



BFM – working with the Office for Product Safety and Standards (OPSS) Business Reference Panel Meeting – December 2021

The BFM attended, on behalf of members, the OPSS Business Reference Panel meeting (virtual) held on the 2nd December 2021. The meeting was opened by Heather Woodward – OPSS Business Engagement Lead outlining the scope of the meeting focusing on the current OPSS ‘Primary Authority’ Programme delivering assured advice to business on meeting trading standards, environmental health and fire safety regulations through Local Authority (‘Primary Authority’) partnerships.

The Primary Authority plays the role of a 'partner' rather than the traditional role of regulator; it identifies, develops and delivers services that help the business to successfully grow and improve their goods and services. The Primary Authority works closely with the business to fully understand how the business operates and to understand its individual needs.

The scheme allows businesses to form a legally recognised partnership with one or more local authorities in order to receive tailored support in relation to one or several specific areas of law. Primary Authority works to make it easier for businesses to comply with the law, reducing the costs of compliance without reducing regulatory protections.

The Primary Authority often offers a dedicated officer and team as the first point of contact for other regulators, allowing the business to devote more of their time and attention to their day-to-day obligations.

Businesses can invest in products, practices and procedures, knowing that the resources they devote to compliance are recognised throughout the country. Advice provided by the Primary Authority carries legal weight and must be interpreted in the same way by other regulators when dealing with your business.

Businesses gain recognition for being in a Primary Authority agreement and from having robust compliance arrangements. Other regulators must contact the Primary Authority before taking any enforcement action, providing an opportunity for the business to negotiate a better outcome that ensures compliance without the need for enforcement action.

Primary Authority agreements will not prevent any legal action where advice and guidance has not been followed or ignored. However, if any problems do occur other local authorities must liaise with the Primary Authority before any legal action can be taken. If a business has followed the advice of its Primary Authority, it is unlikely that legal action will be taken.

The OPSS is part of the Department for Business, Energy and Industrial Strategy and exercises the statutory responsibility for the operation of Primary Authority on behalf of the Secretary of State. For more information on Primary Authority email pa@beis.gov.uk or call on 0121 345 1201. The OPSS ‘Primary Authority Update’ presentation can be accessed [here](#).