



Food Standards Agency Incident Response Protocol

(Revised February 2010)

Foreword

Investigating incidents to ensure that food safety is protected and food standards are maintained has been, and will continue to be, a key part of the Food Standards Agency's work. Since the Agency was set up in April 2000, it has investigated more than 7,879¹ incidents and acted to protect consumer interests and public health.

The Incident Response Protocol² has been created to provide Agency staff with a user-friendly guide to the procedures that should be followed when managing an incident. All parts of the Food Standards Agency adhere to the principles laid out in the Protocol. Where localised variations exist these reflect local management structures.

The Protocol is a 'live' document, which is reviewed every 6 months, taking into account outputs from incident reviews and exercises. Included within the Protocol are details of notification procedures, roles and responsibilities during incidents and arrangements regarding closure and review. It is vital that all Agency staff involved in incident work have a clear understanding of their respective roles and responsibilities during an incident, and how they fit into the overall process. Familiarisation with the protocol will help ensure that staff manage incidents efficiently and effectively.

By following the protocol all Agency staff can play their part in ensuring that incidents are dealt with in a consistent and efficient manner.



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Chief Scientist and Director of Food Safety
February 2010

¹ Figure as at 31/12/08 – source FSA Annual Report of Incidents 2008

² This is available on Rules and Tools together with other templates and examples to help staff on incident handling. The protocol is also available on the Agency website

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INCIDENT RESPONSE PROTOCOL

1.0 DEFINITION OF AN INCIDENT

An incident is any event where, based on the information available, there are concerns about actual or suspected threats to the safety or quality of food that could require intervention to protect consumers' interests³.

2.0 CLASSIFICATION OF INCIDENTS

Incidents are classified as either 'High', 'Medium' or 'Low'. Definitions for each classification are included in Appendix 1. To determine which incidents are 'High', 'Medium' or 'Low', a classification matrix has been developed and is attached at Appendix 2. It is the responsibility of the Investigating Officer to ensure that each incident is classified, using the classification matrix as a guide. The Incidents Branch⁴ will save the classification assessment on the incident record. The classification level should be regularly reviewed during the course of the incident and updated as appropriate.

3.0 NOTIFICATION

Any part of the Food Standards Agency may receive an incident report. Any Agency official receiving information meeting the criteria listed in Section 1.0 must pass the information immediately to the Incidents Branch. If in any doubt please consult the Incidents Branch. There are procedures in place for out-of-hours incident notifications in the UK (Appendix 3 refers).

The Agency also receives incident reports via the European Commission's Rapid Alert System for Food and Feed (RASFF)⁵. The HQ Incidents Branch shall be notified, without delay, of any RASFF Alert with implications for the UK. The Incidents Branch will log all incidents on the Agency's UK-wide Incidents Database.

³ Food Incidents Task Force 'Preventing and Responding to Food Incidents' – rev. April 2008. This document is currently subject to review.

⁴ Wherever the term 'Incidents Branch' is used in the document this is a reference to the HQ Incidents Branch and its counterparts within the devolved administrations, unless otherwise stated.

⁵ The RASFF is a tool to exchange information about measures taken responding to serious risks detected in relation to food and feed – it helps Member States to act rapidly and in a co-ordinated manner.

The Incident Response Protocol should be activated as soon as the Agency is notified of any incident. All parts of the Food Standards Agency adhere to the principles laid out in the Protocol. Where localised variations exist, these reflect local management structures. Appendix 3 delineates how the key functions, roles and responsibilities are discharged in each Agency office.

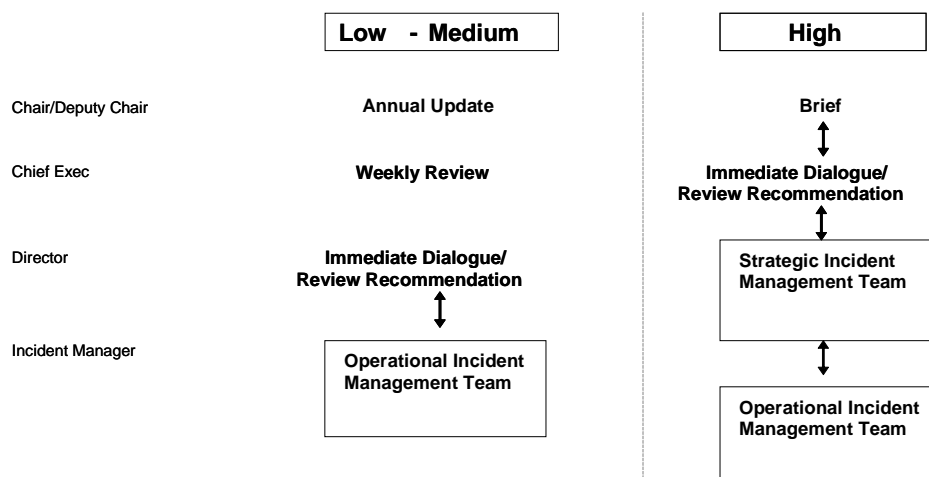
4.0 ROLES & RESPONSIBILITIES

The following section summarises key roles and responsibilities for Agency staff during incidents.

The majority of incidents that the Agency deals with are classified as either 'Low' or 'Medium'. During 'High' incidents, where senior management may need to be more actively involved in the process, different roles and responsibilities apply.

Unless determined otherwise by the Strategic Director appointed for a high level incident (see section 4.11), communications with Ministers, government departments, local authorities, media and food business operators in devolved countries will be managed by the devolved offices. Further arrangements for 'High' incidents are covered within the 'Incident Escalation' and 'Resourcing High Level Incidents' sub-sections (pages 22-24 refer).

A diagram showing the incident management process for both 'Low' to 'Medium' incidents and 'High' incidents is included below.



4.1 INCIDENTS BRANCH

The Incidents Branch will act as the first point of contact with external stakeholders for incidents and will maintain the official audit trail for the investigation by co-ordinating the logging, collation and distribution of information required during the investigation. All new relevant information, obtained by any member of the operational incident management team⁶, must be alerted to the Incidents Branch without delay.

Where there has been known distribution of potentially contaminated products, the Branch will contact the relevant local authorities (LAs) to track down this material and report back its findings to the Operational Incident Management Team. The Branch shall also arrange Operational Incident Management Team meetings, draft notes of meetings, co-ordinate the production of briefing⁷ for Directors, Ministers and provide any other administrative support to the Operational Incident Management Team deemed necessary.

The Incidents Branch will arrange the issue of food alerts to LAs, other Government departments, trade organisations etc. Incidents Branch in HQ acts as UK contact point for the Rapid Alert System for Food and Feed (RASFF) and is responsible for issuing RASFF notifications to the Commission. The Incidents Branch is responsible for training all Agency staff involved in incidents on the protocol and database. Induction training will be provided to all new staff involved in incidents.

During 'High' incidents, it may be appropriate to set up a dedicated briefing cell to carry out the information management and/or briefing function. Further details regarding the briefing cell are contained within section 7.0 (page 23 refers).

⁶ Further details available in Section 4.8

⁷ Liasing with the relevant Policy divisions experts

4.2 POLICY DIVISION

Once a policy division⁸ that can provide relevant policy or technical expertise for the incident has been identified by the Incidents Branch and contacted, they will then feed into the incident, as appropriate. Policy divisions must give incident response high priority and ensure appropriately trained officers are available at all times, including identifying and briefing deputies when necessary.

The responsibilities of policy divisions, when dealing with incidents, are broadly listed, as follows:

- carrying out a risk assessment – it is important that this is suitably clear and, where appropriate shared with key stakeholders to ensure that the latter are clear on the actual risks (and, where necessary, the nominated Agency expert can be asked to speak to the food business operator (FBO) directly to discuss the risk assessment in more detail);
- providing risk management options– again this needs to be clear (e.g when advising on a product withdrawal or recall we need to communicate to FBOs what action we are expecting from them);
- attendance at operational and strategic incident management team meetings, and taking forward action points from those meetings as appropriate;
- advising on sampling protocol, appropriate method of analysis and availability of sampling and testing methods, where appropriate (e.g. incidents involving GMOs);
- dealing with technical queries and providing policy advice
- producing Q&As in consultation with Communications Division and Legal Services.⁹

⁸ There may be instances where more than one division is providing the advice (e.g. chemicals in bottle water). Where more than one division has an interest, IB will co-ordinate the response.

⁹ During high level incidents a briefing cell would co-ordinate this work.

4.3 INCIDENT MANAGER

For each incident an Incident Manager will be identified. This would normally be the Head of the Incidents Branch or their appointed deputy, or of the equivalent position in the respective devolved offices (see Appendix 3).

The Incident Manager will be accountable to Directors and the Chief Executive for the strategic management of the incident¹⁰, for decisions taken by the operational incident management team (See Section 4.8) and for the outcome of the incident investigation.

The Incident Manager will be responsible for setting and maintaining the 'pace' of the incident (including the frequency and timing of Operational Incident Management Team meetings) and for ensuring that Directors and other interested parties (e.g. DH Ministers, Cabinet Office, No. 10) receive timely briefing on the progress of incident investigations.

The Incident Manager will agree at the outset, following consultation with other Operational Incident Management Team group members, the key determinants of the incident management process. These include:

- the scope and severity of the event
- the time-scale for resolution
- the availability of resources
- identifying those responsible for delivering work-streams
- identifying those responsible for initiating and maintaining contact with stakeholders.

¹⁰ Applicable for low-medium incidents (Strategic Director would take this role for High incidents)

The Incident Manager may use the checklist at Appendix 4 as an aide-memoire. The Incident Manager shall also agree the resource necessary to manage the process effectively and will be responsible for the operational management of the process, within those parameters.

The Incident Manager shall ensure that the standard agenda is followed as a minimum during Operational Incident Management Team meetings. Incident Managers are also responsible for clearing final notes of Operational Incident Management Team meetings and ensuring that the content is appropriate¹¹.

The level of direct involvement of the Incident Manager in the operational management process will vary depending on the nature and severity of the incident.

Each Incident Manager must identify a deputy with the authority and responsibility to take decisions in their absence. In cases where the Incident Manager changes during the investigation, it is vital that there is a seamless handover. Consequently, the new Incident Manager must be fully briefed by his/her predecessor.

Where appropriate, the Incident Manager shall decide whether any further accommodation or resource issues need to be addressed.

¹¹ For incidents in devolved administrations arrangements are outlined in Appendix 3.

4.4. INVESTIGATING OFFICER

The Investigating Officer is the main contact within the Incidents Branch 'leading' the incident. The Head of Incidents Branch will determine who takes on this role, taking into account officials' workloads at the time. The Investigating Officer will ensure that the incident is dealt with in a timely manner, key stakeholders (internal and external) are updated on developments and that all staff dealing with the incident follow the protocol. An Investigating Officer's tasks will include:

- information gathering (liaising with a range of external stakeholders including FBOs, LAs and OGDs)
- seeking legal advice, where the legal position is unclear
- arranging and attending Operational Incident Management Team meetings
- taking notes of meetings
- co-ordinating briefing
- drafting food and allergy alerts
- preparing RASFF notifications
- logging data on the Incidents Database
- answering calls and correspondence¹² regarding the incident.

It should be noted that communication regarding technical questions and policy advice will be dealt with by the relevant policy division.

4.5 PRESS OFFICER

The Press Officer's role will be to deal with any queries from the media regarding the incident. All calls from journalists must be forwarded to the Communications Division¹³ press officer for his/her attention. The Agency's press officer will also attend Operational Incident Management Team meetings and draft press releases and web stories as appropriate¹⁴.

The Press Officer will adhere to the Agency's communications protocol and Communications Division will aim, wherever possible, to issue web

¹² Including Ministers' Correspondence cases, Freedom of Information requests and Parliamentary Questions

¹³ Whenever the term Communications Division is used in the document this is a reference to the Communications Division and its counterparts within the devolved administrations, unless otherwise stated.

¹⁴ During incidents where the Agency is in the 'lead' the press office will be responsible for the coordination of external communications activity, to ensure consistent messages are put out.

stories or press releases regarding incidents at set times during the day¹⁵. It is important that information is released to the media before the end of the day so that news organisations can usefully pick it up and publish it.

4.6 LEGAL ADVISER

The Agency's Legal Adviser, or equivalent in devolved offices, will advise on any legal aspects of the incident (e.g. where clarification is required re: legal basis for our actions) and, where necessary, attend operational incident management team meetings.

Where legal advice is being sought, the Incidents Branch must ensure that this is made explicitly clear in the e-mail to Legal Services (preferably in the e-mail title).

The Legal Adviser will also lead¹⁶ on the production of Orders under the Food and Environmental Protection Act (FEPA), where applicable.

4.7 OFFICIAL NOTE TAKER

Every incident involving an Operational Incident Management Team will have an official note taker assigned to it, taken from within the Incidents Branch.

The note taker will attend all Operational Incident Management Team meetings and, where appropriate, Strategic Incident Management Team meetings relating to that incident.

The note taker will produce a summary of the meeting, which will be circulated to all attendees and, where appropriate, Directors within **one hour** of the meeting. The summary shall identify roles and responsibilities (e.g. Incident Manager), the legal basis, risk assessment and action points agreed, the individuals tasked with carrying them out and the time-scales for action. The Incident Manager will clear this summary note.

¹⁵ Specifically, 8am, Midday or 4pm

¹⁶ In NI the order is prepared by policy staff and cleared by Legal and in Scotland the Order is prepared by LAFLE in conjunction with the Scottish Government Legal Directive.

The note taker will also prepare a formal note of the meeting, which will be commented on by attendees and cleared by the Chair.

4.8 OPERATIONAL INCIDENT MANAGEMENT TEAM

The Incidents Branch will identify the members of an Operational Incident Management Team to progress the incident investigation.

The Group will consist of representatives from the Incidents Branch, all of the relevant Policy Divisions, Communications Division, Legal Services and any other representatives, as appropriate. For incidents with a European dimension, EU and International Strategy need to be involved at an early stage and be included within the Operational Incident Management Team.

The Group will take tactical level decisions, discharge actions needed to collect information and formulate proposals for risk management options or strategic decisions for the Incident Manager to endorse. The Group should critically review precedents for action or inaction to establish whether they continue to be appropriate. It should also consider the consequences of action or inaction and these deliberations must be recorded as part of the official record. This should be an ongoing part of the incident investigation.

The Group will, at the outset, document the legal basis for action or inaction, the factors relied on and the weight given to each factor. It will also clarify the role of enforcement authorities, recognising the authorities' other statutory responsibilities and the need to prioritise resources.

Notes of Operational Incident Management Team meetings must be accurate, covering all key points of discussion and all decisions. Incident Managers are responsible for clearing final drafts of meeting notes and ensuring they are appropriate.

The relevant Policy division(s) shall ensure that members from their policy area have the authority and resources to propose, accept and discharge actions that fall under their remit. The Group shall be maintained for the duration of the incident investigation and shall not be

replaced by sub-groups. Any “off-line” discussions must be documented and brought back to the Group for further discussion. Whilst a meeting can be requested at any time, the decision to hold that meeting will rest with the Incident Manager.

The Incident Manager shall ensure that individuals identified to take forward agreed actions deliver within the agreed time-scales. The Incidents Manager shall also ensure that external stakeholders (eg OGDs, FBOs, consumer groups) are notified and fully engaged, as and where appropriate.

All Group members generating a new piece of work, such as an e-mail, note of meeting etc should update the incident log accordingly. This will ensure a full audit trail and assist with the production of time-lines. The Investigating Officer has ultimate responsibility for ensuring that the incidents database record they are working on is kept up-to-date (see section 4.4).

4.9 STRATEGIC INCIDENT MANAGEMENT TEAM

The purpose of the Strategic Incident Management Team is to set the overall strategy¹⁷ for responding to a ‘high’ level incident. As part of this function, the team should consider and agree an appropriate communications strategy. The overall strategy will then be passed to the Operational Incident Management Team for implementation, who will regularly report back on progress.

Once the strategy is set, it is the role of the Strategic Incident Management Team to direct and support the Operational Incident Management Team, thus ensuring that the strategy is effectively implemented.

The Strategic Incident Management Team should not be scrutinising the detail of the incident or seeking to resolve specific issues. This is the job of the Operational Incident Management Team. A standard agenda for Strategic Incident Management Team meetings is enclosed at Appendix 5.

¹⁷ For example, contain the incident, investigate and reassure consumers

The decision to activate the Strategic Incident Management team will be made by the Chief Executive or nominated deputy, who will determine who acts as Strategic Director, heading up this team during the incident.

4.10 AGENCY IN A SUPPORTING ROLE

There are occasions where the Agency will not be 'leading' an incident (e.g. 2005 Buncefield Fire), but will nevertheless have a key supporting role, usually to another Government Department, providing food safety and standards advice and ensuring that any remediation action takes account of food safety issues.

When acting in a supporting role it is important to clarify at the outset what the Agency's role is and to ensure that other parties are clear on the Agency's role and responsibilities.

Where the severity of the incident has led the Police to set up a Strategic Co-ordinating Centre or Gold Command (see Appendix 6), the Incident Manager shall determine whether the Agency needs to send staff to the Centre, or whether the Agency's needs can be met by another organisation present (e.g. GOR, DEFRA, HPA).

Similarly, consideration by the Incident Manager will need to be given to Agency representation at Outbreak Control Team (OCT) meetings during a national/regional foodborne illness outbreak.

Where malicious tampering with food or drink is confirmed, the Police will 'lead' these incidents, with the Agency acting in a key supporting role¹⁸.

The Incident Manager shall ensure that officers are adequately supported, briefed, and that such deployment takes account of relevant personnel and health and safety criteria.

¹⁸ An Agency Malicious Tampering Incident Protocol was finalised in 2008.

4.11 STRATEGIC DIRECTOR

The Strategic Director, or nominated deputy, will head up the Strategic Incident Management Team. This team determines the overall strategy for responding to a high level incident and provides direction and support to the Operational Incident Management Team to enable the latter to implement the strategy.

The Strategic Director, shall Chair Strategic Incident Management Team meetings. The Chief Executive will choose the Strategic Director¹⁹ in each instance.

4.12 STRATEGIC ADVISER

The Strategic Adviser's role is to assist the Strategic Director in structuring the Group and assisting in the effective application of the protocol, at least in the early stages of the incident response. A senior member of the Incidents Branch in HQ²⁰ would normally carry out this role.

¹⁹ Normally HQ Director of Food Safety

²⁰ Normally G7 level or above

5.0 MEETINGS

The various internal/external meetings²¹ that Agency staff may participate in during incidents are summarised below:

5.1 OPERATIONAL INCIDENT MANAGEMENT TEAM MEETINGS

For all but the most straightforward of incidents, the Incident Manager will call an Operational Incident Management Team meeting (or series of meetings) to discuss resolution of the incident.

The purpose of the meetings is to:

- **agree** on the main issue(s) of concern in relation to food safety;
- **decide** what action has been or needs to be taken by the Agency and other organisations to deal with the incident; and
- **consider** what precautionary advice, if any, needs to be given to the general public, farmers etc.

The membership of the meeting will generally consist of members of the Operational Incident Management Team. For incidents with a multi-Agency dimension, consideration should also be given to inviting representatives from other Government departments, agencies and/or LAs, who can attend either in person or via teleconference/video conference. The Incident Manager will agree membership of meetings and act as Chair.

Meetings should always include a 'challenge' factor to ensure that the most appropriate mechanism for alerting external stakeholders is chosen.

Meetings will aim to achieve collective decisions. A list of potential issues/questions to be considered at Operational Incident Management Team meetings are summarised in the process map and checklist at Appendix 7. In addition, a standard Operational Incident Management Team agenda is attached at Appendix 8.

²¹ This is not an exhaustive list

5.2 STRATEGIC INCIDENT MANAGEMENT TEAM MEETINGS

During high level incidents, Strategic Incident Management Team meetings will be held to determine the overall strategy for managing the incident. This strategy will then be communicated to the Operational Incident Management Team for implementation.

These meetings will normally be chaired by an HQ Director (normally the Director of Food Policy) acting as Strategic Director. Other potential members could be the Chief Executive, Incident Manager²², Director of Communications, Director of Legal Services, Head of EU and International Strategy, Strategic Adviser, Directors in devolved offices and senior representatives from relevant policy divisions²³. The Strategic Director will ultimately determine who attends each meeting.

Incidents Branch staff at HQ will organise these meetings and ensure that an official note taker records all discussions and promptly disseminates the outcomes of discussions to those who need to know. A standard agenda for Strategic Incident Management Team meetings is enclosed at Appendix 5.

The frequency and number of these meetings will depend largely on the scale of the incident and the degree of Agency involvement.

²² Who will update attendees on the current state of play

²³ Normally at Head of Division or equivalent level.

5.3 SCOPING GROUP MEETINGS

Purpose

Scoping Groups are intended to gather information, as a valuable component of the risk assessment process, to inform subsequent risk management processes. Scoping groups are not briefing sessions, for communication of information/decisions to wider stakeholders or for decision making.

The Scoping Group will:

- establish the nature and scale of the issue; and
- map out the part of the supply chain involved.

Outputs from the Scoping Group will, in turn, inform the Agency's risk assessment and risk management options.

When to use Scoping Groups

A Scoping Group should be considered, in incidents, particularly high level ones, when further information is required from food business operators (and/or their representatives) to:

- inform the Agency risk assessment,
- ensure relevant commercial stakeholders are aware,
- identify cascade/communication mechanisms available to trade, including SMEs; and
- establish supply chain and distribution chain information.

The Incident Manager will determine when a Scoping Group is necessary, consulting the Operational Incident Management Team, as appropriate.

Timing

Scoping Group meetings should be held during the early stages of an incident.

Membership

It is important that Scoping Groups are fit for purpose, in order to identify the most appropriate course of action from the most comprehensive data set available. Scoping Groups are Agency-led meetings seeking information from FBOs and their representatives. The Incident Manager should carefully consider if non-industry stakeholders should be invited to such meetings.

Some FBO representatives have indicated that the presence of enforcement representatives, non Governmental Organisations and media dissuades them from openly sharing commercially sensitive information with the Agency. Therefore, in most cases a wider stakeholder meeting would be more appropriate for non-industry stakeholders.

The Incident Manager shall ensure adequate research is carried out to invite appropriate FBOs or representative groups to the group. This will normally include businesses listed on the stakeholder database with an interest in the area concerned, any businesses directly involved, trade organisations and sector specific trade bodies. Representatives from related businesses/organisations may be invited if they may have additional information e.g. freight clearance agents, specialist hauliers, National Farmers Union, etc.

Meeting arrangements

The Incident Manager will ensure that all logistical arrangements are in place, including room booking, teleconferencing information, invites²⁴, note taking and recording etc. If a face-to-face meeting is not feasible, then a tele-conference call will suffice.

Location

Scoping Groups will normally take place at FSA HQ (Aviation House) in London with telephone and/or videoconferencing facilities available for those not able to be present in person.

²⁴ Invites should clearly set out the purpose of the meeting and the issues to be discussed

5.4 STAKEHOLDER MEETINGS

Function

The Agency may wish to hold a stakeholder meeting (or series of meetings) during an incident to communicate consistent messages to external stakeholders. This would complement other external communications such as press releases, web stories, alerts etc.

Stakeholder meetings would be used to update external stakeholders on the information the Agency has, in line with our openness policy. For example, stakeholder meetings would update members on the current state of play, the Agency's assessment of the risk to consumers in this instance and the actions taken by the Agency to protect consumer health. The meetings could also include a Q&A session to answer specific questions from stakeholders.

These meetings should not be confused with Scoping Group meetings, where the objective is to gather information from key stakeholders to progress the incident.

When to use stakeholder meetings

Stakeholder Groups will normally only be considered during high level incidents. The Agency may wish to hold more than one stakeholder meeting at relevant times during the cycle of an incident, at the discretion of the Incident Manager. The first stakeholder meeting will normally be convened only after the Agency has had sufficient time to discuss and agree its internal strategy.

Membership

The incident manager shall ensure adequate research is carried out to invite appropriate stakeholders to the meeting. This will normally include all interested parties listed on the Stakeholder Database with an interest in the area concerned, any businesses directly involved, trade organisations, NGOs, LACORS and other enforcement partners and consumer groups.

Meeting arrangements

The Incident Manager will ensure that all logistical arrangements are in place, including room booking, teleconferencing information, invites, note taking and recording etc. If a face-to-face meeting is not feasible, then a tele-conference call will suffice.

Attendees from trade associations should be made aware that it is not the Agency's intention to invite all their members to the stakeholder meetings. Instead the intention is that the trade association attending subsequently cascades messages back to their members, as appropriate.

Location

Stakeholder groups will normally take place at FSA HQ (Aviation House) in London with telephone and/or videoconferencing facilities available for those not able to be present in person.

5.5 OUTBREAK CONTROL TEAM MEETINGS

During a foodborne illness outbreak an Outbreak Control Team (OCT) may be set up by the Health Protection Agency (or equivalent in devolved areas) to ensure that the outbreak is appropriately investigated and managed. Consideration by the Incident Manager will need to be given to Agency representation at OCT meetings during a foodborne illness outbreak.

It should be noted that during these types of incidents it will be the Chair of the OCT rather than the Agency that dictates the 'pace' of the response and it would be up to the Agency to feed in on food safety issues wherever appropriate.

5.6 STRATEGIC CO-ORDINATION CENTRE MEETINGS

These meetings would be held during high level environmental contamination incidents (e.g. Buncefield fire). Where the Police have set up a Strategic Co-ordinating Centre or Gold Command (see Appendix 6), the Incident Manager shall determine whether the Agency needs to send staff to the Centre, or whether the Agency's needs can be met by another organisation present (e.g. relevant Government Office for the Regions, Defra, HPA).

6.0 INCIDENT ESCALATION

Under the protocol all incidents will essentially be treated the same, with the Agency scaling up or down as appropriate. To ensure that during complex, 'High' level incidents, the management structure is strengthened accordingly, a high level Strategic Incident Management Team will direct and support the Operational Incident Management Team.

As soon as an incident has been assessed as potentially 'High' level, the relevant Director, or nominated deputy, should be alerted immediately. To support this process, criteria or 'triggers' have been developed for the escalation of incidents. These 'triggers' are detailed in Appendix 1. The Director will then consider the case for escalation and, if they agree that there is a case, they will alert the Chief Executive accordingly.

The decision to activate the Strategic Incident Management Team will be made by the Chief Executive or nominated deputy, who will also designate an appropriate Director (normally the Director of Food Policy) to act as Strategic Director, leading the team.

7.0 RESOURCING 'HIGH' LEVEL INCIDENTS

During 'High' level incidents, it may be necessary to call in additional resource to deal with the incident.

For example, the Incident Manager may wish to consider whether additional staff are needed.

Crisis Line

The Incident Manager may wish to consider opening up the Agency Crisis Line²⁵ which would free up valuable staff time during the incident. The Incidents Branch would approach the COI to activate the line. Crisis Line staff will need an initial statement and detailed Q&A to answer queries.

Briefing Cell

During a high level incident it may also be appropriate to set up a dedicated 'briefing cell' run by the Incidents Branch HQ. An appropriate manager within the Incidents Branch HQ will be appointed by the Incidents Manager to 'lead' the briefing cell. This is to ensure that the information management function is fully separated from the management of the operation.

The briefing cell would:

- co-ordinate briefing and/or submissions (e.g. to Directors, Agency Board and Ministers);
- prepare a timeline;
- co-ordinate responses to Ministers Correspondence Cases, Parliamentary Questions and Treat Official letters
- Co-ordinate responses to Freedom of Information requests
- Co-ordinate the production and maintenance of a Q&A brief (getting input from the Operational Incident Management Team); and

²⁵ This line is run by COI, who can quickly make available 20 lines that would be staffed by staff experienced with dealing with incidents.

- keep Agency staff, including those within the devolved administrations, updated on developments and ensure early and regular stakeholder contact.

The Incidents Branch will maintain a checklist of key stakeholders – see Appendix 9 for further details²⁶. A diagram illustrating the role of the Briefing Cell during ‘High’ incidents is attached at Appendix 10.

8.0 UPDATES

The HQ Incidents Branch will provide Directors with a weekly table updating them regarding ongoing incident investigations. A senior representative from the HQ Incidents Branch shall be available to brief Directors, if necessary, on the progress of incidents at their weekly meeting and shall act as the central point of contact for all internal enquiries related to incident responses²⁷. The respective devolved offices may need to consider whether their Director requires briefing on a particular incident for the weekly meeting²⁸.

9.0 DISPUTES

In general, action points will represent an Agency consensus taking into account the views of all relevant internal and external stakeholders. Wherever possible, the Incident Manager shall resolve disputes during operational incident management team group meetings. Where this cannot be achieved the Incident Manager shall discuss the issues with Directors and seek their views.

10.0 RECORD KEEPING

All papers relating to an incident shall be held on an official file. The Incidents Branch shall be responsible for maintaining this record²⁹. The Incidents Branch is responsible for maintaining the Incidents Database.

Once the incident record on the database has been created, all operational incident management team members for a particular

²⁶ For Scottish incidents, a list of key Scottish stakeholders is in the FSAS Contingency Handbook.

²⁷ See Appendix 3 for Scottish arrangements.

²⁸ In Scotland the Incidents Manager will wherever possible be available to brief Director FSAS on the progress of incidents prior to the Tuesday morning Weekly Director's Meeting.

²⁹ Devolved administrations will be responsible for creating an official file for incidents within their remit

incident are responsible for maintaining the incident log (see Section 4.8). The Investigating Officer has ultimate responsibility for ensuring that the Incidents Database record for the incident they are dealing with is kept up-to-date.

The Incidents Manager shall ensure that a summary of the meeting(s) is produced, which will be circulated to all attendees and, where appropriate, Directors within **one hour** of the meetings. The Incident Manager will clear this summary note. The formal note of the meeting will be prepared by the Official Note Taker and cleared by the Incident Manager and in circumstances where there are significant legal issues it will also be cleared by the legal adviser.

A copy of the summary and formal note shall be appended to the official incident file. These together with any correspondence with Directors or others regarding the incident will provide a systematic record of decisions made and the reasons for them.

Incident Reviews

Discussions from all incident review meetings shall be minuted and the papers held on file by the HQ Incidents Branch.

The minutes shall be circulated to all present, relevant Divisional Heads and Directors, as appropriate. The lessons identified from the incident reviews shall be translated into action plans by the Incidents Branch for future consideration by the Emergencies Group.

The Executive Management Board (EMB) will receive a report every 6 months from the Emergencies Group regarding the latter's work.

11.0 OUT OF HOURS

Where incidents arise out of hours, or circumstances preclude a meeting being set up, the on-call member of staff, consulting the Incident Manager where appropriate will determine which core staff need to be consulted, to ensure an initial risk management strategy is implemented. This may involve one-to-one meetings or telephone calls. Further details regarding out-of-hours contact details are contained in Appendix 3 (Local Variations).

Contact lists for incidents during office hours and out-of hours are maintained and updated every six months by the Incidents Branch and equivalent Branches in the respective devolved offices.

For high level incidents occurring out-of-hours consideration should be given to calling Agency staff (from the Incidents Branch and policy division(s)) into the HQ office to deal with the incident and holding a Strategic Incident Management Team meeting either in person or remotely. Also consideration should be given to activating the Agency's Crisis Line (see Resourcing High level incidents section).

12.0 CLOSURE

The Incidents Branch will determine, in consultation with Operational Incident Management Team group members and external stakeholders (e.g. local authority, OGD) as necessary, when the Agency has taken all necessary action and an incident investigation can be closed. The justification for closure shall be documented and form part of the official incident file.

Where appropriate, Directors and other stakeholders shall be informed that the Agency has completed its investigations and be given any further information deemed necessary.

13.0 INCIDENT REVIEWS (FORMAL AND INFORMAL)

Routine Reviews

ALL incidents will be routinely reviewed (by the relevant Incident Manager) prior to official closure. For any given incident, the Incidents Branch will have determined when the Agency has taken all necessary action, so that an incident investigation can be closed. Justification for closure will be documented and form part of the official file.

Routine reviews of incidents may generate lessons learned, which will be recorded and shared throughout the Agency for any given incident. Lessons will be recorded on a rolling basis and combined, where appropriate, with lessons learned from exercise programmes.

Formal Reviews

The Emergencies Group will select a subset of incidents Agency-wide, for a wider, formal review within the Agency³⁰. A maximum of six incidents per annum will be selected for this higher level review, based on a number of criteria including:

- Classification level
- Unresolved issues or questions
- Dissatisfied stakeholders and/or cross-cutting stakeholder issues
- Clear successes or failures of process
- Political or presentational implications

The review of these incidents will be conducted by staff at HoD level or of equivalent position in the respective devolved offices, using the agreed format (outlined in Appendix 11). Staff at AVH³¹ will organise and support the meeting, which will be attended by all key internal stakeholders for the incident. A questionnaire will be distributed prior to the review meeting so that appropriate feedback can be considered. If appropriate, a separate meeting of external stakeholders will be organised.

³⁰ In Scotland, the FSAS Emergency Planning Working Group will complement the formal review process and Strategic Policy Branch shall organise and document focus meetings on a twice-yearly basis. These meetings will allow wider internal FSAS incident review discussions to take place and actions to be agreed.

³¹ This will be staff from the Emergencies Group Secretariat.

An action plan, focusing on successes and lessons learned, will be prepared, based on the outcome of the review meeting, for submission to the Emergencies Group. A cross-check will be made to lessons emerging from routine reviews and from emergency exercises. The Emergencies Group will, in turn, report to the Executive Management Board every six months on lessons learnt and actions taken. A flow diagram summarising the incident review process is included at Appendix 12.

14.0 EMERGENCIES GROUP

The Agency's Emergencies Group shall have responsibility, inter alia, for selecting the incidents to be formally reviewed (Section 13.0 refers), auditing the outcome of the incident reviews and ensuring that lessons learned are applied consistently across the Agency.

APPENDIX 1: INCIDENT CLASSIFICATION SYSTEM & 'TRIGGERS'

The following are definitions covering the classification levels applicable to incidents involving potential implications for food safety and/or standards dealt with by the Food Standards Agency:

Low

Minor incidents, with localised effects and few, if any, food safety implications. Examples of such incidents would be barn fires, vehicles in rivers, minor oil spills. These would be dealt with as routine incidents, at Branch/Divisional level.

Medium

Incidents involving evidence of illness (e.g. food poisoning), impact on vulnerable groups (babies, pregnant women, or the elderly), breaches of statutory limits e.g. mycotoxins. In some cases the public or the media are likely to express some concerns. They could generally be dealt with at Divisional Level, led by an Incident Manager. Drivers to "High" would include scale or increased level of public or media concern.

High

Severe incidents (e.g. potential to cause deaths, serious illness), complex (e.g. a large number of products affected, a high level of resources required to manage), widespread and likely to generate a high level of concern in public and media perception of the issue. These incidents tend to involve more senior managers, normally Directors but also the Chief Executive.

Candidate Triggers

Criteria can be used for the escalation of incidents (called 'triggers') to rapidly identify that an incident has 'High' attributes, so that the Agency can plan and resource accordingly. These candidate triggers are as follows:

- Likely severity of public health risk (low for many, high for few, impact on special groups)
- Size and scale of incident (local/national/international; number of companies and products potentially affected; resource required to manage)
- Potential level of media interest
- Public perception of the risk or likely acceptability of the risk
- Precedents in similar cases, earlier risk management decisions
- Novel or unusual aspects

A 'High' incident is likely to score highly on two or more of the triggers. It is important to note that whilst these triggers provide an important checklist for aiding decisions, judgement and experience will always be brought to bear on the process.

Translating overall score to Classification level
 0-5000 = Low level
 5000-25000 = Medium level
 >25000 = High level

APPENDIX 2: CLASSIFICATION MATRIX

Severity	Health Effects	Consumers Affected	Risk Assessment	Perceived Risk (Consumers)	Perceived Risk (Media)
1	No effect	None	No risk	No Risk	No concern
2	Self Medication	Single Consumer	Minimal Risk	Very Low Risk	Slight concern
3	GP Presenter	Few Consumers	Short-term effects. Mitigation measures feasible	Low Risk	Limited/Localised concern
4	Hospital Presenter	Local Community	Long-term Potential Effects	Moderate Risk	Regional concern
5	Hospitalised	Vulnerable/Ethnic Group	Long-term Direct effects	High Risk	National concern
6	Death	All Consumers	Acute effects	Very High Risk	International concern

Complexity	Number of Reports	Number of Products	Number of Agencies Involved	Traceability
1	No previous report	Single Product/single location	Single Food Business	All Products Identified and Withdrawn/No food safety implications
2	Less than 10 previous reports	Single Product/Multiple Locations	Single Local Authority	All Products Identified and Recalled
3	Greater than 10 previous reports	Single Batch	Multiple Food Businesses	All Products Identified. Withdrawal/Recall Action Started
4	Local/Regional Report	Multiple Batches	Multiple Local Authorities	All Products Identified. Recall/Withdrawal Action Imminent
5	Widespread National Reports	Multiple Products/Single Batches	Devolved Administrations	Some Products Identified. Further Tracking Being Carried Out
6	Widespread International Reports	Multiple Products/Multiple Batches	Other Government Departments	No Products Identified. No Action Taken

Note: Multiply scores for each column under Severity and Complexity. Cross-multiply these results to obtain overall weighting for incident.

APPENDIX 3: LOCALISED VARIATIONS

All parts of the Food Standards Agency adhere to the principles laid out in the Protocol. However, there are localised variations reflecting the different management structures and functions in place. These are detailed, as follows:

1. England

Role/Function	Name
Incident Manager	Low/Medium incidents: Head of Incidents Branch or deputy ³² 'High' incidents: As above
Strategic Director	HQ Director (normally Director of Food Policy)
Strategic Adviser	Incidents Branch (G7 or above)
Notification Point (including out-of-hours)	Incidents Branch (out-of-hours Agency on-call staff can be contacted via Defra Duty Room 0207 270 8960)
Food Alerts	Incidents Branch
RASFF notifications	Incidents Branch
Reviews – routine Reviews - formal	Incidents Branch (G7 or above) Conducted by staff at HoD or equivalent level. HQ Incidents Branch will organise the review meeting.

³² Normally G7 level

2. Wales

Role/function	Name and number
Incident Manager	Low/Medium incidents: Assistant Director FSAW High incidents: As above.
Strategic Director	HQ Director (normally Director of Food Policy)
Strategic Adviser	HQ Incidents Branch (G7 or above)
Notification point (including out of hours)	Incidents Branch (Out of hours on-call staff can be contacted on 07789 926573)
Food Alerts	Incidents Branch
RASFF Notifications	Incidents Branch (HQ)
Reviews – routine	Head of Incidents Branch/Assistant Director FSAW
Reviews – formal	Conducted by staff at HoD or equivalent level. HQ Incidents Branch will organise the meeting.

3. Northern Ireland

Role/function	Name and number
Incident Manager	Low/Medium incidents: Head of Food Hygiene, Standards and Incidents Unit High incidents: As above.
Strategic Director	HQ Director (normally Director of Food Policy)
Strategic Adviser	HQ Incidents Branch (G7 or above)
Notification Point (including out-of hours)	Out of hours incidents received via the FSANI out of hours number and initial investigations handled by the FSANI on call officer. Out of Hours number is 07884 473022
Communication with the Food Safety Authority of Ireland (FSAI)	Communication and co-operation arrangements between FSANI and FSAI (in the event of an incident with potential impact on either/both jurisdictions) are detailed in the written agreement between FSAI and FSANI in relation to food incidents, hazards and alerts.
Food Alerts	Food Hygiene, Standards and Incidents Unit, FSANI
RASFF notifications	HQ Incidents Branch
Reviews – routine	Head of Food , Hygiene, Standards and Incidents Unit, FSANI
Reviews – formal	Conducted by staff at HoD or equivalent level. HQ Incidents Branch will organise the meeting.

4. Scotland

The Incident Protocol provides staff with a guide to procedures that should be followed in the event of an incident. The FSAS Contingency Handbook provides more detailed response arrangements for staff.

Role/function	Name and number
Incident Manager	Head of Division (Science and Enforcement). In absence of HoD (S&E) the IM role will be played by Head of Local Authority Food Law Enforcement Branch.
Strategic Director	HQ Director (normally Director of Food Policy)
Strategic Adviser	HQ Incidents Branch (G7 or above)
Notification Point (including out-of-hours)	Local Authority Food Law Enforcement Branch Duty on-call officer: 07881516867 In Scotland out-of-hours reports are received via the FSAS out-of-hours number and initial investigations handled by the FSAS on-call officer.
Food Alerts	Local Authority Food Law Enforcement Branch
RASFF notifications	HQ Incidents Branch
Reviews – routine Reviews - formal	Head of Local Authority Food Law Enforcement Branch Conducted by staff at HoD or equivalent level. HQ Incidents Branch will organise the meeting.

APPENDIX 4: INCIDENT MANAGER CHECKLIST

CLASSIFICATION/TRIGGERS

Does initial assessment suggest that this is a high-level incident. If **YES**

- Has Director been advised?
- Agree membership/constitution of Operational Incident Management Team
- Is a Strategic Incident Management Team (SIMT) required?
- Agree with Strategic Director constitution/membership of SIMT
- Arrange meetings
- Confirm a deputy
- Organise mapping of product distribution details, as appropriate

If **NO**

Is a meeting of the Operational Incident Management Team necessary? If

YES

- Arrange meeting
- Confirm a deputy

PLANNING & RESOURCES

- Are extra resources needed (e.g. extra staff, Crisis Line, Briefing Cell)?
- Do you have an overall strategy for managing the incident? If large and complex, are the outcomes clear?
- Do we need a Scoping Group and/or Stakeholder Group meeting?

COMMUNICATIONS

- Has a Communications Strategy been agreed and documented?
- Is a timeline required?
- Is a FAFA/FAFI/Allergy Alert required?
- Is a RASFF required?
- Does FSA official at UKREP need to be contacted, in order to utilise their services?
- Is a Press Release/Web story required?
- Do you need to make 'Early Warning' phone calls to key stakeholders

BRIEFING

- Consider need to alert and brief a range of internal and external stakeholders (please refer to checklist at Appendix 9)
- Do you need a dedicated person to lead a Briefing Cell? Discuss with Director

RECORDS

- Do notes of meetings record key decisions and rationale/data to back these up?
- Has legal basis and risk assessment been documented and kept under review?
- Has the database been kept up-to-date?
- Are decisions proportionate?

APPENDIX 5: STRATEGIC INCIDENT MANAGEMENT TEAM MEETING AGENDA

1. Incident status report – oral update from Incident Manager
2. The role of the Agency in the incident, lead or support?
3. Strategic aim
4. Communication message
5. Stakeholder meeting detail
6. AOB

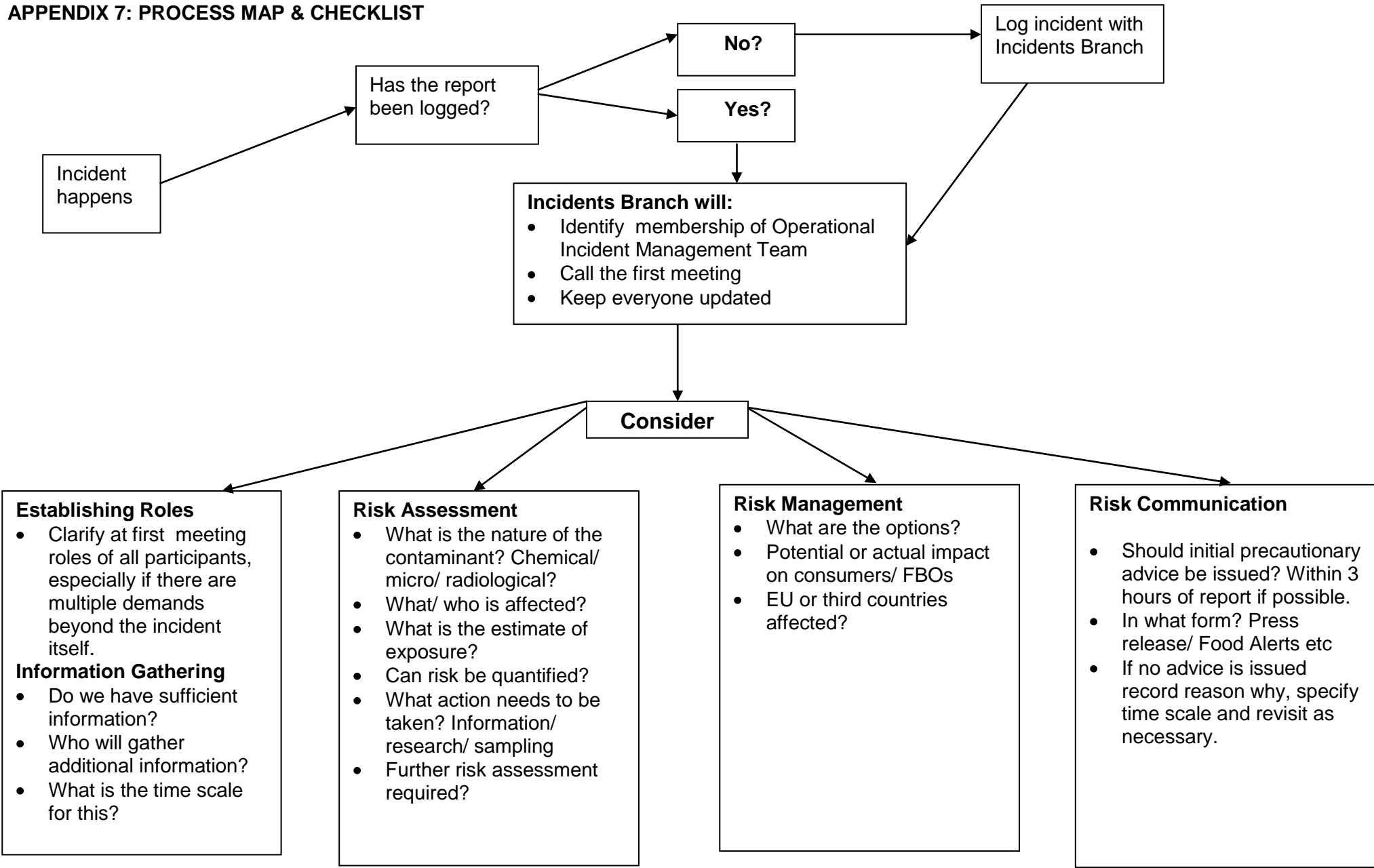
APPENDIX 6: STRATEGIC CO-ORDINATION CENTRE

For major emergencies an off-site Strategic Co-ordination Centre (also known as Gold Command) will normally be set up, for example at the local Police Headquarters. Here a group of people may form a Strategic Co-ordinating Group led by a senior police officer (Gold Commander, usually an Assistant Chief Constable).

The Group will comprise senior officers from the other emergency services and senior managers from local authorities and the other organisations involved in the response. The main tasks of the Group are to:

- set rules for how the overall response should be managed
- make sure that people working at the scene of the emergency have enough equipment and support
- decide when the recovery phase can begin and responsibility be passed to local authorities.

APPENDIX 7: PROCESS MAP & CHECKLIST



APPENDIX 8: OPERATIONAL INCIDENT MANAGEMENT TEAM MEETING AGENDA

1. What do we know³³ - general ?
2. What do we need to know³⁴ - general ?
3. Roles and Responsibilities
4. Legal basis for action
5. Distribution/traceability details, if appropriate - what do we know/need to know?
6. Risk Assessment (and independent advice)
7. Risk Management options (kept under review)
8. Communications Strategy (risk communication)
9. Communication with stakeholders
10. Provision of timeline, Q&A, “jigsaw”, brief (if needed), submission etc
11. Allocation of actions & time-scales
12. AOB

³³ Consider whether Stakeholder Group is required

³⁴ Consider whether Scoping Group is required

APPENDIX 9: CHECKLIST OF STAKEHOLDERS TO BE CONTACTED

Consideration would be given to alerting the following stakeholders following a high level incident³⁵:

Internal

- Colleagues in devolved offices
- Heads of Division
- Directors
- Agency Chair, Deputy Chair and Board
- Agency Helpline

External

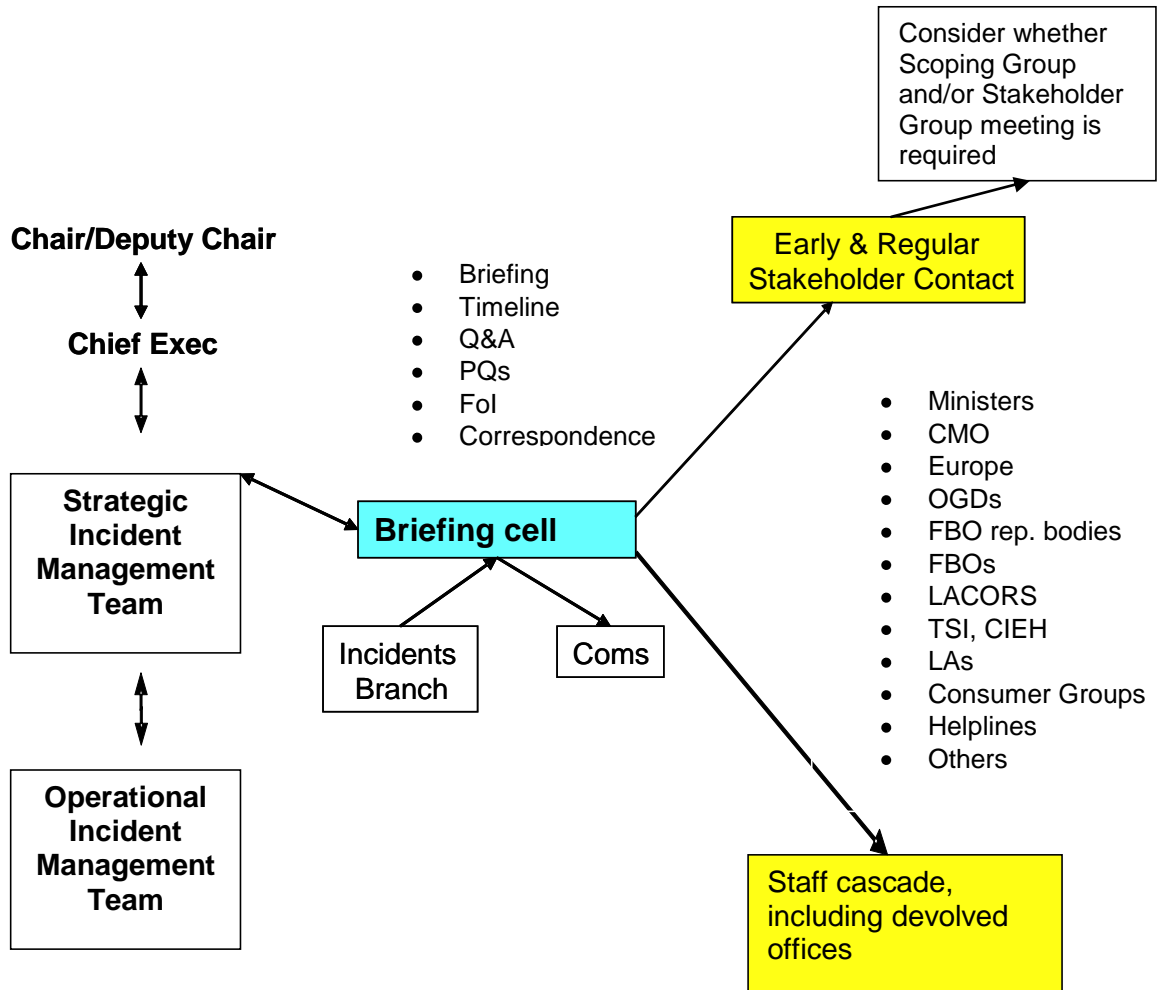
- DH Ministers
- Other Government Departments and Agencies, including:
 - Defra – animal welfare, provision of food supply
 - Animal Health – animal health
 - HPA , HPS, NPHS or equivalent – human health
 - EA – environmental contamination incidents
 - Cabinet Office (CCS) - high level incidents and clusters of incidents
 - BERR – FBOs
 - VLA – on-farm incidents
 - HSE – pesticide and biocide issues
 - VMD – veterinary medicines issues
 - RPA – incidents involving sampling
- Devolved Government
- Consumer Bodies (e.g. Consumers Association, WHICH, Consumer Focus)
- Chief Medical Officer
- CHAIRS Group – for chemical incidents only
- Commission (DG SANCO) - via RASFF system
- UKREP
- European Food Safety Authority (EFSA)
- Trade Associations³⁶
- National Farmers Union and counterparts in Wales, Scotland and NI
- The local authorities co-ordinators of regulatory services (LACORS)

³⁵ The precise list to stakeholders to be notified in each instance will depend on the nature of the incident.

³⁶ For example, British Retail Consortium, Food and Drink Federation, British Hospitality Association, Federation of Small Businesses, British Frozen Food Federation, Federation of Wholesale Distributors

- Trading Standards Institute, Chartered Institute of Environmental Health, Royal Environmental Health Institute of Scotland, Association of Public Analysts, public analysts
- Association of Port Health Authorities
- Serious Organised Crime Agency

APPENDIX 10: INCIDENT MANAGEMENT & COMMUNICATIONS FLOW DIAGRAM



APPENDIX 11: STANDARD AGENDA FOR INCIDENT REVIEW MEETING

Welcome/Introductions

1. Overview of investigation
2. General impressions: what worked well/did not work well?
3. Roles/responsibilities/leadership
4. Communications/ flow of information
5. Record keeping
6. Procedures and overall management
7. Root cause of incident and corrective action
8. Were the actions taken proportionate?
9. How can we make the process work better?

APPENDIX 12: REVIEW PROCESS FLOW DIAGRAM

Reviews

