Prism: the new UK product safety risk assessment methodology.

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(5) An enforcement authority shall in enforcing these Regulations act in a manner proportionate to the seriousness of the risk and shall take due account of the precautionary principle.
Understanding risk is key to effective product safety regulation

• Consumer Protection Act 1987:
“safe”, in relation to any goods, means such that there is no risk, or no risk apart from one reduced to a minimum, that [...] will (whether immediately or after a definite or indefinite period) cause the death of, or any personal injury to, any person whatsoever

• General Product Safety Regulations 2005:
“safe product” means a product which, under normal or reasonably foreseeable conditions of use including duration and, where applicable, putting into service, installation and maintenance requirements, does not present any risk or only the minimum risks compatible with the product’s use, considered to be acceptable and consistent with a high level of protection for the safety and health of persons.
Objectives of the new methodology and guidance

- An opportunity to improve on the EU Safety Gate risk assessment guidance and methodology (known as the Rapex methodology)
- To promote the use of risk assessment
- To improve outcomes
- To resolve operational and practical matters

55%

Number of cases added to the PSD without a risk label (Q1 2021)

Risk labels when risk is set – almost half of all cases are deemed serious risk
The research carried out to develop Prism

- Working group – comprising members of NPSG and representatives from some NRs
- Product safety database: review of all cases comparing cases with and without risk assessments – as well as a detailed review of the risk assessments
- Trading Standards survey
- Product Safety consultants’ views
- Meeting other national product safety regulators – ACCC, CPSC
- A perspective from Consumer Bodies
The development of Prism

- Extensive research
- First draft completed
- Consultation and gathering feedback
- Develop new supporting tools
- Validation
- Launch and monitoring
Prism Part 1: A new system – with risk assessment at its heart

Stage 1
- Identification of non-compliant product

Stage 2
- Risk triage

Stage 3
- Risk assessment

Stage 4
- Risk evaluation

Stage 5
- Quality assurance and reporting/recording

Stage 6
- Risk management
Stage 3: Some Risk Assessment changes

• The risk assessment – more matters covered, including:

  • Product prevalence (risk to the population)
  • Replacing ‘vulnerable consumers’ with people at increased risk
  • Reflecting multiple hazards in a product
  • A reflection on the level of uncertainty
  • Additional exemption to carry out a full and detailed risk assessment before corrective action.

Supported by enhanced guidance on matters that are frequently raised by risk assessors.
Stage 3: Some Risk Assessment changes

<table>
<thead>
<tr>
<th>Probability of harm over lifetime of product</th>
<th>Severity of harm</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Level 1</td>
</tr>
<tr>
<td>&gt;1 in 100</td>
<td>High risk</td>
</tr>
<tr>
<td>&gt;1 in 1000</td>
<td>Medium risk</td>
</tr>
<tr>
<td>&gt;1 in 10,000</td>
<td>Low risk</td>
</tr>
<tr>
<td>&gt;1 in 100,000</td>
<td>Low risk</td>
</tr>
<tr>
<td>&gt;1 in 1,000,000</td>
<td>Low risk</td>
</tr>
<tr>
<td>&lt;1 in 1,000,000</td>
<td>Low risk</td>
</tr>
</tbody>
</table>
Stage 3: Some Risk Assessment changes

<table>
<thead>
<tr>
<th>Estimated number of items in use</th>
<th>Risk associated with single item (derived from Table 3)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Low</td>
</tr>
<tr>
<td>&gt;1m</td>
<td>High risk</td>
</tr>
<tr>
<td>500k – 1m</td>
<td>High risk</td>
</tr>
<tr>
<td>100k – 500k</td>
<td>Medium risk</td>
</tr>
<tr>
<td>50k – 100k</td>
<td>Medium risk</td>
</tr>
<tr>
<td>10k – 50k</td>
<td>Low risk</td>
</tr>
<tr>
<td>1k – 10k</td>
<td>Low risk</td>
</tr>
<tr>
<td>&lt;1k</td>
<td>Low risk</td>
</tr>
</tbody>
</table>
Stage 4: Risk Evaluation

Risk evaluation – the step between risk assessment and risk management:

• Other types of harm
• Potential for multiple casualties
• Comparative risk labels: risk differential and relative risk
• Benchmarking
• The level of uncertainty
• Action taking place elsewhere
• Factors relating to perception of the risk
• Consideration of all levels of risk
Prism Part 2: Additional factors relevant for more complex assessments, and more general additional guidance

- Risk triage
- Tools and templates
- People at increased risk
- Applying the precautionary principle
- Relative risk
- Factors that influence risk perception
- Testing and product homogeneity
- Use of data
- Psychological harm
- Risk assessing multiple hazards
What is the most difficult aspect of risk assessment for your business? Will Prism resolve this?

How do you apply product risk to your compliance processes?

How does your business assess product safety risk?

Could Prism go further – what is missing/not strong enough?

Do you provide your risk assessments to regulators/enforcement authorities?

Are conversations on product risk with regulators transparent?