



Office for Product
Safety & Standards

Incident Management Plan

Version 5.0

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Foreword

The Office for Product Safety and Standards (OPSS) is the UK's product regulator, here to protect people and places from product-related harm, ensuring consumers and businesses can buy and sell products with confidence.

Businesses are responsible for complying with their legal obligations on product regulation, and our work enables responsible business to thrive, supporting sustainable economic growth. In conjunction with the British Standards Institution, we have developed codes of practice for business on bringing safe products to market and on managing product recalls to help reduce the likelihood of national incidents happening.

But where products pose significant harm to people or the environment and businesses have not met their obligations, we will intervene. This updated Incident Management Plan provides a blueprint for successful intervention, enabling OPSS to manage incidents from identification, action and monitoring to de-escalation and closure.

Our Incident Management Plan first published in 2018 has been tested in previous incidents including the approach to certain Kingspan insulation products, stopping the supply of unsafe baby self-feeding products, and providing oversight and scrutiny over a large recall of unsafe gas hob elbow joints.

We are committed to identifying and learning lessons from every incident and this updated Incident Management Plan implements improvements to ensure we embed these lessons learned. We will continue to work together with local authorities, other regulators and government bodies using the approach set out here to protect people and places from product-related harm.

Graham Russell, CEO OPSS

1. About this plan

1.1 This plan describes how the Office for Product Safety and Standards (OPSS) will identify, assess, and manage incidents, emergencies and disruptive events across its regulatory responsibilities¹, mitigating the risk of harm to people, places or the environment and ensuring consumers and businesses can buy and sell products with confidence.

Aim, objectives and scope

1.2 This plan sets out OPSS' framework for recognising and responding to incidents in conjunction with policy owners, agencies, local authorities (LAs), other market surveillance authorities, border control and ports authorities, stakeholders, and industry.

1.3 The objectives of this plan are to:

- ensure effective mechanisms for identifying and escalating a potential incident are in place;
- ensure there is a coherent, transparent and accountable process for declaring and responding to incidents, emergencies and disruptive events;
- maintain the confidence of stakeholders and ministers;
- ensure comprehensive command and control procedures are in place;
- provide the capability to determine the important parties and resources required to develop and implement an effective response;
- support OPSS' ability to hold businesses to account through the use of its Enforcement Policy²;
- ensure effective engagement across all stakeholders; and
- highlight incident de-escalation and lessons to be learnt processes.

1.4 This plan can be flexibly deployed. In particular, the principles described under command and control could be deployed for other emergency responses that OPSS may be called to undertake.

Incident definition

1.5 OPSS defines an incident as:

“An event, that, based on the available information, poses a significant risk of product-related harm to people, places or the environment and where OPSS’ intervention is likely to mitigate this risk.”

¹ For details of OPSS' regulatory responsibilities see: <https://www.gov.uk/guidance/national-regulation-enforcement-services>

² For details of OPSS' Enforcement Policy, see: <https://www.gov.uk/government/publications/safety-and-standards-enforcement-enforcement-policy>

Strategy and priorities

- 1.6 Our primary purpose is to protect people, places and the environment from product-related harm, ensuring consumers and businesses can buy and sell products with confidence. When OPSS declares an incident, OPSS will act swiftly, decisively and in partnership to:
- communicate effective regulatory and safety messaging with the public, businesses, LAs and other national and international stakeholders;
 - use scientific and technical evidence and advice, product testing, incident data and risk analysis, legal advice and intelligence in decision making;
 - work with business to help or direct them to address issues;
 - use the full range of operational tools and regulatory powers in a transparent, accountable, proportionate and consistent manner; and
 - maintain or restore public confidence in the issues the incident relates to.
- 1.7 In accordance with the public sector equality duty (Section 149 (1) of the Equality Act 2010), in carrying out its functions, OPSS will consider the needs of all individuals to establish how different people will be affected, with rigorous consideration given to those individuals with protected characteristics. For example, OPSS may consider how businesses prioritise protection of the elderly and/or those with a disability and whether certain information is reproduced in a variety of minority languages.
- 1.8 The requirements of the public sector equality duty will be considered at all levels of the response, from setting the strategic direction, overseeing the delivery and monitoring the effectiveness of the response, through to how we analyse data and communicate with stakeholders.

2 Identification and escalation of potential incidents

- 2.1 Potential incidents may be identified from a range of internal and external sources including, but not limited to, national and international regulators, ministers, other government departments, emergency services, LAs (e.g., trading standards, building control, etc.), businesses, trade bodies, media coverage (including social media), members of the public and other stakeholders.
- 2.2 OPSS personnel becoming aware of an issue that could be or lead to an incident should discuss with line management within their own functional area as required, and report this to the Incident Management Team (IMT).
- 2.3 The principle of subsidiarity should apply, and decisions should be taken at the lowest appropriate level within the organisation. It will be for the Functional Team Leader (FTL) to determine if further assessment may be required, liaising with appropriate experts and engaging appropriate local regulators as and when needed, to make initial decisions on handling the issue or referring it to the deputy director for consideration as a potential incident. In any event the IMT should be informed of the issue and reserve the right to escalate to an incident if appropriate.
- 2.4 At each escalation stage, the issue should be evaluated against the incident impact matrix in Table 1. An assessment at 'medium' or above would normally generate some type of response, whether within the functional area or as a declared incident.
- 2.5 Issues would normally be escalated through the Case Assessment and Monitoring (CAM) group for further consideration. CAM meetings are held routinely to consider consumer and construction product safety issues but where appropriate, other meetings or sub-groups may be convened to consider urgent or other (e.g. non-product safety) issues.
- 2.6 Should CAM assess an issue as nationally significant, novel or contentious (NNC) or likely to hit incident triggers and for OPSS to lead, CAM may decide to recommend further escalation of the issue to the Tactical Tasking Group (TTG). If appropriate, TTG will agree activation of the CAM Escalation Protocol (CAM-EP) to gather further information about the issue.
- 2.7 Where sufficient information has been gathered to support a decision on whether to declare an incident, OPSS will hold one or a series of case conference meetings.

Case Assessment and Monitoring group

- 2.8 The primary purpose of the CAM group is to assess if an issue has the potential to require intervention or coordination by OPSS.
- 2.9 CAM is chaired by the IMT and will:
 - commission and monitor actions, advice and reports from relevant teams (e.g. Enforcement, Intelligence, Risk, Legal, Engineering and Technology, Science, etc.) to aid with assessing the issue and determining next steps;
 - reassess issues as new evidence emerges, or circumstances change;
 - make recommendations to TTG where appropriate;

- recommend escalation of issues to TTG, the activation of CAM-EP or establish a case conference that have grounds to become an incident;
- monitor ongoing or live issues; and
- where appropriate, identify ways of supporting LAs when they are leading a response.

2.10 CAM will use three criteria to assess if an issue should be led by OPSS or the LA:

- **Nationally Significant** – the resourcing and/or expertise needed to investigate is beyond the capacity of an LA, there is a high level of public concern and national interest; and/or
- **Novel** – the risks of the usage of a product are unknown and unquantified; and/or
- **Contentious** – instances in which a single, centrally delivered answer is required to minimise the potential for dispute between industry, regulator, and other stakeholders.

One or more of these three triggers could be used to delineate OPSS led activity from LAs.

2.11 CAM will generally only escalate product safety issues where NNC criteria are met. In all cases, CAM will consider the issue against the incident impact matrix in Table 1.

Tactical Tasking Group (TTG)

2.12 Chaired by the Deputy Chief Executive, Regulation, TTG meetings take place routinely to consider issues escalated from the operational level including providing oversight on assessments against NNC criteria and where issues are meeting incident triggers. TTG can recommend the activation of CAM-EP, or further escalation to case conference for issues that have grounds to become an incident.

Case Assessment and Monitoring Escalation Protocol (CAM-EP)

2.13 Led by the relevant senior civil servant (SCS), CAM-EP is activated by TTG to build on information gathering undertaken through the CAM process, but with a focus on a fuller evidential picture to ensure informed decision making. Based on available information, CAM-EP can commission further information gathering, recommend that no further action and/or the de-escalation of an issue is taken, or escalation to case conference.

Case conference

2.14 A case conference is a decision-making meeting for determining whether it is appropriate for OPSS to declare an incident.

2.15 They take place when:

- Initial activities have concluded with a recommendation on enforcement action with potentially significant impacts on the business and/or OPSS or wider population (e.g. legal, business continuity, multi/national company);
- grounds exist to suggest that the current case could become an incident; or
- there may be a significant impact on resources.

- 2.16 Case conferences may be requested by:
- A deputy director or higher from OPSS; or
 - the Head of IMT in consultation with an appropriate member of OPSS SCS; or
 - the affected FTL in consultation with the SCS.
- 2.17 OPSS attendees will be dependent on the circumstances of the case and issues under consideration.
- 2.18 Each case conference will consider the background to the case, updates from enquiries and testing (if applicable), science and technical advice, intelligence, risk assessments, stakeholder engagement and communications and recommendations from other groups (e.g. CAM, CAM-EP or TTG) to determine and agree next steps.
- 2.19 The likely outcome of a case conference may be to:
- request further information or actions (e.g., enforcement action/further testing/intel etc.).
 - agree if wider OPSS coordination is required as part of operational delivery;
 - declare an incident; or
 - record that OPSS take no further action and make arrangements to feedback the outcome to the originator.
- 2.20 If a case conference decides to declare an incident, section 3 of this plan will be invoked to ensure clear command, control and communication structures are put in place to direct, coordinate, and support an effective response.

Figure A – Incident escalation process

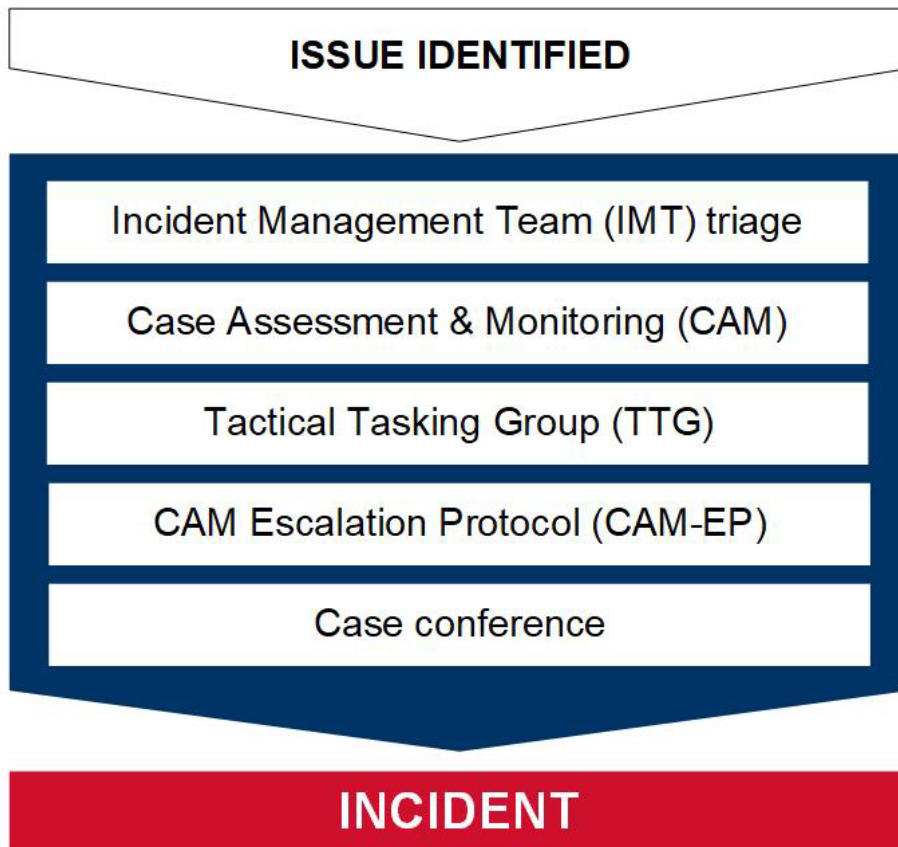


Table 1 – Incident impact matrix

The table provides examples to help categorise the impact of an issue and consider the need for action:

- Critical – the potential consequences are such that strategies should immediately be developed to reduce or eliminate them.
- High – the potential consequences are such that consideration should be given to strategies to reduce or eliminate them.
- Medium – the potential consequences are less significant but should be monitored to ensure that they are being appropriately managed.
- Low – the potential consequences may not be significant so require minimal monitoring and control.

Indicator	Low	Medium	High	Critical
Nature and potential impact of the issue to the safety of the public	A safety risk to the public exists, isolated examples of harm may have occurred, but this risk can be mitigated effectively.	A member or members of the public have experienced moderate harm, or several related cases of more serious harm have occurred, or it is possible that it may be caused.	A number of the public have been severely harmed or are likely to be severely harmed.	Severe harm to large numbers of the public has been caused or is highly likely to be caused.
Nature and potential impact of non-compliance (no public safety issues)	There has been/likely to be no or limited consumer detriment, environmental detriment and/or adverse impact on other businesses.	There has been/likely to be a low level of consumer detriment, environmental detriment and/ or adverse impact on other businesses.	There has been/likely to be a significant level of consumer detriment, environmental detriment and/ or adverse impact on other businesses.	N/A
Remedial Action (complexity)	Remedial action is underway and is being well managed by the business, overseen by OPSS and/ or other regulators.	Remedial action is required that may be complex, require action by multiple businesses or where a business is not conducting the necessary urgent actions.	Urgent remedial action is required that may necessitate action from a large number of businesses. Remedial action to reduce the risk being targeted may impact adversely on other types of risk.	Urgent cross-government action required to make the necessary remedial action effective in reducing the risk.

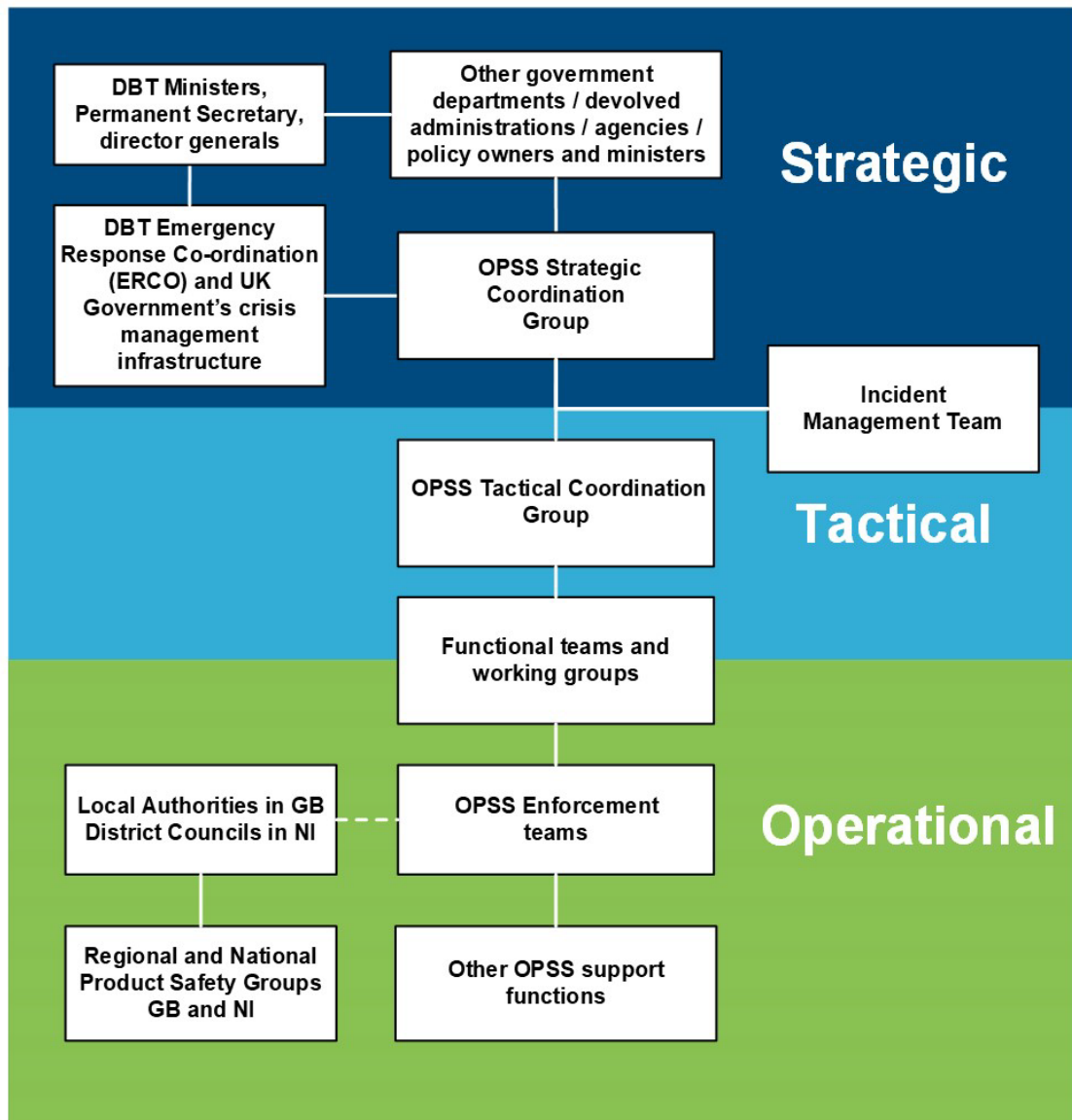
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Public Confidence	Short-term or low level of public concern.	Increased concern and loss of public confidence.	Significant national loss of confidence in the regulatory protection provided.	Widespread loss of confidence in the regulatory protection provided and/or the integrity of the UK supply chain.
Media Interest	None or short-lived interest requiring brief statement.	Increasing interest requiring coordinated briefings and statements.	Prolonged interest requiring significant media monitoring and frequent briefings and statements.	Sustained national and/or international interest requiring clearance of statements beyond the government department with policy responsibility.
Reputational risk to the policy owner	No, or extremely limited risk to reputation.	Potential for some impact to reputation.	Serious impact to reputation.	Sustained serious impact to reputation.
Financial risk to the policy owner	Can be managed with no additional financial impact.	Likely to involve limited additional expenditure within budget.	Likely to involve large scale expenditure requiring additional funding.	Likely to require significant additional funding.
Ministerial / Parliamentary interest	None or short-lived interest requiring brief update or statement.	Increasing interest requiring coordinated briefings	Prolonged interest requiring frequent briefings and potentially statements by Ministers and/or other Parliamentary business	Sustained interest requiring briefings and Parliamentary business beyond the government department with policy responsibility.

3 OPSS command and control arrangements

- 3.1 In response to an incident, OPSS will establish a command-and-control structure of three levels operating at a strategic, tactical, or operational level.
- 3.2 The strategic level focuses primarily on setting, reviewing and overseeing the strategy for responding to the incident. The tactical level is responsible for tactical management and coordination of the incident. The operational level describes the undertaking of individual or team activities that are aligned with the strategy.
- 3.3 Figure B illustrates OPSS incident command structures and how they interrelate with the wider Department for Business and Trade (DBT), other government departments and agencies and wider government response structures. Flexibility and proportionality of the response is important, and as such it may not be necessary to mobilise all units for every incident.

Figure B – Incident command structures



Groups and committees

Strategic Coordination Group (SCG)

- 3.4 The SCG is an OPSS body, chaired by the Deputy Chief Executive, Evidence, or the Deputy Director, Targeting.
- 3.5 The purpose of the SCG is to take overall responsibility for the management of the incident and to set out and oversee the strategic framework within which the Tactical Coordination Group (TCG) will operate.
- 3.6 In setting and reviewing the strategy for a response, the SCG will consider:
 - what happened (intelligence, risks, information and impacts);
 - strategic aim and the governing objectives;
 - immediate priorities;
 - support required to deliver the priorities (resources, information, authority, finance);
 - who needs to know, what and when (communications strategy);
 - engagement with ministers, press office and stakeholders; and
 - incident exit strategy.
- 3.7 Where appropriate, the SCG will also consider how to establish strategic, cross-government lines of communication, ensuring these are in place between DBT and relevant government departments. The SCG will set clear deadlines for updates, which must be met by OPSS teams and partners.

Tactical Coordination Group (TCG)

- 3.8 The TCG manages and coordinates the response at a tactical level through the application of the strategy set by the SCG.
- 3.9 The TCG will be chaired by the deputy director responsible for the function impacted by the incident or their FTL deputy. The TCG will:
 - deliver the strategy set by SCG;
 - provide advice and guidance to the SCG;
 - provide guidance, instruction and oversight of operational teams;
 - decide the schedule of events;
 - review evidence and associated risks and agree their management strategies;
 - agree a communications and engagement strategy;
 - confirm financial resources; and
 - consider staff resources.
- 3.10 Relevant FTLs will sit on the TCG and are accountable to the TCG chair. FTLs are responsible for specific areas of OPSS' incident response and, when relevant, will be expected to attend TCG and other related meetings. FTLs will hold cascade briefings on a regular basis with their team members, covering relevant output from the TCG and SCG meetings, assigning tasks to the team, agreeing timescales, and setting quality standards. FTLs may convene working groups to coordinate specific workstreams.

Incident Evidence Groups (EG)

3.11 The EG may be convened at strategic and tactical levels to ensure coordinated and timely scientific, technical, and analytical advice is made available to SCG, TCG, policy and enforcement colleagues and/or others as required such as the Incident Expert Panel. Attendees would be drawn from the main analytical and technical teams in OPSS.

Incident Communications Group

3.12 The Incident Communications Group is responsible for developing and enacting a communications strategy as required by the TCG. The Group will plan and deliver public communications including the publication of product safety alerts, reports, recalls and enforcement actions where required; and plan and monitor relevant stakeholder engagement.

Bird table / stand up meetings

3.13 Bird table meetings may be held to:

- provide a structure for the management of the incident by meeting regularly;
- facilitate the effective management of the incident by ensuring communication between all policy, operational, and communications and engagement functions involved;
- provide brief situation updates on all aspects of the operation to those concerned in its management;
- encourage a coordinated and cooperative response; and
- identify significant emerging issues and allocate responsibility for resolving them and reporting back.

3.14 OPSS staff attendance at bird tables is dependent on the circumstances of the incident.

3.15 Updates include a strategic overview, short situation updates from each team, including any issues they are coming across and communication of important items from the schedule of events.

Other groups

3.16 In addition to regular meetings of groups such as the SCG and TCG which form an established part of the incident response command and control structure, it may be appropriate to establish or use preexisting groups, including:

- **Policy Owner Liaison Group** - may be convened for incidents where OPSS provides services on behalf of other government departments. The group provides a forum for OPSS and the policy owner to discuss policy objectives and highlight their successful delivery.
- **Cross-Government Incident Coordination Cell** – may be convened to provide a briefing and coordination function for regulators, policy-owning departments and devolved administrations with a stake in a declared incident. The group provides an opportunity for members to receive regular, strategic and tactical level briefings in relation to the incident, facilitate coordination on cross-departmental issues and decisions, including policy and ministerial briefings, communications and messaging; and technical evidence. Attendees will reflect the issues under consideration and may include representatives from OPSS, wider DBT, other UK regulators and policy owning departments or agencies.

- **Regulatory Coordination Cell (RCC)** – may be convened to provide specialist advice and coordinated support for dealing with national regulatory incidents. Members of the group may share intelligence and analysis on market surveillance activities to focus strategic efforts and if necessary, coordinate with Approved and Notified Bodies, test houses and government laboratories to support UK testing capability and capacity, and to facilitate the rapid testing of products to inform decision making. Attendees will reflect the issues under consideration and may include representatives from OPSS, wider DBT, and other UK regulators.
- **Incident Expert Panel** – may be convened/commissioned where there is a need to obtain specialist advice or independent verification of OPSS considerations. Attendees will reflect the incident and may include representatives from OPSS, modelling experts, economists, and scientists in the required fields. These may be sourced within government, its agencies, from external organisations such as academia and others identified from a register of specialists that OPSS has developed.
- **OPSS Advisory Board** – is an established group comprised of senior staff with varied experiences and backgrounds across Government and the private sector. Board members provide non-regulatory strategic and organisational advice and act as non-decision making ‘critical friends’.
- **Monitoring meetings with businesses and trade associations** – may be convened with businesses and, where relevant, trade associations, involved in complex or protracted incidents to understand proposed actions before they are taken, maintain dialogue and obtain data and updates from activities. If appropriate, these meetings will contribute to investigatory evidence base to inform decision-making on necessary enforcement action. During the commissioning and establishment of other groups, OPSS will consider its exit strategy, including the identification of longer-term responsible persons or groups.

Roles and responsibilities

Strategic functions

- 3.17 Strategic functions will be kept informed and depending on the nature of the incident, may become directly involved. Important functions include:
- **Ministerial team:** The relevant Secretary of State and departmental ministers may be required to brief Parliament, the Cabinet and No.10 about the incident and emerging risks.
 - **Permanent Secretary and departmental director generals with relevant policy responsibilities:** Will work with their ministerial teams to ensure No.10 and other government departments are appropriately engaged.
 - **OPSS Chief Executive Officer (CEO):** is responsible for ensuring that OPSS’ delivery of regulation is in line with strategic, policy and legislative frameworks as set out by ministers. The CEO also provides oversight of OPSS Deputy Chief Executive Officer activities.

- **OPSS Deputy Chief Executive Officer (DCEOs) and Deputy Directors (DDs):** Are responsible for setting the strategic direction and incident decision making. They will plan the delivery of strategic aims and provide oversight of activities under their respective areas, ensuring that incident related activities are adequately resourced. Depending on the nature and scale of the incident, DCEOs will delegate responsibilities to DDs to ensure resilience and maintenance of business-critical activities.
- **DBT Emergency Response Coordination (ERCO):** Was established within DBT to improve the way the Department coordinates its preparation for, and response to, emergencies. For the purposes of incident response, OPSS will engage with DBT ERCO in the case of an incident that is, or could develop to be, risk assessed as High or Critical.

If DBT ERCO establishes an Emergency Response Team (ERT), OPSS will provide policy advice, links to industry and ensure that subsequent implications are considered where appropriate. The objective of the ERT is to set the overall cross-government strategy for the response. ERT works within central government response mechanisms (which includes Cabinet Office Briefing Rooms (COBR)), potentially as the Lead Government Department, under the Civil Contingencies Act 2004.

For incidents where the policy owner is outside of DBT, the relevant policy owner's equivalent body is likely to fulfil this central government response coordination role.

Tactical and operational functions

- 3.18 Tactical leads will be dependent on the specific circumstances of the incident. Leads will be drawn from OPSS functional areas, some or all of which may also have a role in the operational response and/or related investigations. OPSS maintains a list of functional area responsibilities to help determine those that should be involved with the incident. OPSS may also nominate a senior investigation officer to determine appropriate action enforcement in a parallel investigation.
- 3.19 One or more TCGs will be set up to coordinate work across all relevant functional areas bringing together disciplines from across OPSS.

OPSS Incident Management Team (IMT)

- 3.20 IMT coordinates activities across the strategic and tactical levels to support incidents or emergencies. The main functions include:
- Secretariat – Undertakes secretariat functions for specific meetings within OPSS and sets the schedule of meetings in conjunction with the SCG.
 - Management Information – Collates management information from OPSS and wider operational teams.
 - Reporting – Collates updates from teams involved to provide management information and situation reports to OPSS, DBT and wider government as required.
 - Incident and risk planning, horizon scanning and de-escalation planning.
 - Issues resolution – Provides advice and guidance on incident management and coordinates issues for resolution, ensuring the correct people are involved in resolving the issue.

- De-escalation and closure – Develop plans to return activities to a normal business state and implement measures to close the incident.
- Undertaking lessons identified feedback sessions and reporting on these to OPSS at board level. In the event of a protracted incident, it may be necessary to remain in the response phase for an extended period. IMT will lead the establishment of a succession plan to ensure continuity of capability as well as staff resilience and welfare.

Schedule of events (battle rhythm) and situation reports

- 3.21 A schedule of events (often referred to as the battle rhythm) is established to enact and facilitate a regular, consistent programme of important meetings and events, allowing all participants to be aware of the upcoming incident meetings, so they can better plan their involvement.
- 3.22 The schedule will be developed and maintained by IMT in agreement with the SCG. The schedule will follow a consistent format on a typically week by week basis but will be flexible and vary depending on the size and scale of the incident being faced.
- 3.23 The IMT will produce situation reports at a frequency that takes into consideration the reporting needs of OPSS, wider DBT and Government incident response structures.
- 3.24 If COBR Unit activate COBR, OPSS situation reports will be used to provide specific OPSS information into any Commonly Recognised Information Picture (CRIP). The timings for these contributions will be agreed with COBR.

De-escalation, re-escalation, and closure

- 3.25 The management of an incident at the appropriate level will help to ensure an effective and proportionate response. A decision whether to escalate an incident through the differing response levels will be determined by its severity, scale and impact, and the expectations of OPSS to respond. The IMT lead decides whether to flag an incident for escalation at the appropriate level.
- 3.26 As an incident progresses, it may be appropriate to de-escalate to a lower level, or to return completely to normal operations. This decision will be taken by IMT and the chair of the TCG in consultation with the SCG.
- 3.27 IMT will develop, agree and implement an Incident De-escalation Plan. This may include creation of a monitoring group as part of normal operations to coordinate residual activities. Should a re-escalation be required, the processes described in section 2 of this plan will be followed.
- 3.28 Once closed, all OPSS led incidents are subject to review as described in section 5 of this plan.

4 Engagement

- 4.1 OPSS will create a stakeholder engagement plan to ensure coordination of non-regulatory engagement which will take account of the above and ensure we:
- identify all relevant stakeholders through which we can seek views on specific issues and disseminate and amplify OPSS messaging;
 - provide operational partners with timely information about our actions, the actions of the businesses involved and what they need to do;
 - provide consumers and businesses with appropriate information when they need to act. This may include publishing safety information on the Product Recalls and Alerts webpage on gov.uk;
 - work with relevant operational partners and stakeholders as appropriate, ensuring safety messages get to the right end users, including hard to reach groups and those who are more vulnerable; and
 - keep DBT, other government departments and the devolved administrations informed where they have a significant interest in the incident.
- 4.2 Regulatory engagement with the business(es) involved in the supply chain of the affected products will be led by OPSS or LAs depending on the regulatory area and operational decisions, in line with our enforcement policies.
- 4.3 Through the TCG, OPSS will engage with relevant stakeholders appropriate to incident circumstances such as consumer bodies, trade associations and other national or international bodies, to keep them informed and seek views, for example, seeking industry views on a specific technical issue. The TCG will work with the operational team closest to an issue to identify relevant stakeholders.
- 4.4 OPSS has the ability, through procurement of an external call centre service, to scale up its incident call handling operations to process commensurate levels of enquiries from the public. This will ensure OPSS is able to provide timely and accurate advice and reassurance to consumers.
- 4.5 There may be incidents where another government department or agency is leading on the overall response that require OPSS input or support. In these instances, procedures in OPSS' Incident Management Plan will be put into place to feed into the overall response, and to cover OPSS' areas of responsibility.
- 4.6 OPSS will engage with relevant operational partners in the management of the incident and the media via DBT press office or where appropriate, another government department's policy team and press office.

Operational partners

- 4.7 Depending on the nature, scale and severity of an incident, coordinating groups may be set up and may include representation from operational partners to provide a coordinated response. These may include:

- **Cabinet Office, COBR Unit:** is responsible for overseeing the cross-government response if an incident requires it. The COBR Unit supports lead departments and ministers, working with other departments, bilaterally or multilaterally, at a strategic level to identify emerging issues and develop solutions or policy options for putting to ministers and COBR. If an incident requires it, DBT ERCO team would work with the COBR Unit directly on behalf of OPSS.
- **Department for Environment, Food and Rural Affairs (Defra):** is responsible for improving and protecting the environment. Defra owns the policy for various areas regulated by OPSS including Waste Electrical and Electronic Equipment (WEEE), waste batteries, timber and timber-related products, restriction of hazardous substances (RoHS), end-of-life vehicles and access and benefit sharing (Nagoya Protocol).
- **Ministry of Housing, Communities and Local Government (MHCLG):** owns the policy for construction products and OPSS is accountable to MHCLG Ministers in its role regulating construction products.
- **Department for Transport (DfT):** holds policy responsibility for maintaining high standards of safety and security in transport across the UK. These include policy ownership over market surveillance of motor vehicles, and of systems, components and separate technical units intended for vehicles as well as regulations on marine equipment. It does this via its market surveillance authorities such as the Driver and Vehicle Standards Agency (DVSA) and the Maritime and Coastguard Agency (MCA) who enforce safety legislation and regulations to ensure product safety within the transport sector.
- **Home Office (HO):** is the lead government department for immigration and passports, drugs policy, crime, fire, counterterrorism and police. OPSS primarily engage with HO regarding fire incident data and work jointly with DfT on cross-cutting policy areas such as e-bikes and e-scooters.
- **Driver and Vehicle Standards Agency (DVSA):** undertakes an annual programme of work, inspecting and testing automotive products in the UK to check if they meet legal requirements, with regards to road safety and the environment, comply with the standards to which they were approved and if they present a safety risk under General Product Safety Regulations (GPSR) 2005.
- **Health and Safety Executive (HSE):** HSE is a Great Britain (GB) market surveillance authority that monitors and enforces legal requirements on the safety (including risks to health) of most work equipment and the regulation of biocides, pesticides, detergents, and certain chemicals. This work is undertaken in addition to HSE's other functions, including its traditional role as a workplace health and safety regulator.
- **Building Safety Regulator (BSR):** BSR is part of HSE in England and is responsible for overseeing the safety and standards of buildings, helping and encouraging the built environment industry and building control professionals to improve their competence and leading implementation of the new regulatory framework for high-rise buildings - buildings with 7 or more storeys or that are 18 metres or higher and have at least 2 residential units or are hospitals or care homes (during design, construction and occupation phase).

- **Health and Safety Executive for Northern Ireland (HSENI):** is responsible for the promotion and enforcement of health and safety at work standards in Northern Ireland (NI). It shares this responsibility with the eleven local councils. HSENI is a market surveillance authority that monitors and enforces legal requirements on the safety (including risks to health) of most products used at work. This work is undertaken in addition to HSENI's other functions, including its traditional role as a workplace health and safety regulator.
- **Medicines and Healthcare products Regulatory Agency (MHRA):** regulates medicines, medical devices and blood components for transfusion in the UK ensuring they meet applicable standards of safety, quality and efficacy, their supply chains are safe and secure, promoting international standardisation and harmonisation and helping to educate the public and healthcare professionals about risks and benefits.
- **Office of Communications (Ofcom):** is the communications regulator in the UK and is an enforcing authority for the Radio Equipment Regulations 2017 and Electromagnetic Compatibility Regulations 2016 as they apply in GB and NI. Ofcom regulates the TV, radio and video on demand sectors, fixed line telecoms, mobiles, postal services plus the airwaves over which wireless devices operate.
- **Department for Energy Security & Net Zero (DESNZ):** is responsible for security of energy supply. OPSS delivers enforcement services for DESNZ, with Memorandum of Understanding's (MOUs) covering five pieces of core legislation and multiple implementing regulations. The core legislation covers; Eco-design, Energy Labelling, Electric Vehicle Smart Charge Points, Heat Networks Metering & Billing Regulations and the Heat Networks Energy Bill Discount Scheme.
- **Department for Science, Innovation and Technology (DSIT):** are responsible for positioning the UK at the forefront of global scientific and technological advancement, driving innovations, research & development funding and delivering talent programmes, physical and digital infrastructure, and regulation. DSIT deliver key legislative and regulatory reforms to drive competition and promote innovation, including a pro-innovation approach to regulating Artificial Intelligence (AI). OPSS are engaging closely with DSIT relating to our AI Strategy. OPSS enforce DSIT's policy around the Product Security and Telecommunications Infrastructure Bill (PSTI).
- **Office for Zero Emission Vehicles (OZEV):** is part of DfT and DESNZ working across government to support the transition to zero emission vehicles. OZEV owns the policy for areas regulated by OPSS including electric vehicle smart charge points, alternative fuel infrastructure and alternative fuel labelling.
- **Local Authority Trading Standards Teams in GB and District Council Environmental Health teams in NI:** have frontline enforcement responsibility for consumer product safety and construction product compliance at the local level. These authorities use data and intelligence to inform their risk-based approach to identifying priorities and planning interventions. Depending on the level and nature of an incident, Local Authority teams in GB and District Council teams in NI may work in conjunction with OPSS.

International

- 4.8 OPSS has strong links with regulators and bodies internationally, which enable us to deliver a more joined up and consistent service. This includes sharing information and data on compliance and risk, where the law allows, to help target regulatory resources and identify non-compliance.

5 Incident review

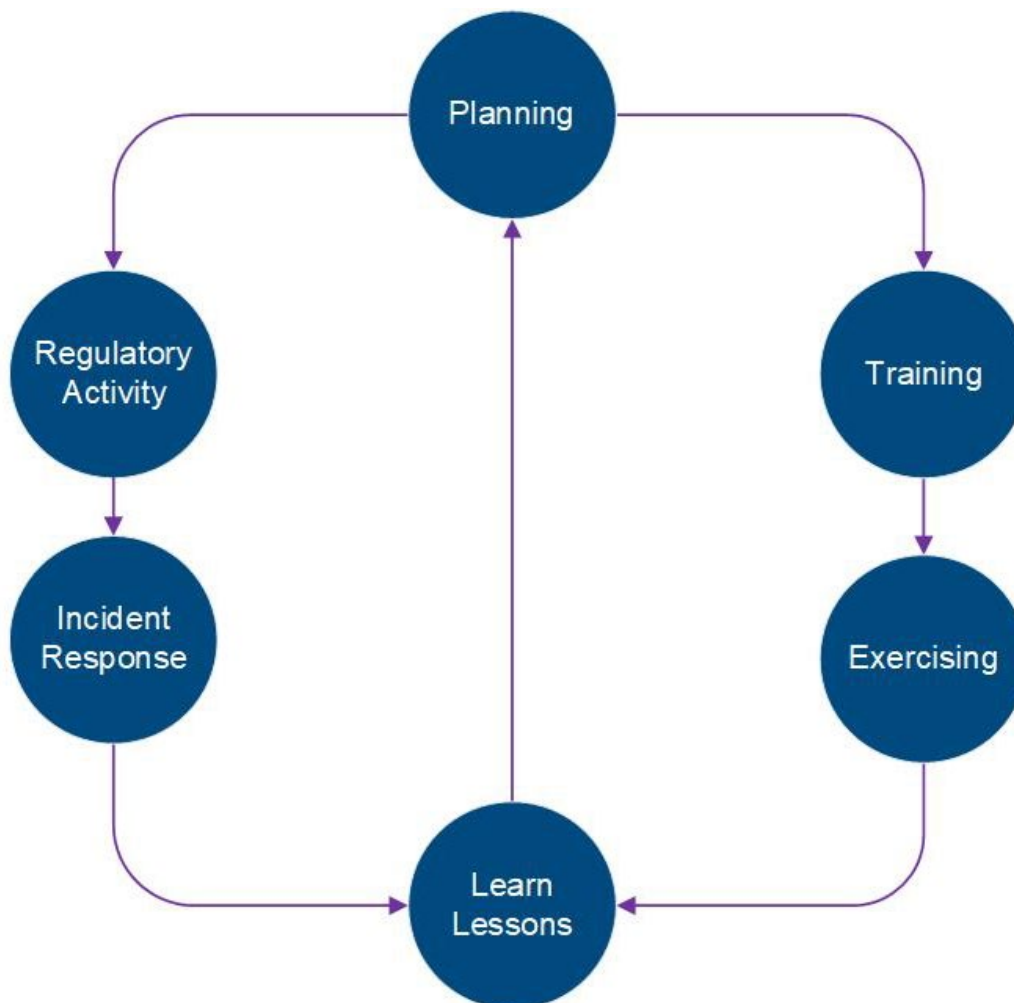
- 5.1 A review will be undertaken for all OPSS-led incidents to identify areas for improvement and 'lessons to be learned'. Feedback will be sought throughout the duration of the incident with lessons being captured by IMT and recommendations allocated to key teams. Lessons will also feed back into reviews of this Incident Management Plan to adapt and improve incident response procedures.
- 5.2 Reviews may involve stakeholders and examine any element of the incident response including identification, notification, assessment, mobilisation, response strategy, policy, legislation, response effectiveness, command and control structure, communications, engagement, and stakeholder relations.

6 Readiness for incidents

6.1 The Head of IMT is responsible for ensuring that OPSS is prepared to respond to incidents. Adopting the principles for emergency planning contained in Part 1 of the Civil Contingencies Act 2004 and as illustrated in Figure C, they ensure that:

- suitable plans are in place and exercised;
- staff are suitably trained;
- notifications are monitored and surveillance is undertaken to identify, assess and act on emerging trends/risks;
- post-incident reviews are undertaken, and lessons identified are implemented;
- effective relationships exist with important operational partners; and
- seeking contingency planning best practice and ensuring it is shared and implemented within OPSS teams.

Figure C – Adopted principles for emergency planning



Plans and operational instructions

- 6.2 OPSS will conduct annual reviews of this plan to ensure it remains fit for purpose. These reviews will ensure that the incident assessment and classification process is effective, and that there is a comprehensive command and control structure, with roles and responsibilities correctly assigned. In addition, lessons learned from invocations and feedback received will be reviewed for incorporation into the plan. Feedback on this plan should be sent to OPSS.enquiries@businessandtrade.gov.uk for the attention of “Incident Management”.
- 6.3 To ensure resources can be made available to invoke and implement this incident management plan, OPSS has identified its critical business activities and planned for the prioritisation of its routine activities. Deputies for important personnel have been identified and succession plans developed.
- 6.4 OPSS conducts an annual capability assessment of OPSS teams’ ability to respond to incidents, including concurrent incidents. Findings of these reviews are used to identify gaps, develop future training needs teams, and promote conversations about team resilience and readiness.
- 6.5 This incident management plan is supplemented by instructions maintained within the relevant OPSS teams.

Training

- 6.6 FTLs are responsible for ensuring staff identified for response roles receive adequate, in-role training to enable a rapid deployment into that role.
- 6.7 Staff are also expected to play active roles in the exercising of the incident management plan and associated procedures.

Exercises

- 6.8 OPSS coordinates exercises to refine and demonstrate preparedness to deal effectively with incidents.
- 6.9 Since the last iteration of this plan, OPSS has undertaken scenario-based exercises with OPSS strategic leadership and product enforcement teams.
- 6.10 In addition, this plan was invoked to respond to incidents relating to gas grills, baby self-feeding products and gas hob elbow joints.
- 6.11 Lessons identified from exercises and invocations have been used to highlight and promote best practice and update OPSS plans.

International monitoring and engagement

- 6.12 OPSS monitors national and international intelligence sources to identify products that could be of cause of concern to the UK market.
- 6.13 OPSS also facilitates conversations and information transfers with relevant international regulators upon request. This is in addition to the data sharing arrangements in place as part of Free Trade Agreements and other international agreements.

Appendix A: Glossary

AI	Artificial Intelligence
BSR	Building Safety Regulator
CEO	Chief Executive Officer
CAM	Case Assessment and Monitoring (meetings)
CAM-EP	Case Assessment and Monitoring Escalation Protocol
COBR	Cabinet Office Briefing Rooms
CRIP	Commonly Recognised Information Picture
DBT	Department for Business and Trade
DCEO	Deputy Chief Executive Officers
DD	Deputy Director
Defra	Department for Environment, Food and Rural Affairs
DESNZ	Department for Energy Security & Net Zero
DfT	Department for Transport
DSIT	Department for Science, Innovation and Technology
DVSA	Driver and Vehicle Standards Agency
EG	Evidence Group
ERCO	Emergency Response Coordination
ERT	Emergency Response Team
FTL	Functional Team Leader
GPSR	General Product Safety Regulations 2005, as applicable in GB and NI
GB	Great Britain
HO	Home Office
HSE	Health and Safety Executive
HSENI	Health and Safety Executive Northern Ireland
IMT	Incident Management Team
LA	Local Authority
MCA	Maritime and Coastguard Agency
MHCLG	Ministry of Housing, Communities and Local Government
MHRA	Medicines and Healthcare products Regulatory Agency
MSA	Market surveillance authority - An authority that is responsible for carrying out market surveillance, with legal obligations and powers to ensure products conform to applicable laws and regulations.
MOU	Memorandum of Understanding
NI	Northern Ireland
NNC	Nationally Significant, Novel, Contentious - criteria used by OPSS when assessing consumer and construction product safety issues
Ofcom	Office of Communications
Operational partners	Organisations that have a statutory or similar responsibility to act for matters relating to the incident
OPSS	Office for Product Safety and Standards
OZEV	Office for Zero Emission Vehicles
PAS	Publicly Available Specification

OPSS Incident Management Plan

PA	Primary Authority - A legal partnership between a business and a local authority where tailored advice is shared on meeting environmental, trading standards or fire safety regulations.
PRISM	National product safety risk assessment methodology used by market surveillance authorities across Great Britain.
PSTI	Product Security and Telecommunications Infrastructure Bill
PSD	Product Safety Database
RCC	Regulatory Coordination Cell
SCG	Strategic Coordination Group
SCS	Senior Civil Servant
Stakeholders	Organisations, bodies or individuals with an interest in the incident or that may be able to provide advice, guidance or assistance on matters relating to the incident.
TTG	Tactical Tasking Group
TCG	Tactical Coordination Group
UK	United Kingdom

Appendix B: Supporting documents

While this plan describes how OPSS identifies and manages incidents it is responsible for, other documents provide detail, advice and guidance aimed at regulators and business that underpin processes described in this plan. These include:

For regulators:

- [Resources for regulators](#) – List of links to guidance and tools for regulators.
- [Product safety: support for local authorities](#) – Provides a summary of local authority responsibilities for consumer product safety and links to relevant resources.
- [Notification guidance of product safety and noncompliance by market surveillance authorities](#) – Provides detailed guidance for market surveillance authorities and enforcement authorities on how to notify products posing a risk to consumers or that are noncompliant including the use of the Product Safety Database (PSD).
- [PAS \(Publicly Available Specification\) 7100:2022 Product recall and other corrective actions. Code of practice](#) - Provides recommendations and guidance to help businesses and regulators have appropriate systems and processes in place to deal quickly and effectively if a problem exists with a product.
- [OPSS Enforcement Policy](#) – sets out the OPSS approach to addressing non-compliance by those we regulate and to product safety risks.
- [Regulators' Companion](#) – collates documents and links to assist local authorities.
- [Product Safety Risk Assessment Methodology \(PRISM\)](#) – is a comprehensive risk assessment methodology used to assess risk tolerability.

For businesses:

- [Resources for businesses](#) – List of links to guidance and tools for businesses.
- [Notifications of unsafe and noncompliant products by businesses](#) – Provides detailed guidance for businesses on how to notify products posing a risk to consumers or that are non-compliant.
- [Information on how to report a serious undesirable effect \(SUE\) or safeguarding issue for cosmetic products](#) – Provides detailed guidance for businesses on how to report a serious undesirable effect (SUE) or safeguarding issue for cosmetic products.
- [OPSS Enforcement Policy](#) – sets out the OPSS approach to addressing non-compliance by those we regulate and to product safety risks.
- [PAS \(Publicly Available Specification\) 7100:2022 Product recall and other corrective actions. Code of practice](#) - Provides recommendations and guidance to help businesses and regulators have appropriate systems and processes in place to deal quickly and effectively if a problem exists with a product.
- [PAS \(Publicly Available Specification\) 7050:2022 Bringing safe products to the market. Code of practice](#) – Is a two-part standard focusing on the processes, procedures, roles and responsibilities associated with bringing safe consumer products to the market.

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