


# OFFICIAL

 <b>British Hallmarking Council</b>	<b>Item: 13a.</b> <b>Paper: 2025-BHC05</b> Approved by Council: 29 April 2025 Author: Secretariat
--	--

## Minutes of Council

**Date:** Monday 14<sup>th</sup> October 2024  
**Location:** Court Room, The Goldsmiths' Company, 13 Foster Lane, London EC2V 6BN  
**Time:** 10.00 – 16.00

### Present

Name	Position
Noel Hunter	British Hallmarking Council member (Chair)
Patrick Fuller	British Hallmarking Council member
Ken Daly	British Hallmarking Council member
Rachel Holloway	British Hallmarking Council member
Isobel Pollock-Hulf	British Hallmarking Council member
Sarah Langley	British Hallmarking Council member
Tom Franks	British Hallmarking Council member/ London Assay Office Chair
Tom Murray	British Hallmarking Council member/ Edinburgh Assay Office Chair
Fakir Osman	British Hallmarking Council member
Gay Penfold	British Hallmarking Council member
Vanessa Sharp	British Hallmarking Council member
Charles Turner	British Hallmarking Council member/ Sheffield Assay Office Chair
Annie Warburton	British Hallmarking Council member/ London Assay Office
Kate Canty	British Hallmarking Council member/ Birmingham Assay Office
John Stirling	British Hallmarking Council co-opted member/ Edinburgh Assay Office
Matthew Sibley	British Hallmarking Council co-opted member/ Sheffield Assay Office

### In attendance

Name	Position
Doug Henry	Birmingham Assay Master
Scott Walter	Edinburgh Assay Master
Will Evans	London Assay Master
Ashley Carson	Sheffield Assay Master
Craig Watson	Office for Product Safety and Standards (OPSS), DBT
Richard Sanders	Office for Product Safety and Standards (OPSS), DBT
Louise Chambers	Secretary

## OFFICIAL

### Observers

Name	Position
Joanne Lim	Incoming Edinburgh Assay Office Chair (as of January 2025)

### Apologies

Simon Meddings, British Hallmarking Council member/ Birmingham Assay Office Chair

Rachel Bealey, Office for Product Safety and Standards (OPSS), DBT

#### 1. Welcome, introductions and declarations of interest

- 1.1 The Chair welcomed everyone to the meeting, noting this was the first meeting for new appointee Kate Canty and that Joanne Lim would be observing in preparation for taking over from Tom Murray in the New Year. Craig Watson from DBT was also welcomed as a special guest.
- 1.2 No declarations of interest were noted.

#### 2. DBT Report

- 2.1 Council noted Richard Sanders' report and Craig Watson provided a report on the government's first 100 days in post.
- 2.2 Council noted that the government's main focus was on economic growth with DBT at the heart of that mission. The Secretary of State Jonathan Reynolds had set out four priority actions: 1. Industrial strategy, 2. Trade strategy, 3. Supporting small businesses, and 4. Making work pay.
- 2.3 Council noted that the Product Regulation and Metrology Bill includes the marking of items but does not include hallmarking. Craig confirmed the bill changes are aimed at enabling power to change the legislation following Brexit. It was noted that although hallmarking was not included, the definition of online marketplaces (what they are, how they are defined) is included for sectors covered by the bill and there will be an interesting crossover for the Council to maintain a watching brief on.
- 2.4 Council was pleased to note that the Tailored Review report is expected before the end of the year.

#### 3. Chair's Report

##### 3.1 Unapproved 'Welsh' Assay Office

- 3.1.1 The Chair informed Council of the purported setting up of an unapproved Assay Office which had very recently been brought to his attention and the attention of Assay Masters. Council noted that a fact-finding meeting had taken place with Assay Masters and the case had been referred to Trading Standards for investigation. Discussions would also be held with the WRi Group regarding providing additional resource to Trading Standards, if required.
- 3.1.2 Council noted there were lessons to be learned regarding the initial query management and that the Education and Enforcement Committee would bring back a protocol to Council for addressing any similar issues in future.

**ACTION:** *The Secretary would provide Council with an update following the investigation.*

##### 3.2 Update on NEM appointments

- 3.2.1 The Chair informed Council that subject to final ministerial approval Rachel Holloway and Sarah Langley are expected to be reappointed for a further term of 3 years. Isobel Pollock-Hulf

## OFFICIAL

will be reappointed for 3 years. Vanessa Sharp will be reappointed for 2 years and Ken Daly will be reappointed for 1 year.

- 3.2.2 The Chair confirmed that interviews were being held for new members on the 7<sup>th</sup> November. Patrick Fuller welcomed the appointment of further trade representatives.
- 3.2.3 The Chair noted this was the last meeting for Patrick and Tom Murray before they stood down at the end of the year and thanked them for their invaluable contributions over many years.
- 3.2.4 The Chair also recorded sincere thanks to Joanna Hardy in her absence, who had resolved to stand down early because of commitments: not least of which is her leadership role with the Goldsmiths' Company.

### 3.3 Secretary probation period

- 3.3.1 The Chair confirmed that the Secretary, Louise Chambers, had successfully passed her probation period.

### 3.4 Digital Markets, Competition and Consumers (DMCC) Act update

- 3.4.1 The Chair informed Council that a meeting had been held with DBT and other government regulators to discuss the new DMCC Act and the challenge of online marketplaces. Council noted that the term 'trader' was covered under the new Act; that there is a desire to see online marketplaces defined as 'traders', and that professional diligence in relation to 'traders' is currently being worked on by colleagues in the DBT Legislation Team and the Chair is contributing to those discussions.
- 3.4.2 The Chair confirmed that Council has no powers under the DMCC, however orders can be made by Trading Standards. Training is being provided to Trading Standards by the CMA and DBT on new powers under the Act.

### 3.5 Touchstone Award and HALO Award update

- 3.5.1 The Chair confirmed that Hull City Trading Standards had won the Touchstone Award this year, following an excellent submission on their enforcement work.
- 3.5.2 The Chair informed Council that unfortunately the HALO Award would not be awarded this year. It was noted that the purdah period had significantly impacted upon the award publicity. The Chair confirmed that the administration and running of the Award was being taken over by the combined Assay Offices under the Assay Assured banner from 2025 onwards.

### 3.6 Governance

- 3.6.1 The Chair confirmed the Annual Report and Accounts for 2023 had been laid before parliament on the 7<sup>th</sup> October.
- 3.6.2 The Chair noted that the Council's business plan for 2024 was not approved and reminded members this was still outstanding.
- 3.6.3 The Chair requested that members complete and return any outstanding annual appraisal forms as soon as possible.  
**ACTION:** *Council members will have forwarded any outstanding appraisal forms to the Secretary by the middle of November.*

### 3.7 Chair succession

- 3.7.1 The Chair informed Council of his intention to step down six months early, in October 2025 rather than April 2026 so that the new Chair would be able to establish their own business plan. Council noted that the appointments process would therefore commence at the April 2025 meeting.

## OFFICIAL

**ACTION:** *The Secretary will have circulated the Chair role descriptor and succession process details by the end of the year.*

### 4. Applications Committee Report

4.1 Isobel Pollock-Hulf presented the report from the Applications Committee. Council noted progress against the committee's business plan actions and that temporary approval had been granted for two sub-office applications: Heathrow/Ferrari Group sub-office (Edinburgh Assay Office) and Brown & Newirth/Allied Gold Ltd sub-office (Sheffield Assay Office). Council noted both applications mirror main office processes and thanked the Applications Committee for their work in considering these.

4.2 The London and Birmingham Assay Masters noted concerns that the Edinburgh Assay Office had not fixed the hallmarking price maxima in the Ferrari Group contract. The Chair confirmed setting of the price maxima is the Council's responsibility under the HMA 1973. Scott Walter therefore agreed to revise the Service Level Agreement with Ferrari to include the £25per article price maxima, to agree the revised wording with the Applications Committee, and to share a copy of the updated agreement.

4.3 The Chair requested that members vote on the Edinburgh sub-office application (with the updated contract stating the price maxima). All Assay Office appointed Council members agreed there was a conflict of interest and abstained from voting. The remaining members of Council unanimously **approved** with no votes against.

**ACTION:** *Scott Walter will have revised the Ferrari Service Level agreement to include the price maxima, for approval by the Applications Committee, by the end of December.*

4.4 The Chair requested members vote on the Sheffield sub-office application. All Assay Office appointed Council members abstained and the application was unanimously **approved** with no votes against.

4.5 Will Evans sought clarification on the Council's mechanism for ensuring the adequacy of hallmarking, as per its responsibility under the HMA 1973.

**ACTION:** *The Chair and Secretary will have discussed the mechanism for ensuring the Council's hallmarking adequacy responsibility in time to provide an update to the January briefing meeting.*

### 5. Enforcement Activity and International Convention on Hallmarking Reports

#### 5.1 Enforcement Activity

5.1.1 Council noted the enforcement activity reports provided by Assay Masters, and their concerns that hallmarking non-compliance was a global problem.

5.1.2 Will Evans updated Council on the 'Operation Stamping it Out' enforcement project that is being conducted with the aid of the WRi Group. Council noted the high levels (c.75%) of non-compliance and hallmarking ignorance, and welcomed the interest from trade organisations in extending the project nationally and focusing on education- noting this would require further investment.

5.1.3 Council noted the request from the WRi Group to be empowered to act on the Council's behalf on visits where there is no Trading Standards resource available and **agreed** that the Education and Enforcement Committee would review the request and bring back to Council for approval out of committee.

**ACTION:** *The Education and Enforcement Committee will have considered the WRI Group request to attend visits on the Council's behalf and the wider issue of approving inspectors under the HMA 1973 and provide an update to the April 2025 Council meeting.*

## OFFICIAL

- 5.1.4 Annie Warburton sought clarification of Council's strategic plan for consumer education, noting that as one of the government's industrial strategy priority sectors, strategic engagement with key trade allies such as the NAJ and UKFT in developing a year-long campaign could be transformative for the work of Council. Members recognised the benefits of leveraging Assay Office expertise in this area, however this would carry budgetary implications for Council. Craig Watson confirmed that DBT Communications Team would be able to support and amplify any consumer communications messaging. The Chair agreed this should be taken forward offline.  
**ACTION:** *The Chair, working with the Education and Enforcement Committee, will have progressed discussions on a strategic trade and consumer engagement plan and provide an update to the April 2025 Council meeting.*

5.2 International Hallmarking Convention report

- 5.2.1 Scott Walter presented the update from the International Hallmarking Convention. Council noted that a working group is being formed to discuss the challenges posed by online marketplaces.
- 5.2.2 Richard Sanders confirmed that he had volunteered for the group and would work closely with member states on good practice. Craig Watson confirmed that the bill on product safety is seeking to address the challenges in cross-border cooperation on digital marketing enforcement, that have become harder since Brexit.

## 6. Education and Enforcement Committee Report

- 6.1 Rachel Holloway presented an update to Council from the Education and Enforcement Committee.
- 6.2 Tailored Dealer's Notice pilot
- 6.2.1 Rachel noted that the Tailored Dealer's Notice that had been approved for pilot with Pandora had created an interesting governance and delegations case study for Council, given no prior precedent.
- 6.2.2 Council welcomed the positive feedback from Pandora that was shared by Scott Walter. Richard Sanders noted this decision was a good example of how Council is complying with the Regulators Code and focusing on outcomes.
- 6.2.3 It was **agreed** that the Assay Offices would work with the Education and Enforcement Committee to finalise the pilot processes by the end of the year, so this could be rolled out to all Assay Offices.  
**ACTION:** *The Assay Offices and Education and Enforcement Committee will have finalized the Tailored Dealer's notice pilot processes by the end of the year: including notifying Trading Standards and discussing communications via the OPSS Newsletter with Craig Watson.*
- 6.3 Draft NAJ Code of Practice
- 6.3.1 Council noted that the Education and Enforcement Committee had not endorsed the NAJ's Draft Code of Practice but would instead be recommending they refer to the existing guidance already approved by the Council and Assay Offices. This was **agreed** by the Chair.

## 7. Technical Committee Report

- 7.1 Scott Walter provided the Technical Committee update to Council.
- 7.2 Council noted that the Assay Offices were working collaboratively to agree a single identity for use in promoting hallmarking compliance and education with trade. Once confirmed, plans would be shared with Council.

## OFFICIAL

- 7.3 Scott confirmed that the new single identity would be linked to the Assay Assured scheme and through that the HALO Award 2025.
- 7.4 Council noted that the Technical Committee were working with the Applications Committee on a risk-based approach to sub-offices and would be mapping assuring mechanisms, taking into account external regulatory frameworks including the International Hallmarking Convention.
- 8. Assay Office Reports**
- 8.1 Council noted the verbal updates from all Assay Masters.
- 8.2 Of particular concern was the ongoing challenging trading environment, due to a market reduction of c.75% volumes in comparison to 15 years ago
- 9. Minutes, Action Log and Forward Schedule**
- 9.1 The minutes were approved. A separate discussion took place under agenda item 10 with respect to minute sections 4 and 6 which were challenged by John Stirling's group.
- 9.2 The action log was approved.
- 9.3 Council welcomed the new forward schedule and members were invited to forward any suggested comments or changes to the Secretary.  
**ACTION:** *Council members will have shared any comments on the forward schedule with the Secretary by the end of the year.*
- 10. Governance Scoping Group Report**
- 10.1 John Stirling provided an update to Council on the work of the governance scoping group.
- 10.2 Council noted that the group had disagreed with the minutes and actions relating to this item from the April Council meeting. The group had understood that Council had approved formation of a new formal committee and they had therefore acted as such. In addition, they had understood their scope to be broader than recorded by the minutes.
- 10.3 Legal context paper and questions for DBT
- 10.3.1 Council noted the guidance provided by Craig Watson regarding the growth duty: that the department's mission is focused on growth; that the government growth duty does apply to the British Hallmarking Council; that the duty is broad and does not over-ride the Council's objectives or duties but instead should inform decision-making and be considered proportionately in terms of Council resources. Craig re-confirmed that the legal questions would be shared with the department's lawyers.
- 10.3.2 Council **agreed** that the paper and legal questions should be shared with the department, and that John should meet with the lawyers should he not understand or agree with the response.  
**ACTION:** *John Stirling will have shared the legal growth duty paper and questions with DBT by the end of October.*
- 10.4 Scope
- 10.4.1 The Chair confirmed that Council had not agreed to a wholesale review of governance at the last meeting and sought the views of members on the proposal for a new Governance and Strategy Committee and its scope.
- 10.4.2 Members noted that approval had already been provided for clarification of the legal growth duty issue and for the governance risk issue raised by Rachel Holloway to be addressed. Members also noted the Chair's concerns that the Council's business plan for 2024 remained

## OFFICIAL

unapproved and the need for Council to prioritise external regulation, while being mindful of the time and resource implications of a new committee and full review of governance.

- 10.4.3 Council debated the issues and it was **agreed** that the legal growth duty question and subsequent revisions to the Council strategy and business plan should be separated out from the issue of governance.
- 10.4.4 Council **agreed** that once the legal growth duty question had been resolved, the group should revise the Council business plan and bring back to Council for approval.  
**ACTION:** *The governance group will have revised the Council business plan in light of the legal guidance and bring back to Council for approval.*
- 10.4.5 Council **agreed** that all committees should review their Standing Orders and submit them to the new group to facilitate and coordinate the updating to Council.  
**ACTION:** *Committee Chairs will have updated their Standing Orders for approval by the governance group and the April 2025 meeting of Council.*
- 10.4.6 Council **agreed** that the group should undertake a broad review of governance, to include the Council Standing Orders, and this should happen concurrently with the legal advice to DBT, so as not to lose further time.  
**ACTION:** *The governance group will have included a broadly defined review of governance including the Council Standing Orders in its Terms of Reference.*

### 10.5 Draft Terms of Reference

- 10.5.1 Council noted the draft Terms of Reference require updating following the discussion and **agreed** to approve out of committee.  
**ACTION:** *The governance group will have updated the Terms of Reference and circulated to Council for approval out of committee before March 2025.*

## 11. **Secretary's Report**

- 11.1 Louise Chambers presented the report to Council.
- 11.2 Council **agreed** that the issues raised regarding the regularization of Assay Office Council appointments should be addressed by the new governance group.  
**ACTION:** *The Secretary will have added resolving Assay Office appointee terms of appointment to the scope of the new governance group by the end of the year.*

## 12. **Finance Report**

- 12.1 September report on budget vs actual expenditure
- 12.1.1 Council noted the budget vs actual expenditure to date.

### 12.2 Draft budget 2025

- 12.2.1 The Chair informed Council that the draft budget required final shaping prior to approval. It was therefore **agreed** the final version would be discussed with the JAOC prior to returning to Council for final approval. Will Evans volunteered to arrange the next meeting.  
**ACTION:** *The Secretary will have revised the draft budget prior to the next JAOC arranged by Will Evans.*

## 13. **Updated Risk Register**

## OFFICIAL

- 13.1 The Chair invited members to raise any new risks.
- 13.2 The Secretary reminded members regarding the outstanding risk register action that had not been allocated an owner. The Chair confirmed that this should be addressed out of committee.  
**ACTION:** *The Secretary will have circulated details of the outstanding risk issue for action by the end of December.*
- 14. Update on HR policies for Secretary**
- 14.1 The Chair informed Council that guidance was being sought from DBT HR with regards to putting HR policies into place for the Secretary, given the new status as an employee.
- 15. Any other business**
- 15.1 Richard Sanders informed Council that it had been placed on the OPSS Risk Register due to the challenge on the growth duty and the absence of an agreed business plan.
- 15.2 Patrick Fuller noted that Council will require a new Chair of the Remuneration Committee following his departure at the end of the year.
- 15.3 The Chair expressed his thanks to colleagues at the London Assay Office for their generous hosting of Council and his thanks to Patrick and Tom Murray for their contributions to Council.