

Planned changes to toys and cosmetics regulations



Government is updating the technical annexes to Regulation (EC) No 1223/2009 on Cosmetic Products, as amended by the Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019, and Schedule 2 to the Toys (Safety) Regulations 2011. These changes entail either a reduction in the permitted level or prohibition of specific chemicals.

[Read the Toys and Cosmetic Products \(Restriction of Chemical Substances\) Regulations 2022](#) – Legislation.gov.uk website

These chemicals can be grouped into three categories:

1. Chemicals assessed by the Scientific Advisory Group on the Chemical Safety of non-food and non-medicinal consumer products (SAG-CS)
2. Chemicals classified as Carcinogenic, Mutagenic or Reprotoxic (CMR) under GB Classification, Labelling and Packaging (CLP) Regulations
3. Fragrance allergens

Below is a summary of the amendments to the Toys and Cosmetic Regulations as relating to the groups mentioned above.

SAG-CS advice and government decisions

The SAG-CS has recently concluded assessment on the risk to human health regarding:

- Deoxyarbutin used in cosmetics
- Salicylic Acid used in cosmetics
- Formaldehyde used in toys
- Aniline used in toys
- Aluminium used in toys

The conclusions of these assessments have been published:

[Access the opinions of SAG-CS](#)

The Government has considered the advice of SAG-CS regarding the above

chemicals in these opinions and used this to inform decisions regarding restrictions of these chemicals in products, which are set out below:

- amend Annex 2 to the Cosmetic Regulation to prohibit the use of deoxyarbutin
- amend Annex 3 to the Cosmetic Regulation to permit the use of salicylic acid for uses other than as a preservative at 0.5% in body lotion, eye shadow, mascara, eyeliner, lipstick, and roll-on deodorant applications
- amend Appendix C to Schedule 2 of the Toys (Safety) Regulations 2011 to introduce specific (lower) limits for aniline and formaldehyde for toys intended for use by children under 36 months old or other toys intended to be placed in the mouth
- amend point 13 of Annex 2 to the Toys Regulations to reduce the permitted migration limits for aluminium

Chemicals classified as CMRs

Under the Cosmetic Regulations, substances classified as CMR of category 1A, 1B or 2 under the GB CLP Regulation must not be present in cosmetic products unless the substance is included in any of Annexes 3 to 6. To be included in Annexes 3 to 6 various conditions must be met. Between 1 October 2021 and 1 March 2022, there is a [set of chemicals that has been classified as CMRs](#) (PDF, 150 KB, 2 pages). These substances will be added to Annex 2 (prohibited substances) where the conditions for including them in Annex 3 to 6 have not been met.

Fragrance allergens

Three chemicals (methyl heptane carbonate, atranol and chloratranol) have recently been included in the EU list of allergens which are prohibited for the use in toys. Currently in the UK atranol and chloratranol have already been prohibited and methyl heptane carbonate has been restricted to 0,01% for cosmetic products.

The fragrances in question are also used in some toys including fingerpaints and modelling clay, where the exposure routes to the fragrances will be similar to those from cosmetics. We will therefore be amending the UK Toys Regulations to prohibit the uses of these chemicals in toys.

Timeline

Toy products

Chemicals	Non-compliant products cannot be placed on the market after
Fragrance Allergens – Atranol, Chloroatranol and Methyl heptane carbonate	15 October 2022
Chemicals assessed by SAG-CS – Aluminium, Formaldehyde, and aniline	15 December 2022

Cosmetic products

Chemicals	Non-compliant products cannot be placed on the market after	Products already placed on the market can be made available until
CMRs	15 October 2022	15 December 2022
Chemicals assessed by SAG-CS – Salicylic Acid and deoxyarbutin Published 27 April 2022 Last updated 27 July 2022 + show all updates	15 December 2022	15 March 2023
1. 27 July 2022		
	Link added to Toys and Cosmetic Products (Restriction of Chemical Substances) Regulations 2022.	
2. 30 May 2022		
	Page revised to clarify changes in respect of salicylic acid (Benzoic acid, 2-hydroxy).	
3. 26 May 2022		
	Timeline amended to clarify that the transitional provisions apply to cosmetic products only and not toys.	
4. 27 April 2022		
	First published.	

[Unknown British WW2 soldier buried](#)

An unknown soldier of an unknown regiment has been laid to rest more than 75 years after he fell serving his country during World War Two. The ceremony took place on Wednesday 27 April at the Commonwealth War Graves Commission's (CWGC) Bologna War Cemetery in Italy. The service was conducted by Reverend Mark Chadwick, Chaplain to the British Forces.

The service was organised by the MOD's Joint Casualty and Compassionate Centre (JCCC) who are known as the MOD War Detectives – a small team based in Gloucester who make every effort to identify British Military casualties.

Following the ceremony, Tracey Bowers, JCCC said:

“It is a matter of great sadness that we have not been able to identify this brave man and bury him in the presence of his family. The battle for Italy

was one of the War's most exhausting campaigns and one often forgotten. His military family is here to remember, mourn and lay him to rest with the honour he deserves."

Despite extensive research and DNA testing, it was not possible to identify this soldier.

The soldier was found in May 2015 in the location of the "Gothic Line" alongside military items, suggesting he was a British serviceman, killed during the Second World War. Research indicated the soldier could have been killed between 19 to 24 October 1944 and engaged in the fighting along the German defensive line during the Italian Campaign.

The Italian Front was seen to be of secondary importance to the offensive through France and this was underlined by the decision in the summer of 1944 to withdraw many troops from the area for the Allied landings in France. The success in Italy was achieved against a background of over stretched troops, resources and ammunition fighting in a punishing terrain crossed by rivers and mountains during inclement weather.

The Reverend Mark Chadwick said:

"It has been a great privilege and honour to take this service here today and remember the sacrifice that so many made on our behalf".

Padre Chadwick leads the ceremony in Bologna. Crown copyright

The new headstone at the grave was prepared by the CWGC who will now care for them in perpetuity.

CWGC Commemorations Officer, Dave Avery, said:

"Whilst it has not been possible to identify this soldier by name, we are grateful that we can now lay him to rest with his comrades. The burial ceremony today enables us to renew our commitment to those we care for in perpetuity."

Remembering Kitchener Camp: A memorial concert for Yom HaShoa

On Thursday 28 April 2022, a [special concert](#) to evoke memories of the Kitchener Camp will take place at London's Wigmore Hall as part of this year's [Yom HaShoah](#) commemoration.

The Kitchener Camp opened in Sandwich, Kent, in January 1939, and saved the

lives of 4,000 Jewish refugee men from Germany, Austria, Czechoslovakia and Poland. Many of these men had been arrested and imprisoned in concentration camps such as Buchenwald and Sachsenhausen following Kristallnacht in 1938. In Britain, the Jewish community and others persuaded the UK Government to relax visa entry restrictions, paving the way for the Kitchener Camp scheme.

The camp was intended to provide sanctuary for a steady flow of refugee men who were then expected to emigrate to Australia, America or Canada. A small number of women, often with very young children, who had gained entry to Britain with domestic visas, were able to temporarily join their husbands; but these were the lucky few. Sadly, most of the men would never see their families again.

The camp operated like a small town and had its own post office, hospital and cinema. Music became hugely significant and as more refugee musicians arrived, a camp orchestra was formed. Such was the orchestra's reputation that arrangements were made in August 1939 for a live BBC broadcast of one of their concerts. The onset of war unfortunately scuppered these plans. But now, over 80 years later, and around the corner from Broadcasting House, the Wigmore Hall will symbolically stage the BBC Kitchener concert that never took place. With narration from Jon Sopel and Emily Maitlis, and music from the Ensemble 360 String Quartet and the London Cantorial Singers, the concert will honour those who established the Kitchener Camp, as well as the memory of the millions who were not able to find refuge from the horrors of Nazism.

The event will conclude with the awarding of British Heroes of The Holocaust medals to descendants of brothers Jonas and Phineas May, and Ernest Joseph – three men who played pivotal roles in establishing and running the Kitchener Camp.

The British Heroes of the Holocaust medal is awarded by the UK government in recognition of British citizens who helped or rescued Jews or others in the Holocaust; either through extraordinary acts of courage, or by going above and beyond the call of duty in the most difficult circumstances. Since its inauguration in 2010 it has been awarded to 41 individuals.

Coordinated by Learning from the Righteous, the Holocaust Education charity has teamed up with World Jewish Relief, the Jewish Lads' and Girls' Brigade, the Association of Jewish Refugees, the '45 Aid Society, the Board of Deputies and the Department for Levelling Up, Housing and Communities to present this year's memorial concert.

[**Amanda Spielman's speech at the 2022 Schools and Academies Show**](#)

It's good to be here talking to you at a time when so much attention has

turned back to our normal jobs – which in our case is of course education.

Response to the schools white paper

And it's been busy in the world of education policy!

The DfE published 2 long awaited papers at the end of March: the [schools white paper](#) and the [SEND green paper](#).

And we've been designing our strategy that will take us to 2027 – and I'll talk about this more later.

I am pleased to see the schools white paper. It provides some welcome clarity on the future of the school system.

Academies and MATs

The ambition that by 2030 all schools will be in strong families of schools is clear and decisive.

Having schools on the same legal footing won't of itself raise standards, but it will let us move past questions of structure to how we make curriculum and teaching better.

Because until those issues of structure are settled, things do remain fragmented. And we at Ofsted have been saying for many years that the accountability system has not kept up with how the school system is actually operating.

Many key decisions are already taken at trust level. They can be decisions that go right to the heart of quality of education, such as around curriculum and behaviour policies.

Sometimes these decisions aren't taken by the heads and governing bodies that we talk to on inspection. That leaves a gap in our understanding and in our ability to challenge or support those decisions.

So I'm pleased that DfE has recognised that the way school trusts are regulated needs to evolve. The right people absolutely should be held to account for the right things. And regulation does need to be simple, transparent and fair. We'll be working with DfE on their review to help achieve this.

There does need to be a set of standards outlining what government expects of trusts. And this will need to balance consistency of expectations on the one hand with the right level of autonomy on the other. The white paper moves us on from a system where academies had higher levels of autonomy than other schools, to a system where all schools are academies. And as trusts get bigger, and play a more important role in the system, it is reasonable for them to have to adhere to national expectations.

If a trust is being given, as in some cases, hundreds of millions of pounds

of public money for education, it is right that it is held to account for the quality of that education. At the moment, trust-level regulation mainly looks at financial compliance and good governance – but not at education, which is the very reason trusts exist in the first place. The white paper acknowledges this and starts to consider what the trust standards should cover. A future inspection regime should take this as its starting point.

Because there does need to be a way for government to decide when trusts are failing to meet their standards. Government has tough but important decisions to make about when and how to intervene when standards are not high enough.

Inspection outcomes will be an important input into those decisions. As of course they already are for individual schools. So it's right that standards are also applied to trusts, which have so much influence on children's lives. I very much hope there will be a clear and simple regulatory strategy, in which DfE and Ofsted roles dovetail in a proportionate and effective system.

For our part, any inspection of trusts would be built on the pillars of substance and integrity, on which the school inspection framework is founded. The substance of education being, of course, the full breath of curriculum and teaching. Both of which have been so much affected in the last 2 years.

Curriculum and Oak

When the pandemic hit, the curriculum had to move online. Getting Oak National Academy off the ground so fast helped with that. The government quite rightly wants to build on that achievement and sustain it into the future with a new body building on Oak to provide curriculum maps and resources.

When we introduced the inspection framework, we were very clear to say that adopting a curriculum from elsewhere was just as valid as creating one yourself. Some schools and subject departments don't have the time or the resource to develop their own curriculum and lesson plans. And there are plenty of good schemes out there to adopt. Making good programmes and content available through a new body should help more schools adopt high-quality curriculums.

And a high-quality curriculum is not an easy thing to produce. We built the EIF on an evidence review that highlighted the importance of ambition in content choices and of sequencing. In the last year, we've followed that up with subject-specific research. We're publishing [research reviews for each national curriculum subject](#) to describe what features of a good curriculum look like in, say, history or maths or PE. And we'll be going on to look at how well these subjects are being planned and taught across the country.

These research reviews have had huge take-up, which shows how interested all of you are in designing great curriculums. And the new resources from Oak should build on these reviews and complement them.

The new Oak will be helpful for schools with more limited curriculum capacity. It will help them move in the right direction. Because too often,

we see curriculums assembled as a pick-and-mix, rather than having knowledge build on knowledge coherently. Schools that use Oak resources will need to do so thoughtfully – planning what they want to teach and how they want to sequence it, which may often be the sequence suggested by Oak, while of course being prepared to adapt their classroom teaching in response to pupils' learning.

But quality education is not just about the intent. A great curriculum needs to be brought to life, with great teaching. And great teaching isn't delivered by government. It needs teachers who understand their subject, understand how children learn, and can adapt as they go.

And assessing children's learning, and adapting in response, is a third element of the white paper that I want to talk about.

Assessment and targeted support

I welcome the focus on children who are behind in English and maths. These are the foundation stones for humanities, languages and the sciences and so much else. Reading is particularly important. There are very few children for whom learning to read is not achievable. It's the single most important thing that schools can do for children.

There are already policies and funding directed at children who have SEND or some other kind of disadvantage. But the government is rightly inviting us to look not just at the label on a child, but at what help they actually need to succeed. Most children who are behind won't need a label, and their teachers will support them to catch up in the normal course of lessons. There is nowhere better for most children to be than in their normal classroom, with teachers who know them.

So I'm pleased that the white paper recognises that the first response to children falling behind is to rely on the skill of the classroom teacher. We are sometimes very quick to leap to an intervention, sometimes one that takes a child out of their normal lessons. But for many, this will not be the right thing to do.

And where it is the right thing– and a course of tutoring is needed to bring a child back into the range of normal classroom teaching – we need to be careful not to label unnecessarily. Both children and adults respond to labels, and negative labels can lead to negative perceptions and lower expectations. I'm dismayed at how often I hear children referred to by their free school meal eligibility or as 'pupil premium children'. Children are children. Some need some extra help and some don't, regardless of the labels we've stuck to them.

Having 90% of children meet the expected standards at age 11 is rightly ambitious. Almost every child can be taught to read and spell using systematic synthetic phonics. Almost every child can achieve a good level in maths.

I expect and hope that as children are increasingly taught to read using

high-quality phonics programmes, and as more and more primary schools work hard on their curriculum, the government target will come into view. Ofsted's scrutiny of these areas in school inspections and teacher education will continue to have a positive impact. All of this recognises the skill and expertise of great teachers.

And it's why we support the new core content framework for trainee teachers, the early career framework for new teachers and the national professional qualifications for experienced teachers. They provide an evidence-based golden thread of professional development, which ultimately, will result in children knowing and being able to do more. Ofsted's inspections of all of these training schemes will help make sure they have maximum impact.

SEND Review

The government has also set out proposals to reform and improve the system for young people with SEND. These changes are long overdue. Our inspections have for years highlighted that too many children are failed by the SEND system.

We have reported on flaws, inconsistencies and delays. And these have been made worse by the pandemic. Approaches to diagnosis, support and funding vary too widely across the country. I'm pleased that this is what the government is trying to address.

But we must learn the lessons of the 2014 SEND reforms. They essentially had the same aims, but translating them into practice proved difficult. There is a lot to get right to make these new proposals work. The devil will be in the detail of the new national standards. And it will be important to avoid adding unnecessary layers of bureaucracy to an already complex system.

And there are also some wider points to bear in mind. It is so important not to treat children with SEND as a homogenous group. Some have severe or complex or profound needs with a significant impact on their development. Some have just a particular need, such as a speech delay, that can be addressed most successfully with early intervention. These children need quick diagnosis and access to specialist support.

But for other children, there are risks to being too quick to move to formal diagnosis, as it can lower expectations of adults and of children themselves. We need a system where schools put support in place without needing a formal diagnosis, and only move to that when it is clear the resources needed to support the child are beyond what can be provided by the school.

So we can be too quick to label children. And what this can lead to is attributing difficulties in learning to a deficit in the child, when in fact our first thoughts should be: 'are we providing the curriculum and the teaching that children need?' 'Are we prioritising, for example, systematic synthetic phonics?' 'Are we sequencing our teaching so that we establish knowledge and then build on it?' These are the questions we will be asking through our inspections.

Ofsted's strategy 2022-27

So, I'd like to come back to the part we play in the education system. Yesterday, we published our [five-year strategy](#). I won't go into all the detail right now – it's on our website if you want to read it. But I'd like to talk about some relevant aspects.

First of all, our core job: to do inspections that raise standards. The inspection process itself is designed around the professional dialogue that is such a valuable tool for school improvement. That professional dialogue that helps leaders understand how they can improve and that allows inspectors to recognise good practice and to report on it. And we will continue to put research and evidence at the heart of our inspection frameworks.

We will be inspecting all schools by the end of the 2025 academic year. And we'll allow more time for that professional dialogue and evidence-gathering by doing more of the longer-form inspections. And of course, we'll be evaluating the impact of our inspection framework.

Secondly, I have always believed in the power of sharing our insights. Ofsted gathers a great many powerful insights – no other organisation sees as many schools and gets quite the information that we do.

And when we share them, our insights make a difference. So for example, our [review into sexual abuse in schools and colleges](#) helped crystallise the concerns emerging through anonymous reporting on sites like Everyone's Invited. I know that schools and colleges are responding to our advice to assume that harassment is happening, even if the reports are not reaching teachers' ears – and much work is happening to build respectful cultures in school corridors and beyond. And I hope that the government will respond effectively to the concerns we and others have raised about easy access to pornography.

More generally, our position also allows us to aggregate and disseminate what we learn from this talented and dedicated generation of leaders and teachers. So we'll be using our inspection evidence, data, and our research to share insights with decision-makers and practitioners. We'll fill knowledge gaps in areas such as MATs and alternative provision, and we'll build our collective understanding about the quality of subject teaching through 'state of the nation' subject reports.

And an area that we really want to bring to the fore is early education. Children only get one childhood. And COVID has affected all of them. If our work aims to raise standards and improve lives, there's no better place for us to begin but early years. So another strategic priority for us is helping every child to have the best start in life.

I talked about our work on the national curriculum subjects. We've built the evidence base for what good looks like. And now, through our five-year strategy, we'll apply the same approach to the early years. We'll look at what the evidence tells us makes a great early education. We'll share that evidence widely, train our inspectors in it and use it in our inspections.

We'll offer roadshows, videos and webinars to spread good practice. And in doing so, we'll be a force for improvement in early education, in a way that will help strengthen it as the bedrock of the school system.

The pandemic has been hard for nearly every child, but most all for the most vulnerable and especially for those who face harm, or neglect outside school. A powerful argument for the highest possible school attendance is the great benefit to children's welfare of being under the gaze of watchful teachers.

There are new, emerging issues and increasingly complex needs that you all deal with. So one of our top priorities remains to promote children's safety and welfare wherever we can. We'll work with the DfE to strengthen the laws around unregistered provision. We'll bring more prosecutions of illegal schools and we'll start prosecuting illegal children's homes. We'll follow up on our review of sexual abuse in schools. And we'll continue to report on issues that emerge from inspections, to help other agencies take preventative action.

EIF and data

I've talked about the new strategy – the future – but of course, right now, we are back out inspecting. And as you know, our inspections of schools now look hard at the curriculum. This is because curriculum is the substance of education.

The EIF, and the research that sits underneath it, has given you a mandate to think about curriculum in ways that go beyond qualifications and timetabling – to really think, 'what is the body of knowledge that we want to give our pupils?'. And to move away from ticking qualification boxes, however superficially appealing that approach may be. As I keep saying, we want you to be able to concentrate on curriculum quality, and not be excessively tied to performance data.

And of course, we have now had 2 years with no published performance data. Secondary results will be published this year. But we fully understand that they will reflect the uneven impact of COVID as well as underlying school performance.

And it's still the case that performance data is only one input into inspections. Pre-pandemic, it informed the opening conversation with school leaders about what inspectors would look at and it helped inspectors understand whether the curriculum and teaching were having the desired impact. This is all still true, but while results remain significantly affected by COVID, we will treat them with even more care.

Our judgements aren't now and won't be simply a reflection of performance data. Using data appropriately in inspection is an important principle for us. And this is a good opportunity to remind everyone that we don't look at schools' internal data or assessment or tracking on inspection. We are certainly not looking for files of assessment evidence on individual children.

And while I'm myth-busting, I'm also happy to emphasise that we don't downgrade schools simply because a pupil can't remember the names of a few rivers in geography or because they struggle to explain a key concept in history. Talking to pupils is an important part of the inspection process – in fact, it's inspectors' favourite part. It does help them gauge whether the school's intentions are matched by what pupils actually know and understand. But it is never the case that pupils' answers to inspectors' questions are the only reason for an inspection judgement.

Conclusion

Inspection has evolved significantly over the 30 years since Ofsted came into being. And we have changed too. For the last 12 years, legislation and government policy have defined our role in the system as providing the diagnosis, not offering treatment. We cannot do school improvement and intervention work. The distinction is important. But inspection still holds real value as a catalyst for change. And that's why we describe ourselves as a force for improvement.

Our inspections lead to judgements, of course, but they also shape discussions. Most obviously the discussions between inspectors and leaders – but also wider professional discussions and debate. Our inspections show us that there is real energy going into – and flowing from – curriculum thinking right across education, from early years to colleges and adult education.

We want to encourage and facilitate those discussions in any way we can. It's great to be at more events like this, meeting education professionals. I'm very much enjoying visiting schools again and talking to teachers and pupils. I would also give a plug to our engagement activities such as webinars and videos. If you want to know what Ofsted is looking for when we come to inspect – it's so easy to find out – there's no need to pay consultants, or recycle half-remembered legends of inspections long ago.

Our new strategy reinvigorates our purpose, but it doesn't alter our principles. Like you, we work in the best interests of children and learners. Like you, we want to give children the best possible start in life. Like you, we believe education can help everyone achieve their potential.

Thank you to you all for your work and commitment – and I hope you enjoy the rest of this event.

[Norfolk company fined £17,000 for work that harmed water voles](#)

Paul Rackham Ltd. based at Manor Farm, Bridgham pleaded guilty to carrying

out works on the River Little Ouse at Lodge Farm Estate, Gasthorpe near Diss. The work was carried out without a permit.

A 2.4 kilometre stretch of river was dredged and deepened with work also carried out to raise and re-profile the riverbank. Vegetation from the river and the bank was also removed.

The work was carried out between October and December 2018, but was only discovered in January 2019. A member of Environment Agency staff went to take a sample to monitor drought in the area. He noticed that the channel was deeper than usual and had to abandon his sampling because of this.

Officers visited the site again in February 2019 and found that vegetation and trees had been removed from the site. They later spoke with company director Paul Rackham senior on the phone, telling him to stop the work as it needed a permit. No further work was carried out.

Further visits to the site found that the work had had a significant adverse impact on the habitats of water voles and invertebrates. Surveys carried out along the river showed evidence of water voles in the area. Officers concluded the unpermitted work had damaged their burrows and removed their food source and shelter, vegetation from the river and banks. The River Little Ouse was found to have slowed in flow leading to different plants and invertebrates. Numbers of freshwater shrimp in the area dropped to their lowest recorded numbers in the past 5 years.

Sentencing the company, Her Honour Judge Bacon QC found the level of harm caused was significant. She found that Paul Rackham Ltd had been reckless in carrying out the work without first obtaining a permit. The company said it was unaware it needed a permit but it had obtained flood defence consent from the Environment Agency in the past. It had also previously been advised to contact the Environment Agency in advance of doing any dredging.

A remediation scheme valued at £400, 000 has been carried out by the company. The scheme is to repair the harm caused and to reconnect the River Little Ouse to the floodplain. This scheme will most likely result in an overall enhancement to the local environment.

Norfolk flood risk officer, Naomi Daniel said:

Businesses should ensure they have the correct permits before they carry out work. Anyone that needs assistance with this should contact us for further advice.

Ensuring you have the correct permits ensures no environmental damage is caused. In this case, the actions of the company caused serious damage to the local ecosystem and endangered water voles which will take time to restore.

Paul Rackham Ltd. pleaded guilty to operating a regulated facility, contrary to Regulation 12(1) and 38(1)(a) of the Environmental Permitting (England and

Wales) Regulations 2016.

It was sentenced at Norwich Crown Court on March 30. The company was fined £17,000, which included a 20% credit for the company's guilty plea and mitigation in the form of significant remediation work. The company has also agreed to pay £49,000 towards prosecution costs.