

Annual Freedom of Information Requests, External Complaints and Internal Whistleblowing Report

FSA 25/09/07 - Report by Jenny Desira, Head of Knowledge Information Management and Security, and Noel Sykes, Head of Standards and People Policy

1 Summary

1.1 This annual report informs the Board's oversight of these three areas of work. The Board is asked to **agree** the priorities set out below:

- Enhance the proactive publication of FOI responses on the FSA website to promote transparency and streamline the processing of recurring or thematically similar information requests.
- Continue to develop our approach to increasing awareness of, and confidence in, our 'Speak Up' arrangements.

2 Introduction

2.1 This report presents data and commentary on the Food Standards Agency's (FSA) management of requests made under the Freedom of Information Act 2000 (FOIA), external complaints and internal whistleblowing and raising a concern cases. Delivering to high standards in each of these areas, whilst at the same time keeping processes under review and learning appropriate lessons, is integral to the FSA being an open and transparent organisation.

3 Evidence and Discussion

3.1 Data used to inform this report is drawn from the records managed by the FOI and Standards and People Policy teams. Using the same data, reports are routinely submitted to the Cabinet Office. All data provided applies to **calendar years** (see Annex).

4 Freedom of Information

4.1 The Freedom of Information (FOI) function is delivered by the Knowledge and Information Management and Security Team (KIMS) who are responsible for all aspects of information governance and information rights legislation. This structure enables the KIMS team to deliver an integrated openness and privacy service across the FSA.

4.2 The FSA operates a centralised FOI service model. Requests are directed to the KIMS team, who manage and respond to requests under the terms of the Freedom of Information Act. The team is supported by representatives from the relevant business area, who locate information and provide specialist advice.

4.3 As shown in **Table 1**, the FSA recorded 174 FOI requests in 2024, and 157 requests in the first half of 2025, with an additional 5 still in progress. **Chart 1** illustrates the number of FOI requests processed by the FSA since 2015. While the volume of requests varies from year to year, it generally remains within a margin of 50. There are two notable exceptions: in 2020, the number of requests dropped, likely due to the Covid-19 pandemic, whereas in 2023, there was a marked increase. This rise aligned with a broader trend of an average increase in FOI requests across all monitored public bodies that year. Data from Q2 of 2025 also suggests that the Agency is likely to receive a higher-than-usual volume of requests by the end of the year.

4.4 The FSA's compliance with the statutory timescales for answering requests remains high at 97% for 2024 and 100% so far for 2025. This compares favourably to the 2024 average of 76% across all monitored central government bodies.

4.5 In 2024, two FSA FOI decisions were escalated by a requestor as a complaint to the Information Commissioner's Office (ICO). As 174 requests were recorded in 2024, this constitutes a 1% referral rate. In the first half of 2025, the FSA has not been notified of any complaints to the ICO.

4.6 The first case involved a request for information about slaughterhouse methods and addresses. This information was withheld to prevent risks to health and safety and to protect details provided in confidence. The second case concerned an ongoing complaint, where the requested information was withheld because it contained personal data and had the potential to prejudice an active investigation. In both cases, the FSA's decision not to disclose the information was upheld by the ICO.

4.7 The subjects covered by FOI requests are wide-ranging and often span multiple topics. However, several key themes emerged in 2024. For instance, incidents and enforcement actions involving food businesses reported in the media—particularly those related to slaughterhouses and their operations—correlated with an increase in FOI requests on those subjects. Similarly, the approval of the feed additive Bovaer (shown in the additives category) and the continued use of CBD in food products (novel food category), both of which received media coverage, led to a rise in requests specifically focused on these issues. In addition, we continued to receive more general FOI requests about the products and services we use, including questions about when they are due to be replaced. These trends have persisted into the first half of 2025, with Bovaer and commercial arrangements continuing to feature prominently among the most common themes.

4.8 In 2024, the majority of FOI requests (55%) were submitted by members of the public. A further 15% came through WhatDoTheyKnow.com, a website designed to help users submit and track FOI requests. Requests from businesses accounted for 14% of the total. The pattern in 2025 has remained broadly similar; however, there has been a small increase in requests from pressure groups—such as animal rights organisations and the TaxPayers' Alliance—which rose from 5% in 2024 to 11% in 2025.

5 External Complaints

5.1 The FSA's external Complaints Policy applies to formal expressions of dissatisfaction with the FSA, whether that be with its policies, its service, conduct of its staff or other. Details of the FSA's Complaints Policy are available here:

<https://www.food.gov.uk/contactconsumersfeedback/complaints-and-comments-about-the-fsa>

5.2 Refer to **Table 2**. There has been continued focus wherever possible to resolve complaints through the 'Business as Usual' process. This provides a quicker response, from the point of local delivery but without denying access to the formal complaints process should the complainant still wish to utilise this.

5.3 Most formal complaints are managed as 'Local' in the first instance, with usually an operational or policy team responding. If a complainant is dissatisfied with this response, they can escalate their case to the FSA Complaints Co-ordinator (the Head of Standards and People Policy). If the complainant remains dissatisfied, they can then escalate their complaint to the FSA Chief Executive. After the FSA's complaints procedure is exhausted a complainant may then ask a Member of Parliament to refer their case to the Parliamentary and Health Service Ombudsman (PHSO) ([footnote 1](#)).

5.4 The profile of formal complaints remained relatively low with no trend in subject area, but subjects have included the conduct of FSA staff in Food Business Operator (FBO) sites, decisions taken by FSA staff whilst delivering official controls, and disagreements regarding resource deployment and the costs incurred by the FBO.

5.5 Of the 35 cases responded to through the BAU route in 2024, there was no prevalent subject area. Of the BAU cases, three complaints related to Bovaer feed additive. Other subjects included a cheese product recall, peanut contamination, Food Hygiene Ratings Scheme (FHRS) ratings and precision breeding.

5.6 The marked increase in BAU case numbers for 2025 (to June of that year), was due to 29 complaints all relating to the same animal welfare issue which received public attention. These complaints were mainly triaged through the Animal Welfare Team, in liaison with Communications colleagues and the Head of Field Operations, to provide the response.

5.7 Lessons learned from complaints have mainly centred on the importance of maintaining clear communication between all parties. This is particularly emphasised in the working environment of Field Operations, where there has been a focus on improving relations between FSA and industry and ensuring regulatory decisions are understood. Recommended actions have included an emphasis on appropriate use of the daybook and ensuring that regulatory enforcement decisions, and the reasoning behind them, is clearly communicated to FBOs.

5.8 One case was escalated through to the Chief Executive's (CE) office in 2024. This concerned the application of the FSA's charging regime within meat operations. It specifically concerned the increased costs incurred when employed staff work hours which attract an enhanced hourly rate. The case was not upheld but earlier in the complaints process the FSA's published charging guide was amended to improve its clarity.

5.9 The case referred to the Parliamentary and Health Service Ombudsman (PHSO) in 2024 originated from BAU responses issued in 2022 and 2023 to a food business within the edible insect industry. Following initial fact finding and discussion with the FSA, the PHSO declined to investigate at that stage, as the FSA had not previously been given an opportunity to do so through its formal complaints management process. This complaint was then investigated, firstly through the Complaints Co-ordinator (included in the 2024 data), and later the Chief Executive (in 2025). This was partially upheld on the basis that evidence supported the allegation that decisions made by the FSA in relation to novel food authorisations unfairly impacted the business.

5.10 Additional powers for specific National Food Crime Unit (NFCU) staff members, under the Police and Criminal Evidence Act 1984 (PACE), are in effect as of 1 May 2025. This means that individuals can also now raise complaints, under the Food Crime Officers (Complaints and Misconduct) Regulations 2024, in respect of the application of these additional PACE powers. The new regime falls under the remit of the Independent Office for Police Conduct

(IOPC) who will in some circumstances have the power to conduct their own investigation into alleged misconduct, or direct that the FSA undertake this. The FSA has a process in place for these complaints, which has been tested through a desktop exercise with NFCU and IOPC colleagues. We anticipate complaints in this area to be low volume but will continue to monitor developments and review the effectiveness of our processes as and when complaints are received.

6 Internal Raising a Concern and Whistleblowing

6.1 Internal raising a concern and whistleblowing refers to issues raised within, and about the FSA, by a member of staff or contractor and usually relate to alleged breaches of the Civil Service Code ('the Code'). Cases known as 'qualifying disclosures' and meeting the definitions provided by the Public Interest Disclosure Act 1998 also fall within this category.

6.2 In the calendar year 2024 there was an initial investigation into an allegation involving the potential inappropriate handling of sensitive information. Insufficient evidence was found to warrant a full investigation. There was no other whistleblowing allegation approved for investigation.

6.3 This route is not used to address personal concerns about alleged bullying, harassment, or discrimination (BHD). Separate HR processes exist to provide an individual the mechanism and the support to raise such concerns. However, BHD is included within the wider subject area of 'Speak Up' and features within the process review/improvement and awareness building activity the FSA undertakes in this area each year.

6.4 The annual Civil Service People Survey (CSPS) includes three questions relating to the Civil Service Code. The first question concerns the level of awareness of the Code and the second, the level of awareness of how to raise a concern under the Code. The third question concerns the level of confidence the respondent has that a concern raised would be investigated properly.

6.5 The table below present the results, taken from the CSPS, for the last three years.

Civil Service People Survey FSA Results – CS Code Questions

CS People Survey Question	FSA 2022	FSA 2023	FSA 2024	CS benchmark 2024
Are you aware of the Civil Service Code?	93%	93%	94%	92%
Are you aware of how to raise a concern under the Civil Service Code?	75%	77%	75%	70%
Are you confident that if you raised a concern under the Civil Service Code in the FSA it would be investigated properly?	79%	80%	79%	76%

6.6 The 2024 results of the CSPS show that the FSA has maintained, when compared across government departments, relatively higher levels of performance in relation to the Civil Service Code questions. These results continue to inform our communication and awareness approach including the content of the annual 'Speak Up' campaign planned for the autumn 2025.

7 Conclusions

7.1 The Board is asked to agree the following priorities:

- Enhance the proactive publication of FOI responses on the FSA website to promote transparency and streamline the processing of recurring or thematically similar information requests.
- Continue to develop our approach to increasing awareness of, and confidence in, our ‘Speak Up’ arrangements.

Annex

Table 1: Requests made under the Freedom of Information Act 2000 – key statistics.

	2022	2023	2024	2025 (Q1 – Q2)
Requests				
Requests dealt with under FOI	157	254	174	157
Compliance				
FOI requests responded to within 20 working days or with a permitted extension to the deadline.	157 (100%)	252 (99%)	169 (97%)	157 (100%)
Outcome of FOI requests as a percentage				
No information held	16%	16%	25%	24%
Information supplied in full	23%	45%	37%	34%
Information supplied in part	33%	17%	14%	20%
All information withheld	14%	8%	13%	13%
Advice and assistance provided	14%	13%	9%	8%
Withdrawn	0%	1%	2%	1%
Internal Reviews (appeals against the original response)				
Number of Reviews	4	4	13	12
Of these still in progress	0	0	0	1

	2022	2023	2024	2025 (Q1 – Q2)
Of those original decision upheld	3	1	10	9
Of those appeal partially upheld	1	2	3	2
Of those appeal fully upheld	0	1	0	0
Complaints to the Information Commissioner's Office				
Number of ICO referrals	1	2	2	0
Decision	Complaint withdrawn	Both FSA decisions Fully Upheld	Both FSA decisions Fully Upheld	N/A
The number of times certain exemptions were engaged by the FSA				
	2022	2023	2024	2025 (Q1 – Q2)
s.21 Information reasonably accessible elsewhere	7	12	20	23
s.22 Information intended for future publication.	4	3	6	0
s.30 Investigations and proceedings	5	6	2	3
s.31 law enforcement	13	5	16	12
s.35 Formulation of government policy	2	1	2	3
s.36 Prejudice to conduct of public affairs	0	0	0	1
s. 38 Health and Safety	4	3	3	0
s.40 Personal information	18	20	16	16
s.41 Confidentiality	3	5	13	8
s.43 Commercial interests	22	12	17	10
s.44 Prohibitions on disclosure	0	2	5	0
Subject Categories for FOI Requests (Percentage)				

	2022	2023	2024	2025 (Q1 – Q2)
	2022	2023	2024	2025 (Q1-Q2)
Official Controls/Animal Welfare	20%	20%	10%	13%
Technology we use	18%	11%	6%	1%
People, performance, pay and reward	11%	7%	8%	7%
Business, finance, and contracts	12%	9%	20%	18%
Food safety, incidents & disease	6%	17%	14%	21%
Enforcement and Prosecutions	4%	4%	2%	8%
Strategy, policy & research reports	6%	13%	6%	3%
Labelling/Allergens/ingredients	6%	3%	3%	3%
Novel Food Applications	4%	5%	9%	9%
Food Crime/Fraud	0%	3%	3%	1%
Food additives	0%	0%	6%	6%
FHRS	0%	0%	5%	1%
Other	13%	8%	8%	9%

Chart 1: FOI requests received in last 10 years

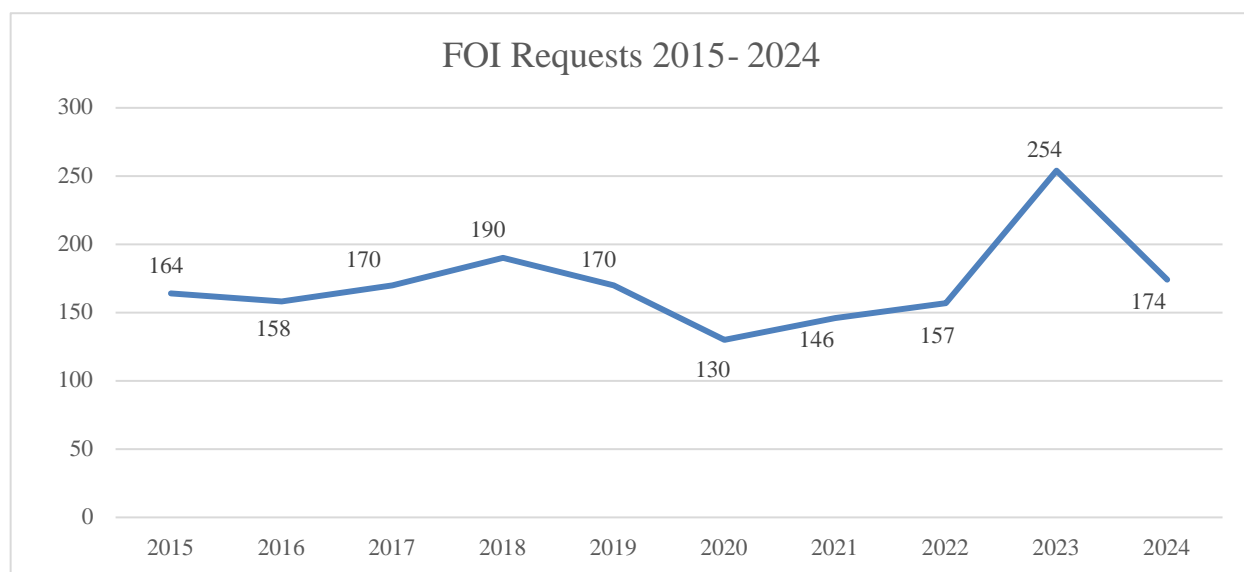


Table 2: Complaints about the FSA - response and outcomes

	2022	2023	2024	2025 (to end of June)
Responded to as BAU correspondence	56 (footnote 2)	22	35	49 (footnote 3)
Responded to at local level	5	6	6	6
Not upheld	4	2	4	4
Partially upheld	1	2	2	1
Upheld	0	0	0	1
Withdrawn	0	2	0	0
Responded to by the Complaints Co-ordinator (either on escalation from 'local' or directly)	4	2	4	0
Not Upheld	4	2	1	0
Upheld	0	0	0	0
Partially Upheld	0	0	3	0
Withdrawn	0	0	0	0
Responded to by the Chief Executive	3	2	1	1
Not Upheld	2	1	1	0
Upheld	0	0	0	0
Partially Upheld	1	1	0	1
Withdrawn	0	0	0	0
Referred to the Parliamentary and Health Service Ombudsman	0	0	1	0
Upheld	0	0	0	0
Partially Upheld	0	0	0	0
Not Upheld	0	0	0	0
Declined	0	0	1	0

1. <https://www.ombudsman.org.uk/>
2. BAU complaints in 2022 included 22 relating to sunflower oil substitution and 6 relating to the CBD public list
3. Of the 49 BAU cases, 29 relate to the same animal welfare matter which received public attention. There was no other prevalent theme.