



Department for
Business, Energy
& Industrial Strategy

Regulatory Delivery

Primary Authority Overview



**PRIMARY
AUTHORITY**



What is Primary Authority?

Primary Authority is a means for businesses to receive assured and tailored advice on meeting environmental health, trading standards or fire safety regulations through a single point of contact. This ensures start-ups get it right at the outset and enables all businesses to invest with confidence in products, practices and procedures, knowing that the resources they devote to compliance are well spent.

Primary Authority is based on legal partnerships between businesses and individual local authorities. Businesses can set up their own partnership or belong to a trade association (or other type of group) with an existing partnership.

Primary Authority was launched in 2009 to make the local regulation of businesses operating at multiple premises across the UK more consistent.

Building on the success of the scheme the eligibility criteria for Primary Authority were expanded and from 1 October 2017 all businesses can now benefit from Primary Authority.

Who can enter a partnership?

Partnerships are available to any type of business, whether starting out or established, as well as other types of organisation such as charities and trade associations.

Regulators that can become primary authorities include county, district and unitary councils, and fire and rescue authorities.

What are the two types of partnership?

A business can form its own direct partnership. It then receives Primary Authority Advice tailored to its specific needs from its primary authority.

Alternatively, a business can belong to a trade association (or other type of group) to benefit from a co-ordinated primary authority. In this case, the Primary Authority Advice is still from the primary authority, but provided via the trade association, and tailored to the general needs of its members.

A business can choose the type of partnership best suited to its needs. Most businesses only have one partnership, but it is possible to be in different partnerships for different areas of regulation.



What is Primary Authority?

What do primary authorities do?

Primary authorities provide advice to businesses that other local regulators must respect on compliance with the regulations.

They can also produce an inspection plan for a business or the members of a trade association (or other type of group), to improve the effectiveness of visits by local regulators and underpin better sharing of information.

What is the Primary Authority Register?

The Primary Authority Register is the secure online service that supports the operation of the scheme. It contains details on every partnership, provides a forum for communications, and allows primary authorities to make important documents and business information readily available to local regulators.

How are national regulators involved?

Since decisions taken by primary authorities can impact on the way businesses are regulated in general, they are required to take account of guidance from relevant national regulators when providing advice and creating inspection plans.

National regulators are a source of expertise for primary authorities, while primary authorities can help national regulators better understand and engage with businesses.

How is Regulatory Delivery involved?

Regulatory Delivery exercises the statutory responsibility for the operation of Primary Authority on behalf of the Secretary of State, nominating partnerships, issuing guidance and resolving determinations. It also manages the Primary Authority Register.



Six steps to set up a direct partnership for your business

1 Choose the areas of regulation in which you would like the support of a primary authority

Primary Authority covers the following areas of regulation:

- environmental health
- trading standards
- fire safety

Your partnership doesn't need to address all regulatory aspects of your business, just the ones you want support with. If your primary authority isn't able to cover all the areas of regulation you require, you can find an additional partner to meet your needs. You can have more than one primary authority.

If your business trades in both England and Wales you may wish to consider having a primary authority in both nations for areas of legislation that are devolved to the Welsh Government.



2 Find potential partners

It's up to you which primary authority you choose to partner with. You could choose a partner that's located near your business headquarters, or that you already have a good working relationship with, or that specialises in regulatory areas of interest to you.

3 Agree the scope of the relationship and how it will be managed

Once you have identified a prospective partner, it's important to express what you expect from the relationship. Make sure that you discuss the following:

- what you expect to get out of the partnership;
- what the objectives are, and how both parties will work together to achieve them;
- which regulatory areas you need the partnership to cover;
- how you'll communicate;
- how regularly you intend to meet with one another and whether these meetings need to be formal or informal;
- what kind of Primary Authority Advice you need;
- whether you require an inspection plan;

Six steps to set up a direct partnership for your business

- whether any supporting regulator should be consulted, for example the Health and Safety Executive and Food Standards Agency;
- who the main contacts will be for both parties;
- whether your business trades in more than one nation of the UK;
- how the costs will be structured, and what the overall cost will be; and
- the Primary Authority terms and conditions.

This discussion will inform your summary of partnership arrangements, which is an agreement covering how you and your primary authority intend to run the partnership.

4 Agree costs and payment terms

Your primary authority may charge enough to cover its costs but cannot make a profit. The cost of your partnership will depend on how much work your primary authority does for you.

When you start talking to a local authority about forming a partnership, you should discuss what you need them to do for you and how much this might cost.

Some primary authorities will offer to perform fixed services for a fixed fee they have agreed with you in advance, or they may offer to work with you on a cost-per-hour basis.

5 Work with your primary authority to nominate the partnership

Your primary authority will start an online application in the Primary Authority Register. You will then receive an email inviting you to log on to the Register and complete the application. This sets out basic information about your business and the kind of relationship you wish to have with your primary authority.

When you have completed the application it is received by Regulatory Delivery, which checks the form and arranges for nomination by the Secretary of State. Once that's confirmed, you'll be notified by email and your partnership will appear on the Primary Authority Register.

6 Make sure that details are kept up to date when things change

Work with your partner to keep details updated in the Primary Authority Register.



What are the benefits of Primary Authority?

Businesses:

- have access to relevant, authoritative tailored advice;
- gain recognition of robust compliance arrangements;
- can draw on an established and effective means of meeting business regulations; and
- can be more confident they are protecting themselves and their customers.

Regulators:

- have greater clarity over where responsibility lies;
- can support local economic growth through stronger business relationships;
- can improve the consistency of local regulation and target resources on high-risk areas;
- can develop their staff expertise via partnerships; and
- can protect front line services through cost recovery.

Citizens:

- are better protected as businesses find it easier to comply with legislation; and
- are at reduced risk as local authorities better understand the businesses they regulate and can target resources on high-risk areas.

The Rise of Primary Authority:
Businesses in Partnerships



Regulatory Delivery strives to ensure regulation is delivered effectively, so that businesses can innovate, export and grow, and people and places are properly protected.

Regulation exists to provide protection, support competition and provide a framework for healthy markets, benefitting consumers, workers and the environment.

Regulatory Delivery aims to make regulation work well for British business by ensuring certainty, confidence and a firm foundation for innovation and investment.

We connect government policy with business insights and the experience of frontline regulators.

We oversee technical regulations, in areas including the safety of consumer products, weights and measures, and hallmarking.

We advise regulators and government on new approaches to enforcement and create practical tools for effective enforcement, in order to deliver prosperity, productivity and protection, in simpler, cheaper and better ways.

As part of this we provide services for other government bodies and businesses, on a cost-recovery or commercial basis.

Regulatory Delivery is a directorate in the Department for Business, Energy and Industrial Strategy (BEIS). The 210 people in our team are located in central London, Birmingham, Teddington, Bristol and across the UK.

Email pa@beis.gov.uk to contact us about Primary Authority, or call our office on 0121 345 1200.



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[gov.uk/regulatorydelivery](https://www.gov.uk/regulatorydelivery)

For further information on Primary Authority, see:

<https://www.gov.uk/guidance/primary-authority-a-guide-for-businesses>

<https://www.gov.uk/guidance/primary-authority-a-guide-for-businesses-with-a-co-ordinated-primary-authority>

