

Primary Authority changes: Action needed by co-ordinators

Primary Authority is expanding from 1 October 2017 to enable more businesses to participate. All co-ordinators will need to take action to ensure that their member businesses continue to benefit from Primary Authority after 30 September 2017. This guide explains what you need to do.

Regulatory Delivery is committed to supporting partnerships with this task and will be contacting all co-ordinators, to make transition as simple as possible.

What must I do?

You need to familiarise yourself with the changes to Primary Authority and discuss these with your primary authority. The [draft Primary Authority Statutory Guidance](#) contains the relevant information.

You will need to take the action outlined below by 14 September to ensure continuity from 1 October 2017.

1. Satisfy yourself that you are able to meet the new statutory requirements and prepare your membership list.
2. Discuss and agree a Summary of Co-ordinated Partnership Arrangements with the primary authority. A [template is available](#), which is similar to the MoU that was previously required.
3. From mid August your primary authority will access the new Primary Authority Register and review the partnership information. You will then receive an email from the Register with log in instructions, so you can confirm that you want the partnership to proceed.
4. To transition your partnership, you will need to:
 - a. Accept the new [Primary Authority Terms and Conditions](#).
 - b. Confirm your suitability to act as a co-ordinator within Primary Authority.
 - c. Review the information about your organisation.
 - d. Upload the list of members of your regulatory group (businesses), if you wish for these to continue to be listed on the Primary Authority Register. Your list (whether maintained on the Primary Authority Register or elsewhere) will be definitive as to which businesses are within Primary Authority.

Regulatory Delivery will then transition the information you have provided to the new Primary Authority Register and your partnership will continue from 1 October 2017.

Summary of changes relevant to co-ordinated partnerships

From 1 October 2017, the partnership will be between the primary authority and the co-ordinator, rather than with each co-ordinated business, as is the current situation. Every co-ordinated partnership will be required to agree a Summary of Co-Ordinated Partnership Arrangements document which sets out practical matters for the running of the partnership (a template is available).

The co-ordinator will be responsible for:

- Maintaining an accurate and up to date list of members of their regulated group (businesses) on an ongoing basis.
- Ensuring that members of the regulated group (businesses) are aware that they have a co-ordinated primary authority and what it means.
- Sharing Primary Authority Advice and inspection plans with relevant members of the regulated group (businesses).

Primary Authority categories will no longer exist, so primary authorities will be able to provide Primary Authority services to businesses for all the regulatory functions within their remit that are not already covered by another primary authority. The Primary Authority Statutory Guidance, which will be published on 1st October, will provide information on how this will work for co-ordinators with more than one primary authority. A draft of this Guidance is expected to be published in July.

Primary authorities will need to publish the regulatory questions, topics or issues in relation to which Primary Authority Advice has been issued in the secure area of the Primary Authority Register to aid transparency for enforcing authorities.

Primary Authority Advice to Local Authorities will need to be submitted to the Secretary of State for consent in order to be effective. This includes existing Primary Authority Advice to Local Authorities, if it is to continue from 1 October 2017.

Summary of additional changes which you may wish to consider from 1 October 2017

Co-ordinators with member businesses in both England and Wales may need to have partnerships in both nations to ensure Primary Authority coverage across devolved policy areas (including agriculture, food, environmental protection, pollution control, housing and public health). If you have member businesses in England and Wales, we recommend that you speak to your primary authority about this.

Primary Authority partnerships will be able to request support from certain national regulators, that are specified as 'supporting regulators', in relation to the development of Primary Authority Advice and inspection plans. The supporting regulators are: the Health and Safety Executive; the Food Standards Agency; the Gambling Commission; the

Competition and Markets Authority; and the BEIS Secretary of State in relation to regulatory functions concerning weights and measures and product safety regulation.

Co-ordinators will be able to include businesses which have existing direct primary authority partnerships, in their regulated group.

Businesses can be a member of more than one regulated group and benefit from Primary Authority Advice through more than one co-ordinated partnership.