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Ciara Ferguson MLA
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Our Ref: CORR:0226:2025

4 June 2025

Dear Mrs Ferguson,

We refer to your correspondence dated 14 April 2025.

Officials in The Executive Office have ongoing engagement with counterparts across the NICS to ensure that the relevant officials can provide evidence to the Democratic Scrutiny Committee and support them in their work.

In relation to this specific proposal, we understand that the Committee requested information from local councils and the Consumer Council NI, and that their responses provided some assessment as to the impact that this regulation could have here, as well as highlighting that responsibility for product safety legislation sits with the Office for Product Safety & Standards (OPSS), under the Department for Business and Trade (DBT).

We have previously corresponded with your predecessor regarding the limited information that officials can provide when discussing issues that are not within their devolved competency. TEO officials have continued to work with colleagues in other departments to ensure that the Committee is furnished with information in a timely manner and that, where possible, they can appear to give evidence in areas under their remit.

Concurrently, officials continue to engage with the Windsor Framework Taskforce to emphasise the need for consistent engagement with departments here on reserved or excepted matters, as well as providing finalised explanatory memoranda as early as possible to allow officials to engage effectively with the Committee.

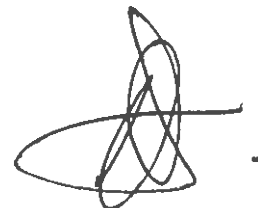
We recognise that there may be further instances where there is no defined departmental owner of a regulation in question. However, due to the breadth of the legislation listed in the Windsor Framework, the approach to dealing with these is likely to vary on a case-by-case basis depending on the scope of the regulation in question and the level of policy expertise and engagement that our departments have had with their Whitehall counterparts on it.

The role of the Committee is crucial to ensuring that the possible impacts of legislative changes are identified and understood fully, allowing MLAs the opportunity to scrutinise these before they take effect here, and our officials will continue to support the delivery of this work.

Yours sincerely

A handwritten signature in dark ink, appearing to read "Michelle O'Neill". The script is fluid and cursive.

Michelle O'Neill MLA
First Minister

A handwritten signature in dark ink, appearing to read "Emma Little-Pengelly". The script is more stylized and abstract than the one to the left.

Emma Little-Pengelly MLA
deputy First Minister



Mrs Ciara Ferguson MLA, Chairperson
Windsor Framework Democratic Scrutiny
Committee (DSC)

REF: DSC 74/25

14 April 2025

Ms Michelle O'Neill, MLA, First Minister
Ms Emma Little-Pengelly, MLA, deputy First Minister

The Executive Office

Issued via email to: PS.Ministers@executiveoffice-ni.gov.uk

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Departmental Assessments of Impact

At its meeting on 10 April 2025, the Windsor Framework Democratic Scrutiny Committee (DSC) considered the following proposed EU act:

[COM/2023/462 - Proposal for a Regulation on the safety of toys.](#)

The DSC had requested a written departmental assessment of impact on the proposed act, but was informed by Executive Office officials that no department would be able to provide an assessment of impact for this or any other EU acts that relate to product safety. Further, the officials advised that - in Britain - product safety is the responsibility of the Office for Product Safety & Standards (OPSS) and stated that there is no direct counterpart to OPSS here, with responsibility for product safety instead sitting with councils.

Having considered the position as outlined above, concern was expressed that no department here had been identified as a point of contact with whom the Committee could engage on matters relating to product safety.

Following a wider discussion, the Committee agreed that I write to you to request that for those EU acts which deal with matters that are reserved, excepted, or are the responsibility of councils (as in this case), a structured solution is found that would result in the identification of the most relevant department here with whom the Committee could engage in its effort to scrutinise and assess impact.

I have attached a copy of previous correspondence from the Committee dated 27 November 2024, and your response dated 20 January 2025, which are relevant to this issue.

In the meantime, I would be grateful if you could advise which department is the most appropriate point of contact for the Committee when dealing with EU acts relating to product safety. The Committee intends to further consider this proposed EU act at its next meeting on 1 May 2025 and I would therefore be grateful to hear from you in that regard by **Monday 28 April 2025**.

Le meas,

A handwritten signature in blue ink, reading 'Ciara Ferguson', is centered below the text 'Le meas,'.

Ciara Ferguson, MLA
Chairperson, Windsor Framework Democratic Scrutiny Committee

Enc.