

Witness Name: Graham Russell

Statement No.: 01

Exhibits: GR/01 – GR/04

Dated: 4 February 2025

**THE INDEPENDENT UK COVID-19 INQUIRY**

---

**WITNESS STATEMENT OF GRAHAM RUSSELL**

---

## Contents

Section 1: Introduction	3
Section 2: My Role and Background	3
Section 3: OPSS	5
Statement of Truth	7
Annex A: Exhibit Schedule	8

## **Section 1: Introduction**

- 1.1. I, Graham Russell, make this covering statement on behalf of the former Department for Business, Energy and Industrial Strategy (BEIS) and more specifically, the Office for Product Safety and Standards (OPSS).
- 1.2. I am providing this written statement in response to the Inquiry's request contained within email correspondence dated 9 January 2025.
- 1.3. This statement should be read in conjunction with the Corporate Witness Statement provided by Sarah Munby on behalf of BEIS dated 11 October 2024 (**BEIS Corporate Witness Statement**). As will be discussed in further detail in the body of my statement, I have reviewed sections 7-10 of the BEIS Corporate Witness Statement relating to the OPSS and confirm that I agree with the information provided.
- 1.4. In this statement, I will address the following matters:
  - a) Section 2 details my background, skills and experience both prior to, and during, the Covid-19 pandemic; and
  - b) Section 3 discusses the OPSS.
- 1.5. I am happy to assist the Inquiry by providing oral evidence in relation to the OPSS and its responsibilities during the pandemic.

## **Section 2: My Role and Background**

- 2.1. I have been asked to set out my skills and professional experience. Over the course of my career, I have held various regulatory roles within local and central government with a particular focus on improving business regulations and consumer protection:
  - a) I trained and qualified as a Trading Standards Officer in Staffordshire County Council. I worked there from 1986 to 2007. In 2002, I became the head of Trading Standards and Community Safety at Staffordshire County Council.
  - b) In 2007, I was appointed as the Chief Executive of a new non-departmental public body, the Local Better Regulation Office, set up to secure more effective performance of local authority regulatory services.
  - c) In 2012, Local Better Regulation Office was dissolved, and its functions were transferred to a new body within the Department for Business, Innovation and Skills (BIS) with the creation of the Better Regulation Delivery Office. It took on the additional responsibility for policy advice as well as operational delivery, advising national regulators as well as local government on regulatory

delivery. I was appointed a senior civil servant, Director grade, as Chief Executive of this organisation.

- d) In 2016, Better Regulation Delivery Office was combined with the National Measurement and Regulation Office to form the Regulatory Delivery directorate within BEIS (formerly BIS). In addition to policy work and advice on regulatory delivery, I also became responsible for regulation and enforcement.
- e) In 2018, the Office for Product Safety and Standards was created, and I was appointed as Chief Executive. In addition to the functions of the Regulatory Delivery directorate, OPSS became the UK's first national regulator for product regulation.
- f) Since then, I have held the position of Director within the Competition, Markets and Regulatory Reform division of BEIS as Chief Executive of the OPSS. I am responsible for building the capacity of the Office to enhance the UK's product safety system and to improve the delivery of regulation in the UK. OPSS has been commissioned by Secretaries of State from across various government departments to deliver enforcement regimes in areas covering product regulation, environmental protection and, in the wake of the Grenfell Tower tragedy, construction products.
- g) Since 2010 I have advised national governments in key partner nations and in international organisations on ways to improve the impact of regulatory delivery. In 2019 I co-wrote a book with Professor Chris Hodges called *Regulatory Delivery* which sets out a model for improving the efficiency and effectiveness of the work of regulators. It includes case studies from 16 nations. In 2023, I was asked to chair the Organisation for Economic Co-operation and Development's Regulatory Policy Committee to sharpen the focus on improving regulatory outcomes across member states and more broadly.

2.2. During the Covid-19 pandemic, I held the role of Chief Executive of OPSS. My focus during this time was on ensuring that the UK's regulatory system remained flexible and responsive to the evolving challenges of public health and consumer protection. This involved overseeing the safety and regulatory aspects of PPE and other Covid related products, responding to emerging risks, supporting the UK's shift to online commerce and advising government policy on product safety. Details on the role of

OPSS during the pandemic are outlined in section 3 of this statement and paragraphs 7.5 and 7.6 of the BEIS Corporate Witness Statement.

- 2.3. I currently still hold the position of Chief Executive at OPSS. In the aftermath of the pandemic, we reflected on OPSS' role and involvement during this period and sought to learn lessons where we could. As part of this process, we published a revised Product Regulation Strategy 2022-25, which clearly outlines our primary goal: to protect people and places from product-related harm, ensuring that both consumers and businesses can buy and sell products with confidence [GR/01 INQ000562715]. The revised strategy incorporated key organisational lessons, especially in the context of the transformational changes across the UK economy and society post-pandemic. It places greater emphasis on risk-based prioritisation, enhanced collaboration with our stakeholders, particularly other national and local regulators, and a stronger emphasis on public engagement and future-proofing the organisation against the uncertainties of a rapidly changing global landscape. We have also published revisions to our Incident Management Plan since January 2021 (latest version August 2024) which reflect the lessons learned from our pandemic response and help guide our preparations moving forward. See versions dated January 2021 [GR/02 INQ000562716], August 2022 [GR/03 INQ000562717] and August 2024 [GR/04 INQ000562718].

### **Section 3: OPSS**

- 3.1. OPSS was created in January 2018, as a directorate within BEIS, and is the national regulator for most consumer products, except for vehicles, medicine and food, with a remit ranging from policy to delivery. Further detail regarding the background of OPSS can be found at section 7 of the BEIS Corporate Witness Statement.
- 3.2. Details on the role of OPSS during the pandemic with regards to PPE can be found at paragraphs 7.5 and 7.6 of the BEIS Corporate Witness Statement.
- 3.3. OPSS worked closely with the Health and Safety Executive and other government departments to advise Ministers on possible regulatory easements whilst ensuring the product safety was not compromised within the context of the pandemic. Once the regulatory easements were approved, the OPSS worked with other market surveillance regulators, including the HSE, to implement them and then produce detailed guidance on producing PPE for Covid-19 under the new regulatory easements. Further, as a condition of the introduction of regulatory easements, OPSS requested data from all regulatory actors in the PPE easement process.

Further detail on OPSS's role with regards to regulatory easements can be found in section 8 of the Corporate Witness Statement.

- 3.4. In response to the demands of monitoring the compliance of PPE during the pandemic, OPSS undertook a number of steps including those outlined at paragraph 9.1 of the BEIS Corporate Witness Statement. Further detail on OPSS' role in PPE compliance and monitoring can be found throughout section 9 of the BEIS Corporate Witness Statement.
- 3.5. OPSS conducted a number of lessons learned exercises throughout the pandemic. Further detail on the lessons learned exercises OPSS conducted throughout the pandemic can be found at section 10 of the BEIS Corporate Witness Statement.

### Statement of Truth

I believe that the facts stated in this witness statement are true. I understand that proceedings may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief of its truth.

Signed: \_\_\_\_\_

Personal Data

Dated: \_\_\_\_\_

4 Feb '25

### Annex A: Exhibit Schedule

Exhibit No.	Para.	Inquiry Ref No.*	Doc Date	Doc Description
GR/01	2.3		31 August 2021	OPSS Product Regulation Strategy 2022-2025
GR/02	2.3		18 January 2021	Incident Management Plan – Version 3.0
GR/03	2.3		31 August 2022	Incident Management Plan – Version 4.0
GR/04	2.3		15 August 2024	Incident Management Plan – Version 5.0

\*to be inserted upon receipt of INQ numbers from the ILT.