
Service Delivery Module:	Product Safety
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Number of written papers:	1
Written Exam duration:	3 hours
Practical & Oral Exam:	No
Updated/ Reviewed:	March 2016
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NOTE: The legislation outlined in this syllabus is not an exhaustive list. Candidates will be required to answer questions in accordance with this syllabus.

The examiners may expect candidates to show knowledge of legislation which is in place but not in force, i.e. has been enacted and regulations which have been made which are not yet in force if they are directly relevant to the subject-matter of the examination.

Aim:

To provide candidates with a knowledge and understanding of product safety legislation and its place in market surveillance strategies to ensure the safety of consumer goods in the marketplace.

Learning Outcomes:

The competence for this module is the demonstration of knowledge and understanding of

1. The concept of 'hazard', 'risk' and 'safety' in relation to products
2. The obligations of the various economic operators in relation to the safety of products that they place on the market, take into service and supply
3. The framework of domestic and European legislation which ensures that only safe products enter the supply chain
4. The process of determining hazard and risk as well as failure mode and the determination of proportionate corrective actions where risk is found to be intolerable

Indicative areas of knowledge

- Methods of risk assessment of products, including design and end of life failure mode.
- The application of relevant legislation to products placed on the market, taken into service and throughout a products life cycle from design to disposal.
- The organisational framework for market surveillance including methods of information collection, recording and dissemination.
- European derived controls on the placing on the market and putting into service of products requiring the CE mark.
- The structure, organisation and mechanisms of legislation designed to regulate the safety of products.
- The obligations and powers of market surveillance authorities in the UK.
- Methods of auditing compliance documentation and determining product traceability.
- Determination of options and the best course of corrective action throughout the supply chain where a product is found to present an unacceptable risk of harm.
- Consumer expectations and behaviour in relation to the safety of products (use, misuse and abuse), including the determination of the level of vulnerability of the intended user.
- The roles of other agencies in the safe design, production, marketing and supply of consumer products.
- The role of essential requirements standardisation as a method of assessment, including its limitations.

The following terms have been used to indicate the level of knowledge required in each element:

Detailed: To an in-depth level, and with a fine degree of distinction between concepts

Working: With the ability to apply the learning to situations so as to resolve problems

Basic: Having an awareness of the organisations and concepts

Assessments will reflect the requisite level of knowledge in each given area of the syllabus.

Syllabus:

Legislation

A Detailed Knowledge of:

- Consumer Protection Act 1987 Part II.
- Consumer Protection Act 1987 Parts IV and V as they apply to product safety.
- General Product Safety Regulations 2005.
- Schedule 5 Consumer Rights Act 2015

In relation to the above legislation, a detailed knowledge of:

- Definitions
- Roles and responsibilities
- The roles and responsibilities of economic operators and market surveillance authorities.

- Criminal offences and defences
- The overlap between general product safety legislation and product specific safety legislation.
- Statutory means by which corrective actions can be required.
- Documentation, information, assessment and marking requirements.
- The impact of relevant case law
- The functioning of market surveillance.
- The limitations on market surveillance powers when they conflict with the functioning of the single market.
- The impact and application of relevant case law.
- The broad concepts contained within the New Approach Directives.
- The concept of and functioning of the New Legislative Framework in the European market and its impact on product safety legislation.

A Working Knowledge of:

- The range of products regulated by product specific legislation, either through the Consumer Protection Act or through horizontal legislation from Europe, for example, toys and electrical equipment.
- The critical hazard characteristics of a product and the risk that they will cause harm including a consideration of the vulnerability of the end user.
- Identification of potential hazards and defects, risk assessment and correction of these throughout the products lifecycle (including design and end of life).
- Production control and quality assurance methodologies.
- Traceability of product from components/materials used to placing on the market.
- Standards, standard-making bodies, testing and certification marks.
- The role and responsibilities of other agencies and organisations involved in product safety, and overlap of functions.
- Methods of information collection and exchange and the national and international picture.
- Government policy, guidance, reports, practice and papers relevant to this subject area.

A Basic knowledge of:

- The background and rationale that underpins product safety regulation.
- Overlap with civil provisions such as contract, tort and product liability