



Department for
Business, Energy
& Industrial Strategy

Andrew Griffiths MP

Department for Business, Energy &
Industrial Strategy
1 Victoria Street
London
SW1H 0ET

Dr Fiona J Wilcox
HM Senior Coroner
Inner West London
Westminster Coroner's Court
65, Horseferry Road
London
SW1P 2ED

T +44 (0) 20 7215 5000
E enquiries@beis.gov.uk
W www.gov.uk

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Dear *Fiona*,

Thank you for your Regulation 28 Report to Prevent Future Deaths, dated 7 March 2018 following your investigation and inquest into the death of Mrs Elizabeth Griffin, aged 71, due to accidental death caused by bronchopneumonia and smoke inhalation injuries from a fire started by a Whirlpool dishwasher. I am responding as the Minister responsible for product safety.

May I first say how sorry I was to hear of this tragic incident. If you have the opportunity, please convey my deepest sympathies to Mrs Griffin's family.

The Government and my Department takes the safety of all consumers very seriously. Dishwashers fall within scope of the Electrical Equipment (Safety) Regulations 1994 or 2016 depending when the product was placed on the market. Both sets of Regulations contain the same essential safety requirements which require that domestic electrical equipment are safe to use. Manufacturers have a responsibility to put only safe products on to the market. In law, where they identify a safety issue with a product already on the market they must take action which may, where appropriate, include a recall. In assessing the safety of a product, account is taken of a number of factors including labelling, instructions for use and adherence to standards.

In your report you have expressed three main concerns relating to product safety:

- The length of time taken by Whirlpool UK to launch the repair/withdrawal campaign;

- That there should be a safety campaign encouraging owners of appliances to register through a central portal so they can be contacted promptly if a safety issue is identified with a particular product; and
- That any such campaign should be also targeted at those who are less computer literate and consideration be given as to how to address their needs in relation to registration.

The Government is clear that manufacturers, importers and distributors must act swiftly and with sufficient resource to ensure effective action when a safety issue is identified in a product that is already on the market and in use in consumers' homes.

As you know, the dishwasher that started the fire that caused Mrs Griffin's death was a model that was subject to a corrective action programme as it had been identified as representing a safety risk. The manufacturer is responsible for ensuring the safety of their product and for taking corrective action when safety issues are identified. Sadly, in this case, Mrs Griffin's dishwasher was not identified by Whirlpool and had not been repaired or replaced.

In January 2018, the Government announced an upgrade to the product safety system to be led by a new Office for Product Safety and Standards. I recognise the issues you have set out in your report and want to assure you that these are issues we have taken action on and will continue to be a focus for the work of the new Office for Product Safety and Standards.

Before the new Office was established, the Government had already taken several to deal with the issues you have identified.

I note your concern about the apparent delay between the company being made aware of a potential problem with the product and formal action taken to initiate a modification programme. The law requires manufacturers to notify enforcement authorities as soon as they identify a risk with a product they have placed on the market.

I have asked the Office for Product Safety and Standards to work with local authorities and businesses to clarify expectations regarding the criteria for triggering a notification of risk to regulators, and how this can be done more effectively with Office support in order to improve levels of consumer protection in the UK.

In October 2016 the Government set up a new central recalls website to provide consumers with information on recalls of all electrical goods and other products. The recalls website was upgraded in June 2017 and provides a single portal for access to information about current product recalls, drawing on UK and international recall information. It provides a centralised up to date source of trusted advice and information that users can interact with. Government also advises consumers to register their electrical appliances, whether new or second-hand, with the manufacturer via the recalls website, so they can be informed directly by the manufacturer should a recall or other corrective action subsequently be required. Future upgrades to the website expected by 2019 will involve the building of an extensive data hub of all corrective action and recall programmes affecting consumer products. This will develop a comprehensive digital service that provides a centralised up to date source of trusted advice and information for consumers on product safety and recalls which users can interact with.

The Government also supports and encourages the use of the Association of Manufacturers of Domestic Appliances' 'Register My Appliance' site, which enables manufacturers to contact customers directly where a product fault has been identified.

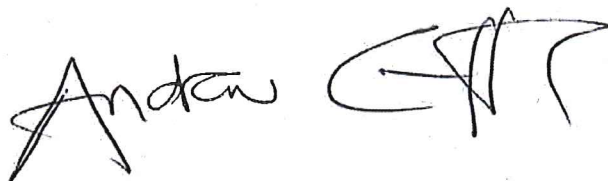
The Office for Product Safety and Standards is leading work to improve businesses product recall processes. My Department commissioned the British Standards Institution (BSI) to create a new Code of Practice on product recalls (*PAS 7100 Code of practice on consumer product safety related recalls and other corrective action*). This was launched on 7 March. It guides businesses and regulators through the process of planning for and handling a product safety incident for non-food consumer products. The Code of Practice also sets out for Local Authorities the guidance and advice they should be making available to enable businesses to meet their legal responsibilities and act in the public interest.

The Code of Practice establishes best practice guidance for business on effective methods of reaching consumers, particularly for those consumers who do not have access to on-line methods.

You may also wish to be aware that I will be meeting with the General Manager of Whirlpool UK in May regarding Whirlpool's approach to product recall and corrective action.

Thank you for bringing this important issue to my attention, and to other parties. The Government is committed to product safety for all consumers and I believe that the steps we have taken will further strengthen the UK's product safety regime and help to avoid tragedies like this in future.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Andrew Griffiths', followed by a stylized, abstract scribble.

ANDREW GRIFFITHS MP

Minister for Small Business, Consumers & Corporate Responsibility