businesses use to understand and comply with product safety, and how useful those sources are.

### Sources of information to ensure product safety compliance

As in 2020, businesses were asked what sources of information they use in order to ensure compliance with product safety requirements. Figure 16 shows that suppliers remain the most common source of information named by businesses (67%), followed by manufacturers (61%). Businesses used a range of sources, with three quarters (76%) of naming more than one.

As shown in Figure 16 below, online search, other trade professionals, professional trade bodies, and other media (e.g. news) were less likely to be used as a source of information in 2022 compared to 2020, whilst Local Authorities were more likely to be used (34% vs. 23% in 2020).

**Figure 16. Most common sources of information**



. What sources of information do you use when ensuring you are complying with product safety requirements? Base: All respondents: 2022 (1000); 2020 (1000) \*Indicates significant difference between 2022 and 2020

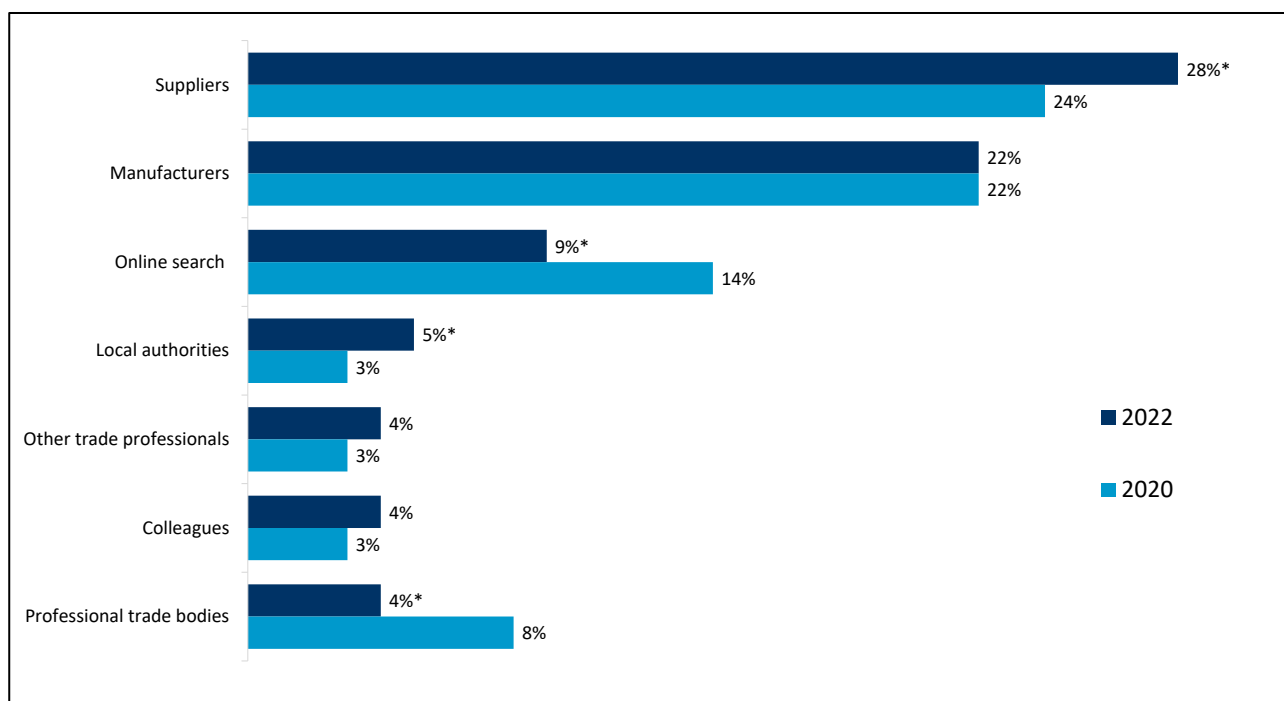
Variation could be seen by business sector. Retailers and installers were more likely than average to use Local Authorities (40% and 59% respectively vs. 34% of all businesses), whilst manufacturers and repairers were less likely (17% and 23% respectively). Installers and distributors were more likely to use professional trade bodies than average (62% and 40% respectively vs. 28% of all businesses), and retailers were less likely (24%).

## Most useful sources of information

As well as being the most common source of information, suppliers were also named the most useful (28%), an increase from 2020 (24%). This was again followed by manufacturers (22%, in line with 2020).

An increase could also be seen in the proportion of businesses who found Local Authorities to be the most useful source of information (5% vs. 3% in 2020).

**Figure 17. Most useful source of information to ensure product safety compliance**



. D1/2 Summary. Most useful source of information used to ensure compliance. Base: All respondents: 2022 (1000); 2020 (1000).

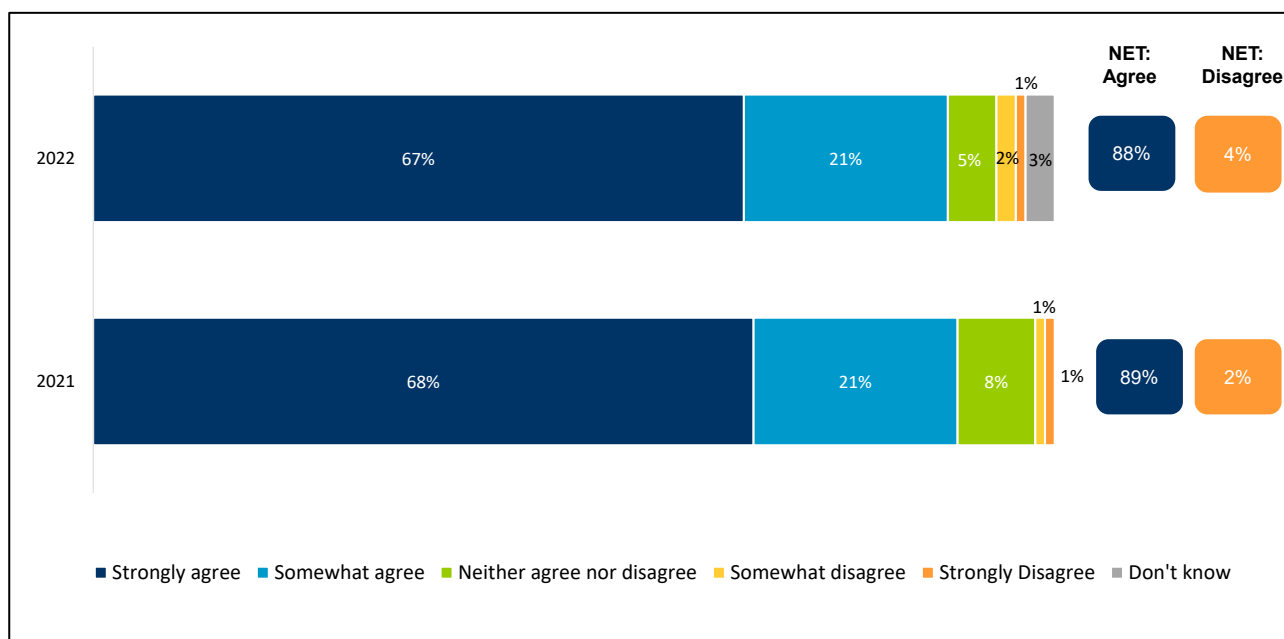
All business sectors named suppliers as the most useful source of information apart from distributors/fulfilment centres/wholesalers, who thought manufacturers were the most useful (28%). Sole traders and micro businesses were more likely to find suppliers useful than businesses of more than 50 employees (32% and 23% respectively vs. 16%).

## Perceptions of support and guidance available

As shown in Figure 18, the vast majority (88%) of business somewhat or strongly agree that they have the support and guidance they need to ensure product safety, which was in line with the findings from 2020. There was an increase in those who somewhat or strongly disagreed compared to 2020 (2% vs 4% in 2022), but the proportion still remains very low.

This was broadly reflected in qualitative findings, where most businesses felt that they had the support and resources they needed. However, there was some suggestion that larger businesses had access to greater resources than smaller businesses, such as in-house experts and testing. The burden of keeping informed and ensuring compliance was therefore greater for smaller businesses.

**Figure 18. To what extent businesses agree they have all the support and guidance they need**



D3. To what extent do you agree or disagree that 'I have all the support and guidance I need within my organisation to ensure that products we manufacture / sell / install / distribute are safe'? Base: All respondents: 2022 (1000); 2020 (1000)

### Businesses who wanted further information and support

A small number of businesses surveyed felt that they did not have enough support. Among these businesses, the most common support they wanted was better awareness of what the safety standards are; consistent regulations for suppliers; and better awareness of OPSS and what they do.

Organisations interviewed emphasised that there were enough regulations and requirements already. Some felt they needed as greater clarity around recent changes in legislation, particularly regarding the Brexit transition. Others mentioned it being difficult to find information about products in more niche markets.

*“Legislation and standards get updated all the time... There are lots of standards and legislation to keep on top of and when I have looked into things that have changed, it is not always clear as to what has changed and what the impact might be, and that type of guidance would be useful – it is there but I don’t always know where to find it”*

**Manufacturer, medium, electronics**

Some organisations appeared to be seeking advice and information that OPSS already provides, such as standard guidelines for businesses, suggesting that there’s a lack of awareness of what is available now. A recommendation from one Trade Association was that OPSS increase its educational and advisory output, in the form webinars, podcasts, and helpdesks.

*"My advice to OPSS is engage a lot more directly with industry. Set up helpdesks, it's really helpful."*

**Trade association**

## **Interaction with key bodies**

### **British Standards Institution**

Manufacturers, particularly those selling white goods or electronics, had a high awareness of, and interaction with, BSI and their standards, guidance, and auditing. There were also frequent mentions of CE marking, which was well recognised and trusted within industry. It was generally felt that compliance with standards was good, but some felt they couldn't comment for the rest of their industry. Trade Associations also had high awareness of BSI; in one case they were involved in direct consultation around the creation of standards in their industry.

*"[BSI] thoroughly test every system that we have, and that quality system covers everything from the minute a component part comes through the door to the point where the product goes out of the door, we have processes for every part of that"*

**Manufacturer, large, electronics**

### **UK Accreditation System (UKAS)**

Similar to BSI, manufacturers tended to be aware and already engaging with UKAS, and it was felt their standards were being upheld. Trade Associations in general have a high awareness of these bodies as well, since they see it as their role to disseminate guidance and advice around standards. Retailers had no interaction with UKAS.

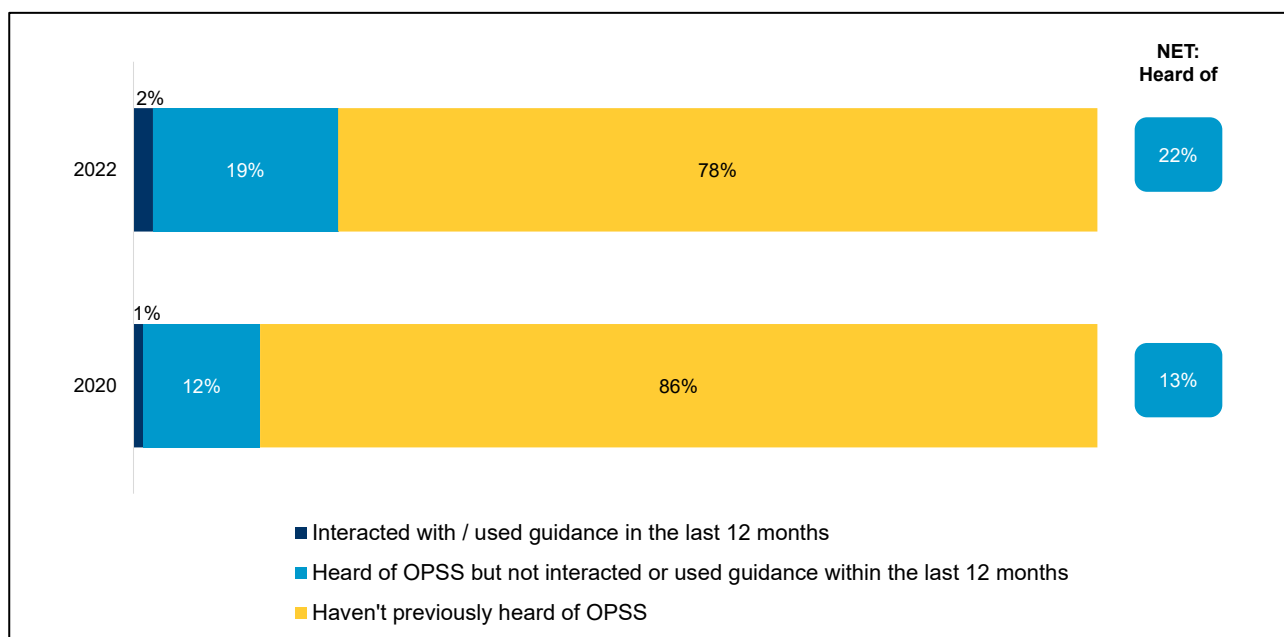
## 5. Awareness and understanding of OPSS

This section looks at awareness of OPSS amongst businesses and feedback from businesses and individuals who have interacted with OPSS.

### Awareness of OPSS

Overall, awareness of OPSS was low across all sectors, with over three quarters (78%) having not heard of OPSS. However, the proportion who had heard of OPSS has increased (22% vs. 13% in 2020).

**Figure 19. Awareness of OPSS**



B1. Which of the following statements most closely applies to your awareness of the Office of Product Safety and Standards (OPSS)? Base: All respondents: 2022 (1000); 2020 (1000)

There was a correlation between awareness of OPSS and business size. The survey showed that businesses of more than 50 employees were more likely to have heard of OPSS, compared to sole traders and businesses with 1-9 employees (36% vs. 19% and 25% respectively).

This finding was also reflected in the qualitative interviews, in which the lowest awareness was among sole traders and micro businesses. Small and medium businesses had slightly higher awareness but tended to lack an understanding of OPSS' role, whereas large businesses had the greatest awareness, and a more thorough understanding of what OPSS does.

A small proportion of businesses surveyed had interacted with OPSS in the last 12 months (2%). Of these 17 businesses who had interacted with OPSS, 6 did so to receive advice complying with product safety legislation, 5 needed advice about the appropriate use of

standards, and 2 businesses did so to comply with a legal requirement and 2 needed other guidance or advice.<sup>10</sup>

Overall, 5% of businesses had either interacted with OPSS or used their guidance in the last 12 months. These 45 businesses were typically positive about the experience:

- 34 agreed that OPSS advice and guidance helps their business comply with product safety legislation;
- 33 agreed that they have confidence in on the advice and guidance OPSS provides;
- 24 agreed that guidance is easy to locate;
- 20 agreed that OPSS is easily contactable;
- 19 agreed that there are sufficient opportunities to engage with OPSS about their work and future strategy; and

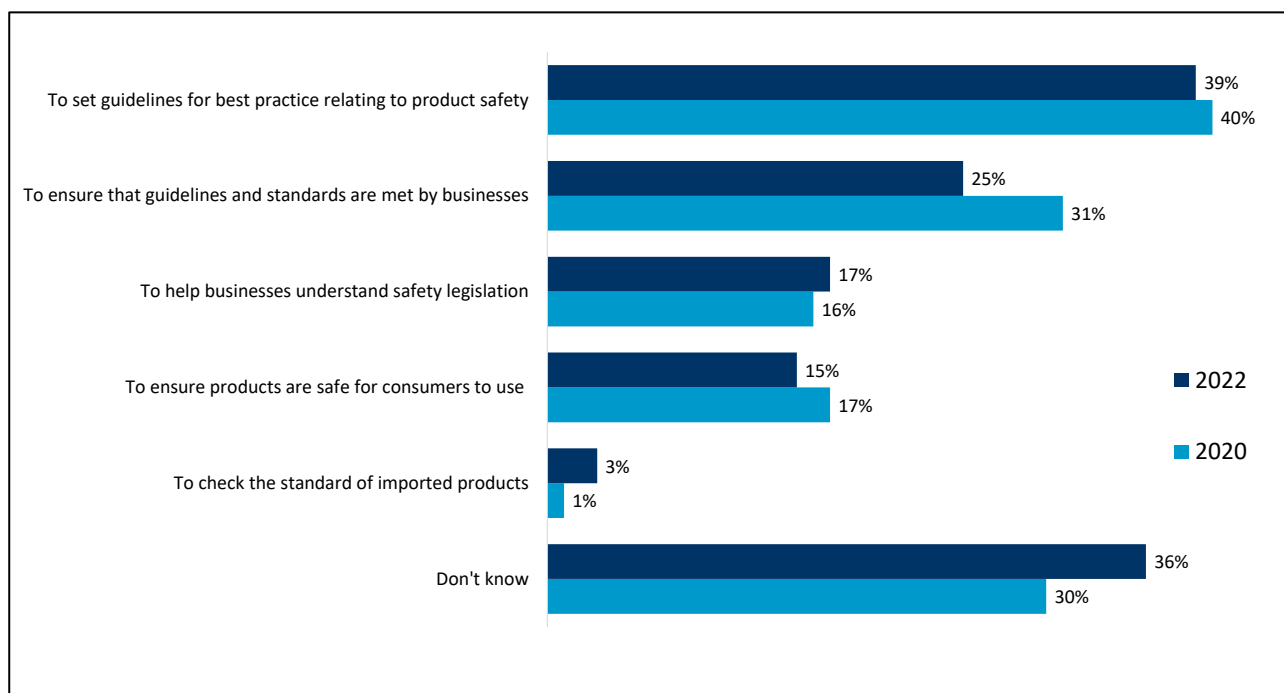
Although in two instances the response was more mixed:

- 13 agreed that OPSS understands their business well enough to provide advice that is tailored to their circumstances;
- 11 agreed that OPSS has mechanisms in place which enable businesses to inform and challenge their approach.

### Understanding of OPSS' role

As seen in 2020, setting guidelines for best practice was the most common understanding of OPSS' role (39% among businesses that had heard of OPSS). This was followed by ensuring guidelines and standards are met (25%).

**Figure 20. Understanding of OPSS' role**



B3. What do you understand the role of the OPSS to be? Base: All respondents who have heard of OPSS: 2022 (258), 2020 (183)

<sup>10</sup> Unweighted values reported, rather than percentages, due to small base size.



Although awareness had increased, over a third of businesses did not know what OPSS' role was (36%). Retailers were more likely than manufacturers or distributors to not understand what OPSS' role was (42% vs 24% and 17% respectively). As were businesses who sold instore only, compared to those who sold any of their goods online (60% vs 27%).

*"On the one hand, you've got the regulatory and market surveillance role and then on the other hand OPSS has got a support role and my personal view is that the two don't comfortably go hand in hand, because businesses may regard OPSS with a bit of suspicion. They might not be quite as candid with OPSS you would wish. They obviously need some help and guidance, but at the same time they're rather fearful of the consequences if they open up too much about the concerns they have."*

**Legal firm**

### Local Authorities and trade associations

Trade associations had a high awareness of OPSS and saw it as part of their role to interpret and disseminate the guidance of the regulator among their members. Some had also worked proactively with OPSS to advise on their specific industry. There was some uncertainty around whether the organisation is involved in enforcement. It was also mentioned that there was a lack of clarity around the Brexit transition period and incoming standards.

Local Authorities interviewed described working with OPSS regularly as it is their job to enforce regulations. The creation of OPSS was felt to be positive as it had raised the profile of product safety as an issue. OPSS has also produced useful guidance and run webinars, and the product safety and recall databases were commented on as particularly helpful.

However, there were some frustrations that issues with the testing regime run by OPSS<sup>11</sup>, including long delays and faulty processes which meant testing had to be redone. It was felt that while this was understandable when OPSS was a new organisation, these testing issues should have been resolved by now.

*"There's horrendous problems with the test houses that OPSS have, with delays of a year on time sensitive issues"*

**Local Authority**

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<sup>11</sup> OPSS funds local authority access to testing facilities through the Product Safety Sampling Protocol. The test houses used are independent from OPSS.

## 6. The role of Local Authorities

This section looks the role of Local Authorities in the product safety landscape, how many businesses have recently interacted with them, and the main reasons for doing so, including Primary Authority Partnerships. It also looks at perceptions of support provided by Local Authorities to businesses regarding product safety.

### Perceptions from Local Authorities

Local Authorities interviewed in the qualitative research strand felt they had a number of responsibilities to ensure high standards of product safety in the UK. These fell under four broad categories:

- To provide advice to businesses to support compliance
- To monitor product safety standards (for example through auditing businesses and testing products on the market)
- To enforce product safety compliance where necessary (for example through mandating a product safety recall)
- To feed back to policymakers to help bring about longer-term improvements to the product safety system.

*“Because we are on the ground, dealing with everyday stuff, it's [about] what we can feedback to OPSS, [at] government levels to try and get things changed if we need it, legislation, guidance or where there is no guidance, getting standard approaches and things like that. So, it's ... feeding [back] through to OPSS to help with the policy in the experience we are having at the ground level”*

**Local Authority**

As previously mentioned, unlike actors in the product supply chain, Local Authorities were able to carry out an enforcement role when businesses were non-compliant, which is of key importance when dealing with a product safety recall.

### The role of Local Authorities in product recalls

Local Authorities interviewed discussed how they may be notified of an unsafe or non-compliant product on the market from a number of routes; from OPSS market surveillance, or from a report from a business or consumer. Once notified, they may send the product off for testing to identify further non-compliances, and they will speak to the business and get it withdrawn from the market whilst further investigations are undertaken. If the product is found to have a high-risk safety issue, then the Local Authority would look to issue a product recall. If they find the business responsible isn't co-operative, the Local Authority is able to use powers and notices to enforce the recall or undertake the recall themselves, although it was noted that this can be expensive. Local Authorities interviewed described how they will also consider the longer-term impacts and will help the business producing the unsafe product to get their processes in place to ensure that they meet their obligations in the future.

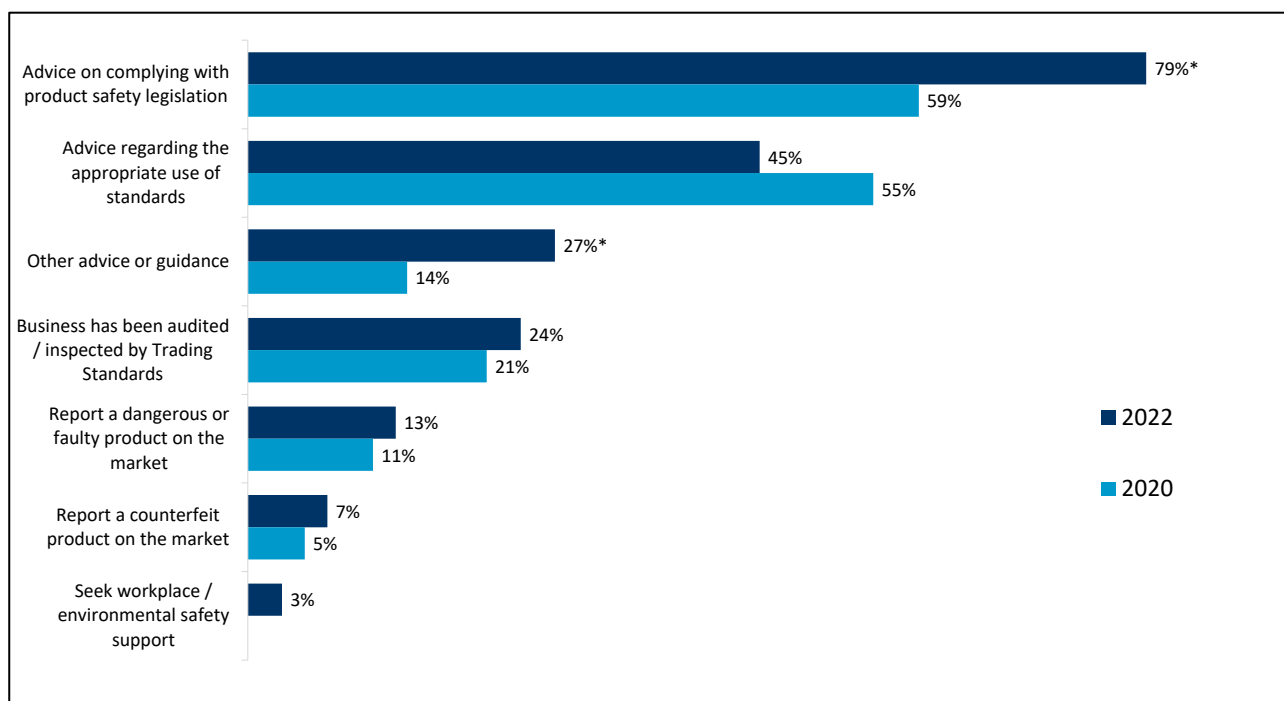
## Business interaction with Local Authorities

As discussed in [Chapter 4](#), in 2022 more businesses used Local Authorities as a source of information or guidance than in 2020. However, overall very few businesses (5%) had any interaction with Local Authorities regarding product safety, in line with findings in 2020.

Businesses with over 50 employees were more likely to have had any interaction with Local Authorities compared (15% vs. 3% of sole traders). There was also a split by business type, distributors the most likely to have had interaction with Local Authorities (8%).

Among those businesses surveyed who had interacted with a Local Authorities, the most common reason for this was needing advice on complying with product safety legislation, an increase since 2020 (79% vs. 59%). Advice regarding the appropriate use of standards remained the second most common reason (45%). There was an increase in the proportion using Local Authorities for other advice or guidance (27% vs. 14% in 2020).

**Figure 21. Reasons for interacting with Local Authorities regarding product safety**



. B7. For what reasons has your business interacted with Local Authorities in relation to product safety?  
 Base: All who had interacted with Local Authorities regarding product safety issues: 2022 (79), 2020 (88)

Of the organisations interviewed, one had experienced any interaction with their local authority. Most businesses felt that they would only need to have interaction with their local authority if there had been a complaint or issue with any of their products. Among organisations interviewed, the role of Local Authorities was seen to be purely reactive.

*“They’ve never spoken to us, and we’ve got no need to speak to them.”*

**Retailer/distributor, clothing**

Trade associations, legal firms, and Local Authorities commented on the lack of resources and cuts to local authority funding over the last decade, which meant they could not fulfil their role to the extent to which they would like. For example, it was felt that Local Authorities played a more reactive role in responding to complaints rather than proactively engaging in working relationships with businesses. Also that the number of issues in some areas (e.g. vapes) were beyond the resources of the Local Authority to be able to tackle. This leads to lower enforcement and meant there was less of a deterrent to unscrupulous businesses entering the market and skirting regulation.

. One trade association described a concern that businesses who did comply with regulation were in effect being disadvantaged for following the rules, as they incurred the costs of compliance which rule-breaking businesses did not. There were calls for greater resources for Local Authorities, such as more staff and better access to testing, to allow for proper enforcement and greater accountability in product safety.

*“They’ve been low on resources for many years, and we know they’ve been cutting back”*

**Trade association**

*“Trading standards typically don’t have the manpower to perhaps be as involved and as engaged as perhaps they might be... Most of the time it is a very passive role... certainly not proactive and often things will get received and filed away”*

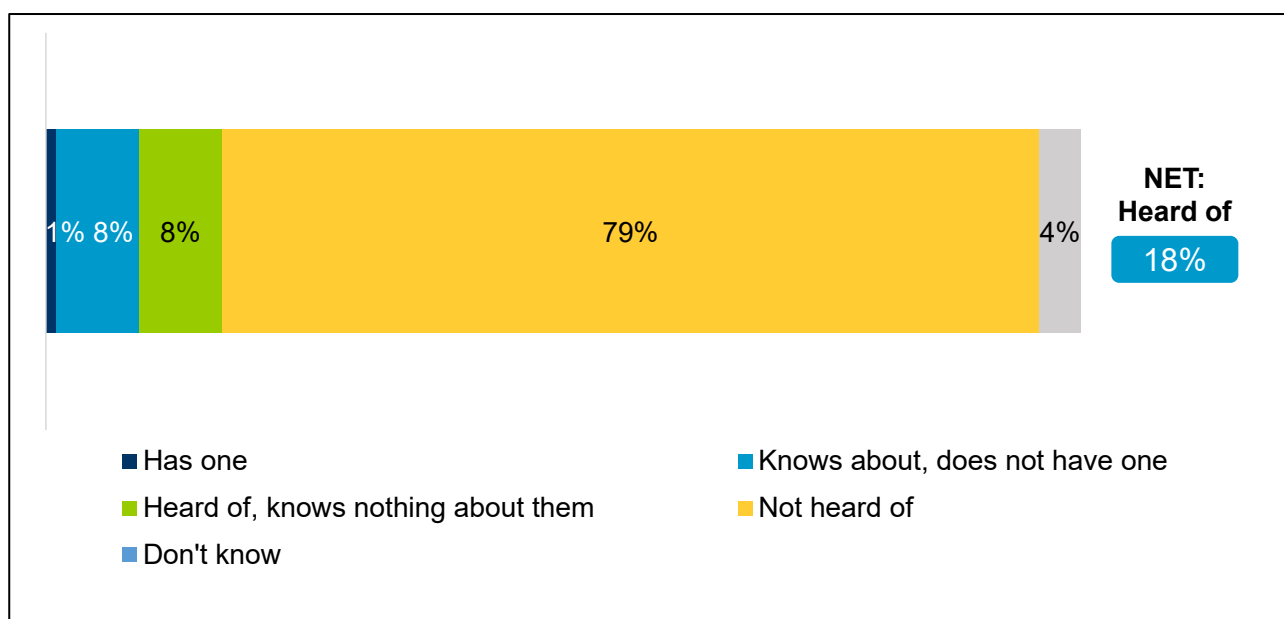
**Legal firm**

### **Awareness of Primary Authority Partnerships**

Very few businesses surveyed had a Primary Authority Partnership with a local authority (1%), in line with 2020 findings. As shown in Figure 22, four fifths of businesses (79%) had never heard of Primary Authority Partnerships, 8% had heard of them but knew nothing about them, and a further 8% knew about them but did not have one. These results are to be expected given the nature of Primary Authority Partnerships.

With the exception of the Local Authorities themselves, no organisations interviewed qualitatively had a Primary Authority Partnership.

**Figure 22. Awareness of Primary Authority Partnerships**



B8. Which of the following best describes your awareness of Primary Authority Partnerships in relation to product safety? Base: All respondents (1000)

Table 4 shows a breakdown of awareness of Primary Authority Partnerships by business type. As can be seen installers were most likely to have one (26%, though due to the small number of installers that took part in this survey this figure should be treated with caution). Manufacturers were more likely than other business functions to have not heard of Primary Authority Partnerships (85% vs 79% of all businesses).

**Table 4. Awareness of Primary Authority partnerships by primary business function**

| Primary business function          | Retailer    | Manufacturer | Installer   | Distributor | Repairer    | Total       |
|------------------------------------|-------------|--------------|-------------|-------------|-------------|-------------|
| Has one                            | 1%          | 1%           | 26%*        | 2%          | <1%         | 1%          |
| Knows about, but does not have     | 7%          | 6%           | 3%          | 11%         | 10%         | 8%          |
| Heard of, knows nothing about them | 9%          | 5%           | 2%          | 14%*        | 2%          | 9%          |
| Not heard of                       | 80%         | 85%*         | 66%         | 70%         | 84%         | 79%         |
| Don't know                         | 4%          | 3%           | 3%          | 2%          | 4%          | 4%          |
| <b>Total</b>                       | <b>100%</b> | <b>100%</b>  | <b>100%</b> | <b>100%</b> | <b>100%</b> | <b>100%</b> |

Table 5 shows the breakdown in awareness of Primary Authority Partnerships by business size and shows that larger businesses were more likely to have one than smaller

businesses (14% of large businesses compared with less than 1% of sole trader and 2% of micro businesses).

**Table 5. Awareness of Primary Authority partnerships by business size**

| Business size                      | Sole Traders | 1-9 employees | 10-49 employees | 50-249 employees | 250+ employees | Total |
|------------------------------------|--------------|---------------|-----------------|------------------|----------------|-------|
| Has one                            | <1%          | 2%            | 4%              | 8%*              | 14%*           | 1%    |
| Knows about, but does not have     | 5%           | 13%*          | 11%             | 15%*             | 7%             | 8%    |
| Heard of, knows nothing about them | 7%           | 10%           | 16%*            | 7%               | 24%*           | 8%    |
| Not heard of                       | 85%*         | 71%           | 63%             | 58%              | 51%            | 79%   |
| Don't know                         | 3%           | 4%            | 6%              | 12%              | 5%             | 4%    |
| <b>Total</b>                       | 100%         | 100%          | 100%            | 100%             | 100%           | 100%  |

Both trade associations and Local Authorities interviewed had a high awareness of Primary Authority Partnerships, and both were generally positive about their impact. From their perspective, Primary Authority Partnerships were reasonably common and could be a productive relationship for a business, particularly new businesses which needed to learn about the product safety requirements in their industry. It was felt they increased efficiency and cut down some of the product safety work that would otherwise be required by both businesses and Local Authorities.

*"I think they work really well. Whether it's sort of getting a newer business up to scratch with certain sort of like processes and policies to larger business just giving them that what we call 'assured advice'."*

**Local authority**

## 7. Key challenges

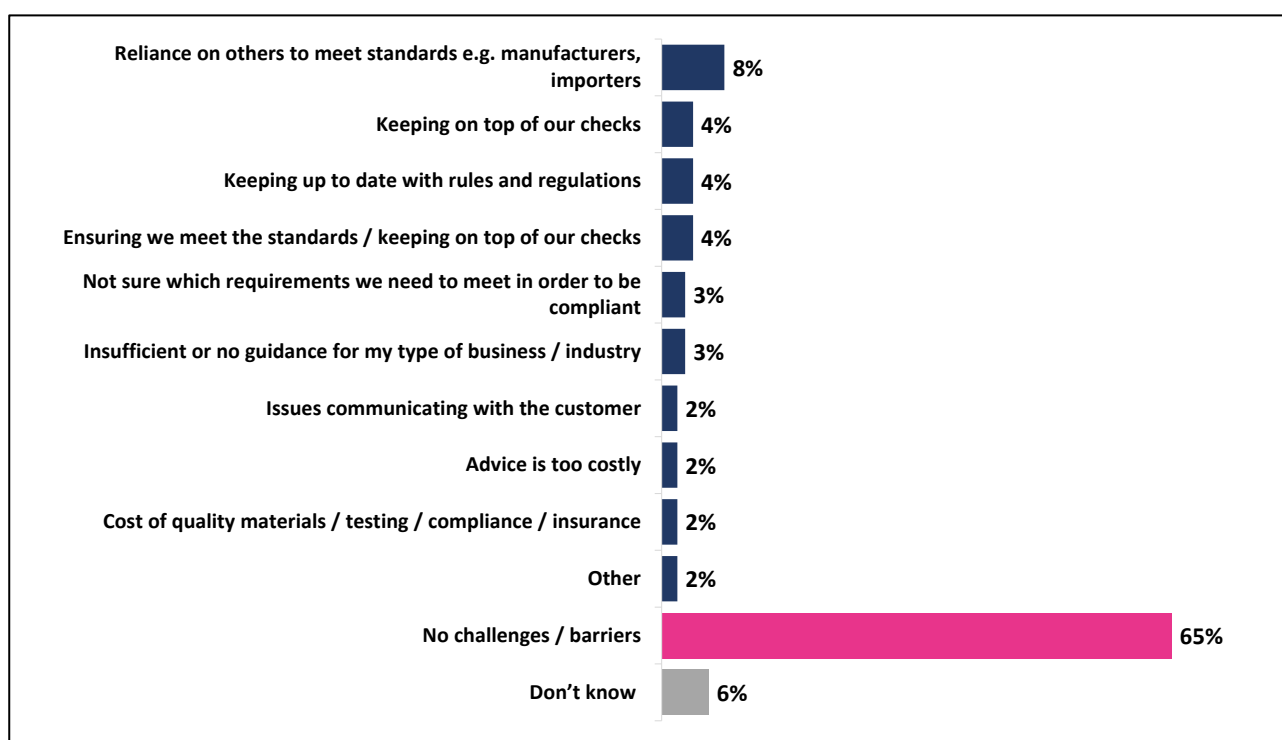
This section looks at the key challenges that both businesses and their wider industry faced to ensure that high product safety standards are upheld, and regulations are complied with. Following this, future challenges are discussed including around the growth of online marketplaces.

### Challenges businesses face regarding product safety compliance

Figure 23 shows business responses to being asked what the challenges *their business* faced regarding product safety compliance. While this question was asked in 2020, a number of codes have changed since for this year's survey and therefore comparisons by challenge have not been included. As in 2020, most businesses (65%) said that there were no challenges or barriers regarding product safety compliance, though proportionally there had been a fall (70% in 2020).

Specific challenges were mentioned by fewer than one in ten businesses. Of the challenges that were mentioned, the most common in 2022 was the need to rely on others to make standards were met (8%). Following this one in twenty-five said that they faced a challenge keeping on top of their checks (4%) and keeping up to date with rules and regulations (4%).

**Figure 23. Challenges facing businesses regarding product safety compliance**



E4. What challenges does your business face regarding product safety compliance? Base: All respondents: 2022 (1,000).

Distributors (42%), manufacturers (36%), and installers (39%) were all more likely than retailers (20%) to say their business faced at least one challenge regarding product safety compliance.

More specifically, distributors were most likely to say they faced the following challenges:

- Reliance on others to meet standards (14% vs 8% of all businesses),
- Keeping on top of our checks (7% vs 4%),
- Keeping up to date with rules and regulations (13% vs 4%).

Installers were most likely to say that they faced the challenge of ensuring they meet the standards (24% vs 4%), and manufacturers (7% vs 3%) were most likely to say they faced the challenge of insufficient or no guidance for my type of business / industry.

There was little variation by sector on the types of challenges faced, suggesting that specific challenges were more a result of business function than sector. Although, it should be noted fewer cosmetics businesses were interviewed in the 2022 survey compared to 2020. The 2020 survey found that cosmetics businesses were more likely to say they faced a number of challenges.

Medium and larger sized businesses were more likely than smaller businesses to say that they faced any challenges, and those with 10 or more employees were more likely to say that they faced challenges that those with fewer than 10 (41% vs 26%).

Of the organisations interviewed qualitatively, a few mentioned that smaller companies, particularly those that are new, may not have the capacity to focus on product safety as much as other, more established companies.

*"I don't believe [smaller companies] are as strict to make sure that their products are as safe. When they're smaller they're under the radar, they're more focused on building their business with sales [and not] putting in extra cost into their technical or assessment departments."*

**Distribution, Electronics, Medium**

### Challenges industries face regarding product safety compliance

As in 2020, businesses were much more likely to feel that their industry faced challenges around product safety, than feel their own business did. Three in ten (30%) businesses said their industry faced no challenges or barriers and this was a fall from 37% of businesses saying the same in 2020.

The most common challenge faced was consistency and reliability of everyone in the supply chain (12%), followed by communication between businesses in the supply chain (7%) and lack of clarity around current standards (6%).

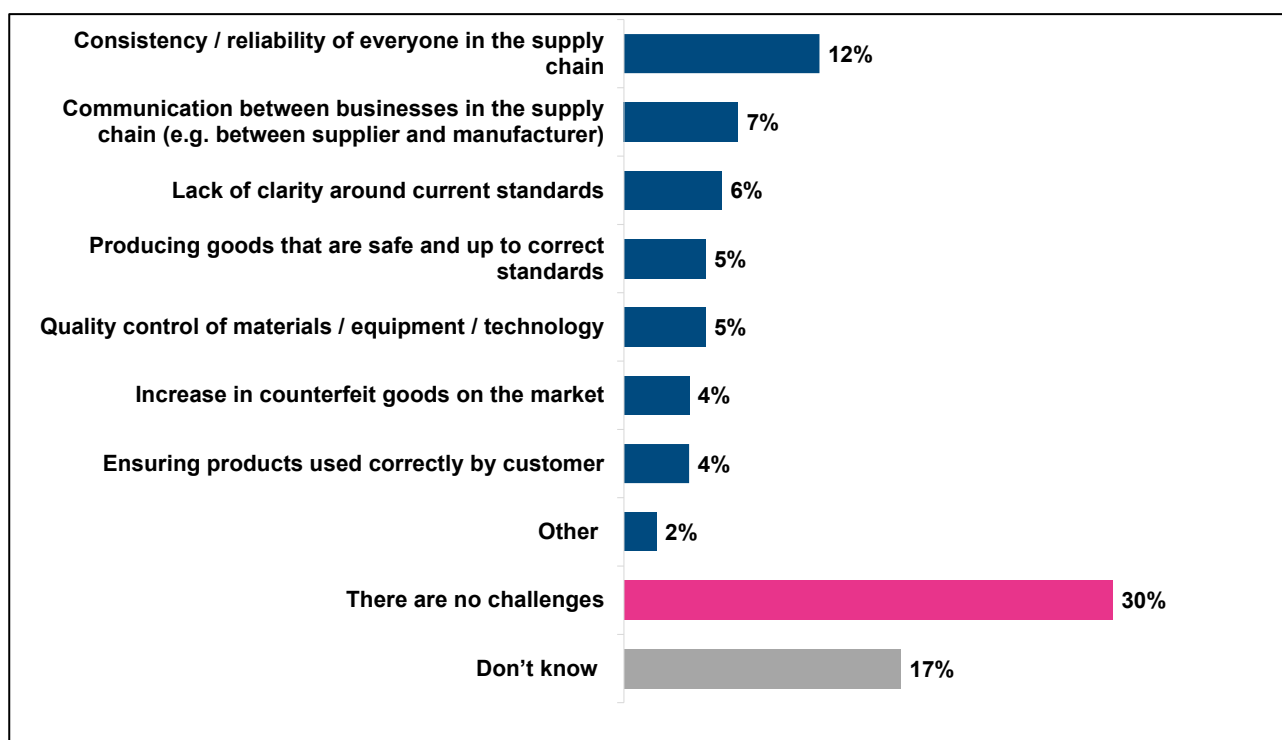
Distributors (63%) and repairers (63%) were more likely than other business functions to say their industry faced any challenges. More specifically, there was some variation by the specific industry challenges faced by different business functions:



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- Producing goods that are safe and up to correct standards was a challenge most common among manufacturers (11% vs. 5% of all businesses);
- Quality control of materials / equipment / technology was most common among installers and manufacturers (23% and 10% respectively vs. 5% of all businesses);
- Increase in counterfeit goods on the market was most common among repairers and distributors (13% and 10% vs. 4% of all businesses).
- Ensuring products used correctly by customer was most common among repairers (9% vs. 4% of all businesses).

**Figure 24. Challenges facing industry regarding product safety compliance**



F1. What do you think are the biggest challenges to ensuring product safety within your industry? Base: All respondents: 2022 (1,000).

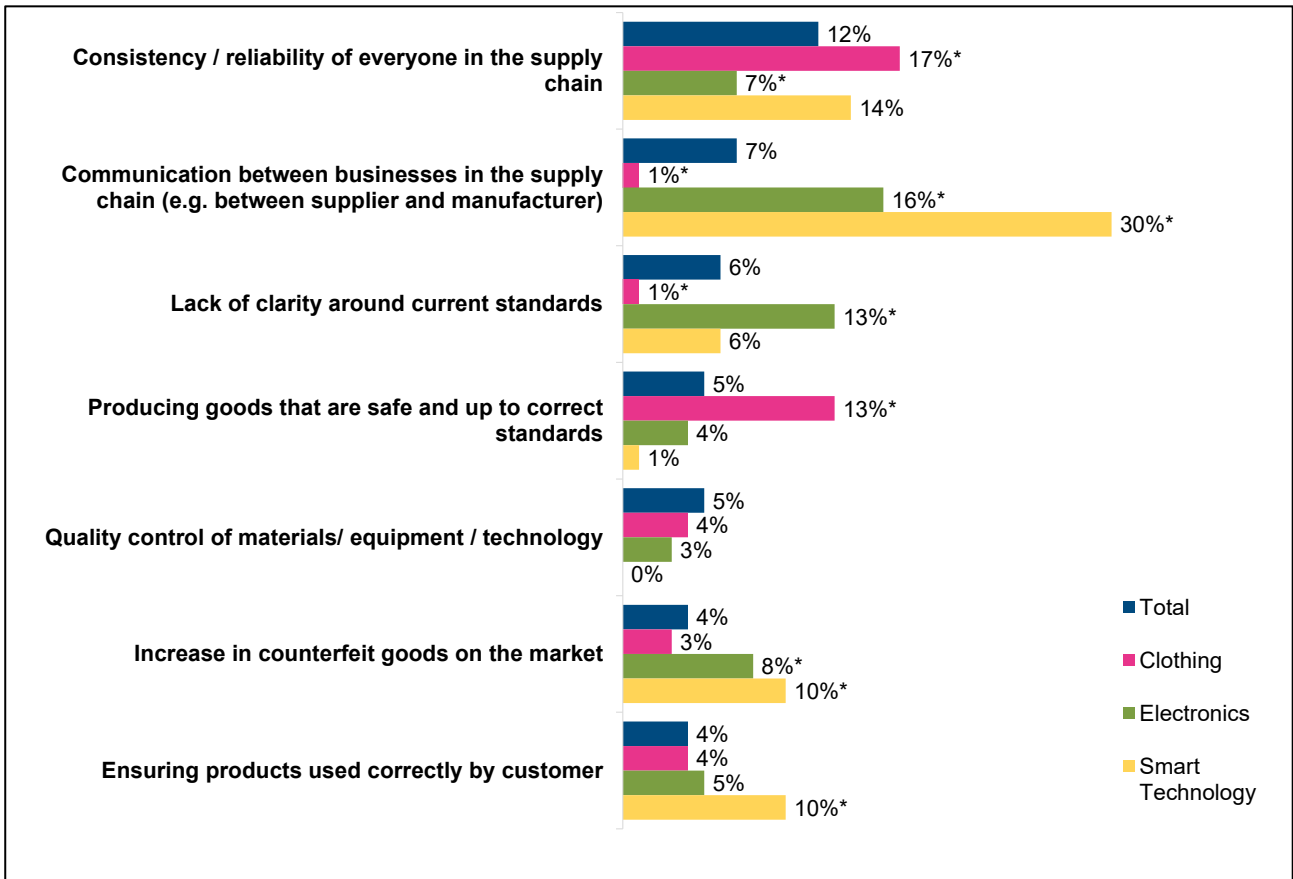
By sector, businesses in electronics (68%) and 'smart' technology (88%) were most likely to say their business faced at least one challenge. There was also some variation by specific challenges and Figure 25 shows how challenges varied by sector.<sup>12</sup>

As can be seen the clothing sector was more likely to report challenges around consistency and reliability of everyone in the supply chain (17%) and producing goods that are up to the correct standard (13%). Businesses in the 'smart' technology sector were more likely to report challenges around communication between businesses in the supply chain (30%); increase in counterfeit goods (10%) and ensuring products were used correctly by the customer (10%). Finally, businesses in the electronics sector were more

<sup>12</sup> Businesses in the toys; baby products; cosmetics and large white goods sectors have been excluded from this chart due to small base sizes.

likely than average to report challenges around the lack of clarity of current standards (13%) and an increase in counterfeit good on the market (8%).

**Figure 25. Challenges facing industry regarding product safety compliance by sector**



F1. What do you think are the biggest challenges to ensuring product safety within your industry? Base: All respondents: 2022 (1,000); Clothing (129); Electronics (185); 'Smart technology' (39). \*Indicates significant difference from total.

Medium and large businesses (61% of those with 50+ employers) were more likely than sole traders (50%) to report that there was at least on challenge in ensuring product safety within their industry.

Many of the organisations interviewed qualitatively felt that counterfeit items were using poor materials which could impact product safety but were confident that they were doing the necessary checks to make sure that they were not going to be affected.

*“We just have to be more careful about where we source our products. We want to make sure they do come from an ethical place rather than made in some kind of sweatshop.”*

**Retailer, Sole Trader**

## Challenges around online marketplaces

The qualitative findings re-iterate the concerns of 2020, with most organisations worried about online marketplaces and the perceived lack of regulation in that area, which meant that often products are made with the incorrect materials.

*“The products are often not made to the same standard. They're not made with the same materials. They're not as robust and they don't have the same restrictions in chemicals.”*

**Trade Association**

It was felt that because anyone can sell online, many third-party sellers were not complying with regulations in this space and more needed to be done to counter this.

*“There's hundreds and thousands of unsafe goods on online marketplaces that don't meet any safety standards, in any territory. My organisation has been trying to do something about it for years, initially OPSS were dismissive, but recently they've been taking the issue more seriously and are taking steps to do something about it.”*

**Trade Association**

Organisations reported that it was difficult for social media sites and sellers to be taken down or expelled from sites and even when they are taken down, they often reopen in using a different name.

*“In the case of online marketplaces like eBay and Amazon, they can be informed that a seller is selling an unsafe product, the seller can then take that product down or ban the seller, however the seller or product can return under a different name.”*

**Distributor, Electronics, Medium**

Some legal advisors suggested that China specifically, but also other places outside of Europe, were of particular concern, and that there needed to be regulation on products coming from these places.

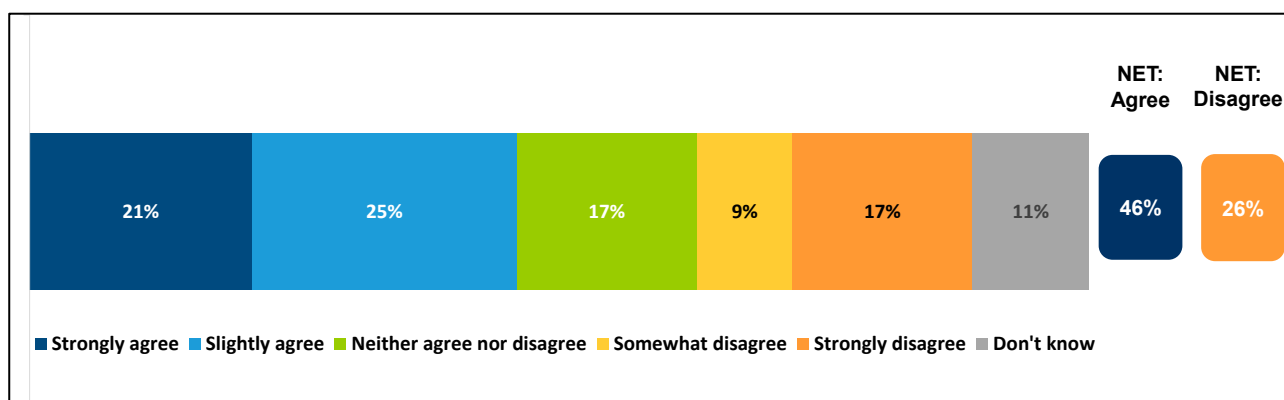
*“Ultimately most products these days are purchased online, most of them come from China. Amazon claim no liability against them for any harm caused by any of those products and there is no way holding a Chinese company to account or getting any money out of them.”*

**Manufacturer, White goods, Large**

One electronics distributor suggested that online marketplaces should be able to ensure that the products sold on their sites are safe. The respondent mentioned that if their company was asked, they could supply a technical file for each individual product. For example, they were, at the time, speaking with a major UK retailer and the respondent wanted to see all of their documentation and declarations of conformity and product files before they will release it.

The survey results show there are mixed views about the extent to which there is effective regulation in place to ensure that products sold by third parties through online marketplaces to UK customers are safe. Figure 26 shows that approaching half (46%) agreed that this was the case, while around a quarter disagreed (26%) and a similar amount neither agreed nor disagreed or did not know (28%).

**Figure 26. Extent to which businesses agree that there is effective regulation in place to ensure that products sold by third parties through online marketplaces to UK customers are safe**



F3. To what extent do agree with the statement 'There is effective regulation in place to ensure that products sold by third parties through online marketplaces to UK customers are safe'? Base: All respondents: 2022 (1,000)

There was little variation among business function, though Retailers slightly were more likely than average agree that there was effective regulation (49%), and Repairers were more likely than all other functions to disagree (43%).

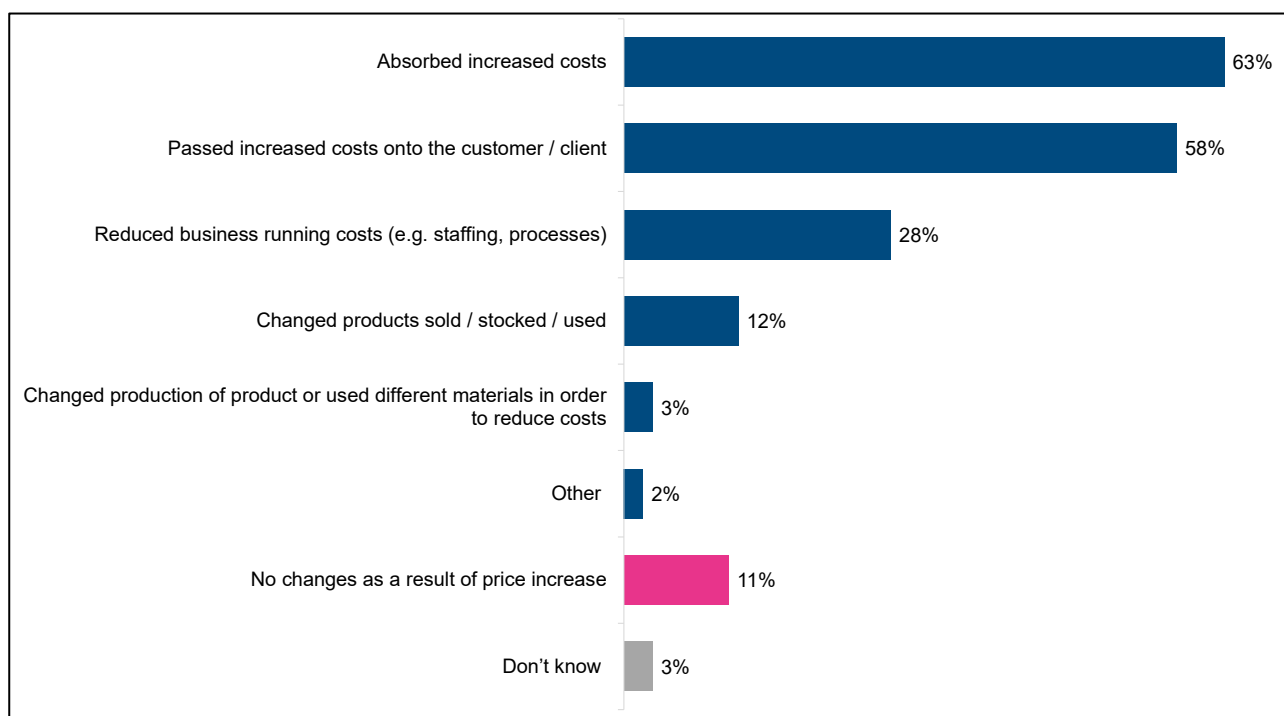
From a sector perspective, businesses in electronics (34%) were more likely than average to disagree that there was effective regulation and from a size perspective both the smallest and largest businesses were less likely than average to agree (42% of sole traders and 37% of businesses with 50 or more employees).

**Business reaction to recent price inflation**

Businesses were asked how, if at all, they had changed their processes as a result of the recent price inflation. Approaching two-thirds (63%) said they had absorbed increased costs, while a slightly smaller amount (58%) said they had passed increased costs onto the consumer or client and nearly three in ten (28%) said they had reduced business or running costs. Three percent of businesses had changed production of product or used

different materials in order to reduce costs, something that could impact the level of product safety.

**Figure 27. How businesses have changed processes as a result of price inflation**



F4. How, if at all, has your business changed its processes as a result of recent price inflation? Base: All respondents: 2022 (1,000)

By business function, distributors (97%) and installers (98%) were most likely to have made at least one change to their processes. Approaching nine in ten installers (87%) had absorbed increased costs, while distributors (90%) and manufacturers (64%) were most likely to have passed costs on to the customer. Additionally, retailers (16%) were more likely than average to have changed the products that they sold, stocked, or used.

Perhaps significantly, due to any potential implication on the safety of the product, approaching one quarter (23%) of manufacturers had changed their production of product or used different materials to reduce costs.

By sector, those in the clothing industry were more likely than average to have absorbed increased costs (73%), while those in the 'smart' technology industry were most likely to have not made any changes as a result of price inflation.

Larger companies were better able to pass rising costs on to customers than sole traders (72% vs 53%) and were also more likely than sole traders to have changed their production of product or used different materials in order to reduce costs (11% vs 4%). Furthermore, sole traders were more likely than large companies to have made no changes as a result of price inflation (12% vs 5%).

The responses from organisations interviewed qualitatively focused mainly on how business and consumer practices might change as a result of the recent inflation. There was a concern that there might be a temptation for organisations who were trying to save money to lower the quality of the materials that they were using or on product safety roles within their organisation.

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*“Shipping has gone through the roof, retailers don't want to put their prices up, and our members are caught in the middle. So, either they're having to take a cut in their profit to produce the same product, or they might be looking to reengineer products to try and make them more economic so they can keep their profit.”*

**Retailer, Electronics, Micro**

There was also concern that consumers may start to look for cheaper alternatives to the products on offer, that may not have been subject to the same product safety standards.

*“When things cost more people look for alternatives... Cheaper products from abroad that don't meet product safety requirements”*

**Manufacturer, Electronics, Small**

However, some respondents mentioned that product safety was non-negotiable and as a result any changes to the economic situation would not have an impact.

*“A company that makes shortcuts should not be allowed to sell product”*

**Manufacturer, Electronic, Small**

## 8. Future Opportunities

Organisations interviewed in the qualitative research strand were asked to reflect on future opportunities which could improve the product safety system. Many of the organisations struggled to identify any specific opportunities but there were three key themes that emerged:

- A support body
- Education
- Future innovation

### Support body

Many organisations interviewed who were aware of OPSS felt it was a welcome intervention. However, awareness of OPSS remains low and many discussed a need for a centralised body to offer more advice and support which could be easily accessed. It was felt this would be particularly helpful to small businesses and those who may have had product safety and compliance in the past. Further engagement with businesses was something also mentioned by a Trade Association, with suggestions including more webinars, a podcast, or a helpline.

*"I think there are opportunities for someone to come in and be able to provide support for these companies, to provide advice, to have almost like an industry group where companies try and support one another with the product safety side of things..."*

**Insurer**

*"By the time they've got 3 to 5 years down the line, [new companies] probably still need the help and support..."*

**Legal firm**

### Education and clearer guidance

A common theme that emerged from the interviews was the need for better education on existing guidance and requirements, or for simpler guidance to be published.

Another improvement to the guidance would be to make it more generic, which would allow smaller and more niche businesses to continue to benefit from it. It would also help businesses understand more nuanced topics, with divergence from the EU identified by some organisations as being a confusing topic to understand. Following this simplified and generic guidance, specific product safety laws could then be published. This will continue the positive impacts of the guidance, especially as it can help increase the reputability of businesses.

*“As a manufacturer it would be nice to say we meets the guidelines, but I can’t see an official body taking the time and trouble to generate guidelines [applicable to a] UK business who turns over under £100,000 a year and might make 600 [items] in a good year.”*

**Manufacturer, micro, electronics**

The PAS guidance that has been published by OPSS has been well-received and is seen as a good resource, though awareness remains very low. There was a suggestion from a trading standards representative that guidance such as this could be improved further by attaching legislation to it.

*“Maybe more of [PAS] because they can come through quicker, be devised and published quicker than a normal standard with maybe a bit more weight to them with the relevant legislation or a generic legislation.”*

**Trading standards**

Some organisations interviewed also felt that more work could be done to ensure consumers themselves were better educated, so that they know how to use products in a safe way and know how to identify when product safety regulations have been adhered to.

*“It’s quite frustrating, the marking that’s there to advise consumers...it’s the same for our products as well, they’ve got various logos and icons to denote certain aspects of the products make up or safety or whatever and the general public wouldn’t generally know those markings.”*

**Distributor, medium**

*“Education of the end-user is the biggest challenge. I don’t think the product themselves are at risk, in the general, but I think the lack of end-user understanding of what they need is the biggest risk...”*

**Retailer and distributor, micro**



## Future innovation

As seen in 2020, there was an optimism that future innovations will also provide opportunities for the product safety system to improve. For example, new technology in the form of new tests, 'smarter' products that can detect faults earlier on and the increased standardisation of parts and common components will all reduce the potential for error and product safety risks.

*"It may be with these tech advances, technology will help prevent products from going seriously wrong and malfunctioning because they will alert us to the fact they're not working properly before they cause real damage."*

**Legal firm**

Although many saw the growth of online marketplaces as a key challenge to product safety, one legal adviser highlighted there are also potential opportunities with this, and that the growth of online markets could make easier for manufacturers and retailers to monitor the safety of their products and action recalls when needed.

*"Online sales create some risk on one side but for reputable manufacturers and retailers it potentially helps them with greater visibility as to where their products are so if there is a problem they can deal with it more quickly and with a greater success rate."*

**Legal firm**

Some felt that there was scope for OPSS extending their regulatory power to benefit newer industries, like e-cigarettes, and help with growing concerns about the use of chemicals and substances which may impact the environment (such as Perfluoroalkyl and Polyfluoroalkyl substances). Through discussions with organisations on the future of product safety, the longer-term environmental safety of a product, such as air pollution, and whether it can be safely disposed or recycled, was increasingly seen overlap with consumer product safety.

## Conclusions

*This section provides an overview of key findings from across the report in relation to the main research objects. Specifically, this section looks to summarise perceptions and attitudes towards product safety and the product safety system, how they have changed over time, and the extent to which these perceptions and attitudes are shared among system actors.*

### **Perceptions and attitudes towards product safety and the product safety system**

Overall, most organisations interviewed felt that product safety standards in the UK were high, especially in comparison to some other countries. Typically businesses trust existing standards, and product safety issues were perceived to be failures of individual businesses rather than flaws in the system. However, it was raised that the existing regulations could often be difficult to understand, leading to unintentional non-compliance, particularly among smaller businesses who are less likely to have product safety departments and specialists.

To some extent, the product safety system was seen to police itself; businesses reported a range of incentives they had to ensure high levels of product safety standards, predominantly maintaining a good business reputation. However, concerns were raised about capacity within the system to monitor and respond to product safety issues when they do arise, and some felt this was exacerbated by a lack of resource in trading standards. The onus for product safety was predominantly seen to lie with manufacturers, and many businesses further down the supply chain (such as retailers) trusted manufacturers would only product safe goods and would resolve an issue (such as co-ordinate a recall) in a product was found to be unsafe. Overall, however, there was little clarity around the process for product recall, low awareness of PAS 7100, and uncertainty among organisations over how a product safety issue would be resolved if a UK based manufacturer (or importer) could not be identified or failed to take the necessary steps.

### **How perceptions and attitudes have changed over time**

Despite changes in the market over the last two years, perceptions and attitudes towards product safety in the UK remained largely in line with 2020.

The key challenges perceived by organisations remained in line with 2020. However, in 2022, organisations were increasingly concerned about the impact of the current economic climate and the impact that cost cutting measures may have on the product safety system. While the majority of businesses surveyed reported that they had absorbed additional costs or passed them onto the consumer (rather than changing the product or materials used which could impact the safety of the product), organisations interviewed outlined a number of product safety impacts of the current economic climate, such as businesses making cuts to product safety specialists and departments, and consumers being more likely to prioritise cost over product safety.

Despite this, the majority of businesses surveyed continue to believe that they do not face any challenges to product safety compliance, though it should be noted this proportion has dropped since 2020.

More positively, there were some indications of improvement in the use of product safety guidance and advice. Among businesses surveyed, awareness of OPSS had increased from 2020 (although this remains low), and a larger proportion of businesses were using Local Authorities as a source of advice and guidance on product safety related issues.

### **Extent to which the perceptions and attitudes are shared among system actors**

The overarching key perceptions of what works well (e.g. UK standards) and what are the key challenges (e.g. online marketplaces) were consistent across all actors in the system. At every level, businesses typically felt some degree of responsibility to ensure their products are safe, were motivated to do so and felt they were able to uphold good standards.

However, evidence from the qualitative interviews shows that organisations commonly perceived certain types of businesses to be more conscious of product safety than others. In line with 2020, UK based organisations were perceived to be more regulated and produce safer products than those imported from other markets. Larger businesses were seen to be more reputable and more likely to have the necessary resources (such as testing, and product safety specialised) and product safety processes in place, when compared to smaller businesses. Again, in line with 2020, actors further up the supply chain, in particular the manufacturers, were seen to have the primary responsibility for a product and were typically trusted to 'self-regulate' the safety of their products, with the consequence of producing an unsafe good (such as the reputational damage) too great for them to risk. Actors further down the supply chain, such as retailers and installers, typically felt that if they purchased from reputable manufacturers and suppliers (especially large, well-known brands) they could be confident the products they sell, repair or install are safe.

The survey of businesses supported some of these commonly held perceptions. Certain businesses, and in particular larger businesses, were found to have more product safety processes in place than others and a number of these key differences identified in the survey are detailed below. This is not intended to be a definitive list of every difference identified in the survey, rather it is intended to bring together some of the key variances between actors highlighted earlier in this report.

### ***Size of organisation***

Medium and large sized businesses were also more likely than smaller businesses to carry out actions to ensure product safety including, but not limited to, carrying out internal audits or checks on the safety of their products (74% vs. 32% of sole traders), having a designated person or department responsibly for product safety (57% vs. 15%) and holding documentation relating to product safety standards and testing (70% vs. 20%). They were also more likely to assist with product recalls (89% vs. 73%).

Smaller businesses were more likely to report that they did not face any product safety challenges (67% sole traders vs. 17% 250+ employees). However, this may just reflect that larger businesses are more aware of product safety regulations and therefore more aware of the challenges. This idea is supported by the finding that medium and large businesses were less likely to agree that there was effective regulation of online marketplaces (37% vs. 46% of all businesses).

### ***Type of organisation***

In line with 2020, throughout the survey, manufacturers stood out from other types of businesses in terms of their roles and responsibilities in the product safety system. They

## Product Safety and Industry Research: Wave 2

were perceived to be more responsible than any other actor for setting product safety standards (66%), ensuring these standards are upheld (62%), and resolving product safety issues when they arise (65%). They are also a key source of information for other actors to ensure product safety compliance (used by 61% of businesses) and on a number of measures they demonstrated higher awareness of product safety guidance and requirements, including being more likely to have heard of OPSS compared with smaller businesses.

Organisations further down the supply chain were less likely to feel responsible for the safety of a product and distributors were the most likely report they had no responsibility to ensure product safety standards (10%). That is not to say distributors were unengaged with the product safety system, indeed they were the most likely to hold documentation relating to product safety standards and testing (57% vs. 32% of all businesses).

Some difference was also apparent by business sector. For example, those in the electronics sector were more likely to assist with reporting unsafe goods (82% vs. 73% of all businesses) and more likely to mention their accountability and responsibility if there was to be a product safety issue (19% vs. 12% of all businesses). Businesses in the white goods and 'smart' technology sectors were the most likely to encourage consumers to register their product (68%<sup>13</sup> and 54%).

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<sup>13</sup> Please note finding not statistically significant due to small base size.

## Annex 1 Case study: Installer in the IT sector

Sarah is a Managing Director who has worked in the IT sector for approximately 35 years. Due to the small size of the business, she has varying responsibilities relating to finance, IT and customer engagement.

As an installer, Sarah doesn't believe her company has any responsibility for product safety. She assumes that manufacturers take responsibility and trusts that if they are marketing a product in the UK they will have fulfilled the necessary product safety requirements.

Sarah also believes that manufacturers are responsible for resolving any product issues that do arise as they have sold the product. Whilst there may be others who could be legally responsible, she views manufacturers as being most responsible.

"They market the product and there is always an expectation - certainly in this country - that anything you buy is going to be safe. As long as you don't buy something dodgy from eBay you would assume that what you buy has gone through some sort of rigorous testing and is going to be safe."

Her company has had very few issues with product safety, and she has not come across any gaps in the product safety system.

"It is very rare for us to install something and then have a problem with it. I don't think we've ever installed something that is unsafe."

Sarah admits that she naively assumes products have been tested beforehand. They spend an hour installing equipment so if there are any safety issues, they would notice them during this period. She recognises that there is a risk to trusting manufacturers, particularly in the context of products bought online or imported from abroad.

"We don't know where they're being built or sourced from...they're very rarely sourced from the UK. You don't really know what standards have been imposed. If the company is operating in the UK you would assume they do have to meet some sort of basic safety standards."

## Annex 2 Case study: Manufacturer in the electronics sector

Thomas is a manufacturer working in the electronics sector. He is the company's quality assurance manager which involves working with the design team and making sure that new products are tested and compliant with legislation before they are released. He has worked in similar roles covering quality and operations, which combined has given him over 20 years of experience in the industry.

In order to manage product safety in their industry, they have an initial process in place to deal with new products. This includes independently testing the product before production as well as using inhouse processes during production. Following this, they have a continuous review process, which includes monitoring product returns.

“High voltage testing on a product before it goes out the door and we also monitor any warranty returns or chargeable returns... to see if there are any significant issues that either need corrective action...or may even require a product recall.”

They have never had to undertake a recall on one of their own products

“We have never had to do one, but for example if we had built something and used the wrong resistor or something which meant the product could be live if you touched the outside of the unit then we would do a risk assessment and if significant we would have to send out bulletins to our customers and arrange for products to come back and be replaced”

However, Thomas has experienced one product safety recall which happened because of a fault with apart from a third-party supplier. This product was not manufactured by the company Thomas works for, but it was sold under their brand.

“We sent the product to the supplier...it was their fault and we decided the product needed to be replaced so sent out bulletins to all customers saying do not use and we will replace it. We had a spreadsheet to make sure all those serial numbers we knew were accounted for and we physically had them”

Thomas is not aware of PAS 7100, but the business does now have a recall process in place now as a result of this past experience.

“Before we started the process, it took a day but we made sure we had agreed steps [with the board] ... and who was responsible. At the time I would have taken that [process] from something on the internet but it was a while ago, either from government body or some guidance somewhere.”

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