

## Examiner's report

### Qualifications Framework

### Stage 2: Product Safety Written Exam

### Written Examiner's Report September 2024

#### General

A total of six candidates sat the examination during this round, and marks were consistent with previous cohorts, ranging from 31 to 55%, with four passes and two fails.

The standard of handwriting continues to be generally good, with the examiner having little difficulty in reading scripts.

Set out below is feedback by question. The standard of answer was generally good, but there are clear gaps in knowledge, and occasional misapplication of the legal framework, which is designed to manage product risk, which may result from either a misunderstanding of the law itself, or more likely, misreading the question. An understanding of conformity assessment and the ability to explain this is fundamental to this management of risk, and therefore I would urge all candidates to ensure that they study this as well as the actual product requirements prior to taking this examination. The use of quality management to achieve this is explored fully in Unit 6.

Some candidates spent too long on the short answer questions and were therefore rushed for the long answer ones. It should be clear that if a question scores 30 marks, rather than 10, then answers will be expected to be longer, in greater depth and containing more detail.

#### Section A

##### Q1

Answered by 5 candidates. Marks ranged from 2 to 7 (out of 10), but answers were generally adequate. Marks were missed in relation to the discussion of conformity assessment and the documentation that is generated for market surveillance purposes, and for incorrectly stating that harmonised/designated standards are the legal requirements, rather than essential requirements, but also two stages of conformity assessment – design and manufacture.

##### Q2

Answered by 3 candidates. Marks ranged from 2 to 10 (out of 10), with a near perfect answer being submitted. Marks were missed by the other two candidates for failing to discuss its role as an audit tool for both business and regulators, and the planning process set out for the development of a Product Safety Incident Plan.

##### Q3

Answered by 5 candidates. Marks range from 2 to 6 (out of 10). There is ongoing confusion between the function of Suspension Notices under the GPSR and CPA and the fact that they have very different applications, and that they can be used in different circumstances. There is no time limit for GPSR suspension notices and can be used under conditions of suspicion rather than belief.

All candidates outlined all the safety notices available under GPSR, which the question did not ask for.

Q4

Answered by 4 candidates. Marks ranged from 1 to 5 (out of 10). Easy marks were missed on this question relating to the fact that this is only provided for harmonised/designated standards and only in relation to design, when conformity assessment includes manufacture. There was also no mention of the hierarchy of standards available under GPSR to demonstrate conformity, but not all provide a presumption of conformity.

Q5

Answered by 5 candidates. Marks ranged from 5 to 9 (out of 10). Generally, well answered concerning examination and testing with most of primary checks covered. The answers were less comprehensive on the documentation request and all candidates missed evidence of production control in this.

Q6

Answered by 2 candidates. Marks ranged from 5 to 6 (out of 10). Generally, well answered although the opportunity to discuss conformity assessment under Module A and the technical documentation that is generated as part of this, or CE marking itself was missed. It should be noted that BS1363 is a legal requirement under the Plugs and Sockets regulation and is not a designated standard.

## Section B

Q7

Attempted by 6 candidates. Marks ranged from 4 to 13 (out of 30). Opportunities were missed to discuss what the different elements of the defence meant in practical terms - 'steps' vs 'precautions' and align this with economic operator duties under GPSR or the New Legislative Framework. There were some very confused answers.

Also taking all reasonable steps and exercising all due diligence is not a legal duty, it is defence to demonstrate that this has been done in the event of being charged with an offence under product safety legislation.

Q8

Answered by 2 candidates. Marks ranged from 17 to 19 (out of 30)

Although there was some confusion over what notices do, this was generally well answered, with most marks being picked up for GPSR notices, but marks were missed for not replicating this discussion in respect of notices issued under the New Legislative Framework.

Q9

Answered by four candidates.

Some candidates failed to mention that the notification must be acknowledged within the specified time period otherwise the restriction lapses. Easy marks were missed for discussion of scrutiny of technical documentation, particularly around the process of design verification and production control. PAS 7050 provides a simple reference for what this process looks like.

Q10

This question was not answered by any candidates.