Chartered Trading Standards Institute qualifications

Examiners report

CTSI Professional Competency Framework

Stage 2 Professional Interviews Regulating Markets June 2022

General

A total of twenty candidates attempted the regulating markets professional interview, achieving between 38% and 80%, and significant proportion of the marks fell in the central band of 55% to 70%. This reflected an excellent performance by the majority of candidates.

A total of five scenarios were used for this round, reflecting the number of candidates entering and the fact that the interviews had to be conducted over the course of three days. All candidates were allocated their scenario in advance of the interview and five questions were posed in each interview.

As previously, the examination is a problem-solving exercise which requires candidates to think on their feet and determine the relevant strategy and tactics to address a regulatory scenario which they could easily come across in their career. It is not necessary to recite legislation and most but rather determine the factors that determine the optimum regulatory response. All questions require a consideration of the following elements:

1. What is the problem, and what does a successful response look like?
2. How serious is the problem, and what priority should a trading standards service give it in the scheme of tasking work?
3. This will generally lead to some form of risk analysis.
4. Regulatory action will be a risk management action, designed to eliminate, mitigate or warn.
5. There are usually a range of regulatory tactics which can be used to manage the risk, in the immediate, medium and long terms.
6. Metrics for assessing the change in risk following regulatory action should be capable of determination.

Some questions deviated from this general model, but not in a significant way.

In general candidates demonstrated good knowledge of regulatory risk assessment, data collection and intelligence development and the regulatory tactics that are available to address these to ensure consumers are protected in a trading environment of fair competition.

These interviews are now conducted online with relevant controls to ensure examination conditions, following successful trials of this during the Covid-19 pandemic.

As previously, candidates were given a regulatory scenario with ten minutes to read it and make notes before being showed the questions and asked them in turn with a maximum of 20 minutes to answer. If there was time left, then they were given the opportunity to reread and add to or modify any of their previous answers.

The questions themselves do not focus on the technical detail of the regulatory issue under consideration, and so previous specialisms in route of study do not offer any advantage if the subject matter and the study happen to overlap.

Some questions were answered more successfully than others, with the question about a sold fuel heating installer causing the most difficulty, particularly when it came to considerations of risk

management vs evidence collection for legal process. Overall, though, nearly all candidates demonstrated an acceptable level of strategic and tactical thinking to manage identified risk using the regulatory paradigm provided for by trading standards legislation.

In summary, the standard was generally good ranging to excellent, and candidates clearly understand the expectations of this examination and address these in a positive way, despite the challenges of an oral problem-solving examination conducted online.

Example Scenario

You receive information from a local manufacturer of biocidal sprays, which are used to sanitise surfaces after people have touched them. One of their competitors is marketing a product which claims when it is sprayed on household surfaces that it kills all germs and viruses and keeps surfaces free of all pathogens for up to 48 hours regardless of how often they are touched. The product also claims that it is safe to use in environments where children and pets are present.

The trader, who is well established in this sector, does not believe that the claims could be true, as he does not know of any formulation which could produce this result without being harmful to the users by inhalation or by touching the treated surface.

Questions Asked during the interview:

1. **What would your initial assessment of this information indicate?**
2. **You approach the trader and ask for evidence to support the claims made on the products he is selling. What would you expect him to provide you with?**
3. **He says he has no documentation, but buys the product from an exporter in Thailand, who says that the product is safe, effective and labelled for the GB market. How would this change your initial assessment?**
4. **If your risk assessment indicated that a serious risk was presented. What are the obligations of the trader and the trading standards department in these circumstances?**
5. **What further actions would arise from this investigation and assessment in respect of the rest of the market?**

Knowledge to be demonstrated
Q1 Knowledge of the way in which risk assessments are built, documents, other complaints, reviews, intelligence product, RAPEX, documentation etc Risk arising from lack of efficacy as well as direct risk of harm. Resource allocation and priority. Consideration of whether testing is possible.
Q2 Documentation which evidences the formulation and efficacy, including clinical studies. Amount of product supplied and over what time period. Product specification; Production control; Regulatory registration etc
Q3 Refinement of risk analysis – Hazard, injury, injury scenario, probabilities leading to risk. All can be quantified by research, empirical sources and estimation Assumptions about risk and control. Consideration of whole product range if no traceability to production units, not way of distinguishing products. Possibly suspend entire product range pending further testing, although this may not be reliable.

Q4. Knowledge of obligations and corrective actions to reduce the risk of injury arising from the product to a tolerable level. Different types of corrective actions and choosing the correct strategy to maximise risk reduction. Communication with users
Q5. Knowledge of intelligence systems and data sharing, RAPEX and ICSMS, UK Product Safety Database. Future targeting of this type of product/economic operator/supply chain. Market risk management via improved intelligence product.

The above table illustrates what the examiner was looking for in the responses to the questions.