

Chief Executive's Report to the Board - March 2023

FSA 23-03-03

Introduction

1. In the first few months of 2023, we have continued to work on plans for implementation of the UK Government's Precision Breeding Bill (which has now received Royal Assent) and to advise the UK and Welsh Government and Northern Ireland departments on decisions to be made as a result of the Retained EU Law Bill. We have continued to support cross-government work on borders and on the Windsor Framework on Northern Ireland. The prioritisation decisions made late last year and endorsed by the [Board in December](#) have helped us to release staff to work on these areas.

Windsor Framework

2. On 27 February, the UK Government and the EU agreed the [Windsor Framework](#); a set of alternative arrangements to facilitate internal UK trade. When it comes into force, the Framework will enable free flow of internal UK trade in food, protecting consumer choice and availability of food in Northern Ireland. We are working with the Department for Environment, Food & Rural Affairs (Defra), Department of Agriculture, Environment and Rural Affairs (DAERA) and other departments on the next steps.

Retained EU Law (REUL)

3. The Retained EU Law (Reform and Revocation) Bill is progressing through Parliament and is currently before the House of Lords. The Government still expects the Bill to receive Royal Assent in May 2023. We have provided advice to Ministers about the retained EU law within the remit of the FSA, in line with the guiding principles agreed by the Board in [December 2022](#). We updated these principles as a result of that Board discussion, to draw out in particular the need to protect wider consumer interests, in line with our statutory objective. The final principles which have informed our advice are:

a. Protecting public health, food safety and standards: we should not make changes which reduce the safety or standards of food produced or eaten in the UK.

b. Protecting consumer interests: we should not make changes which are detrimental to the wider consumer interest in relation to food (for example by making food harder to afford).

c. Maintaining consumer and trading partner confidence: we should not make changes which are likely to reduce consumer or trading partner confidence in UK food, or which are inconsistent with our international trade agreements.

d. Supporting innovation and growth: we should seek to make changes that support innovation, growth and the introduction of new technologies, (including innovation that could help to make food healthier or more sustainable) and remove unnecessary burdens on business.

e. Managing divergence: we should, as far as possible, seek consistency of approach across GB, in line with common framework commitments. We will consider the impact of divergence on public health and safety and the wider impact for consumers or businesses of having differing rules across the UK.

4. In line with the approach agreed at the December Board meeting, our advice is that the vast majority of retained EU law within the FSA's remit should be preserved or extended this year, allowing time for substantive reform in some areas in subsequent years. If these recommendations are accepted by the relevant Ministers, the timetable for delivering the necessary statutory instruments in 2023 will still be tight. It depends on some critical assumptions, including that agreed positions can be reached across the UK quickly and effectively, and that the FSA does not need to divert resources away from REUL, for example to deal with a major food incident. We have a cross-FSA programme of work underway to deliver this legislation and are working closely with officials in all the relevant administrations.

5. We await Government decisions and announcements on the next steps for our legislation. A full update will be provided to the Board in June 2023.

Borders Target Operating Model

6. Our work to support the Government on its Borders Target Operating Model ([Border TOM](#)) continues as the Government prepares to publish its draft Model in the next few weeks.

Food Hygiene ratings Scheme (FHRS) Mandatory display of food hygiene ratings in England

7. The Board will know that it has long been the FSA's ambition to align England with Wales and Northern Ireland on the mandatory display of hygiene ratings. Since the December 2022 Board meeting, we have received correspondence from some local authorities asking us to reconsider the decision made during our prioritisation exercise that FSA work towards a consultation and subsequent primary legislation should be temporarily paused. I would like to clarify the position for the Board.

8. The Board committed to pressing the case for mandatory display in England in the FSA's 2015-20 Strategic Plan. Further, in 2019, both the National Audit Office and the Public Accounts Committee recommended that we continue to pursue this. The FSA Chair submitted our evidence case to the Secretary of State for Health and Social Care in March 2020 but, because of the COVID-19 pandemic, the Department for Health and Social Care (DHSC) did not take it up. In December 2021, we secured support from the Secretary of State following the FSA's submission of an updated evidence case.

9. As I wrote in [my report to you in September 2022](#), last year we were hoping for the proposal to be included in the DHSC's Health Disparities White Paper. Unfortunately, that White Paper was delayed following the then-Prime Minister's resignation in July 2022. We had to conclude, with regret, that there was no realistic prospect of Ministers deciding to make time for this legislation in the next Parliamentary session. So, the inclusion of mandatory FHRS display in our list of work that had been temporarily paused reflected the reality that there was, at that point, no further progress to be made at present. We intend to put the case to Ministers again early in the term of the next Government.

10. In the meantime, we continue to promote the scheme and to work with our local authority partners to do as much as we can to maintain and strengthen its impact as it currently operates. The FHRS is a highly successful public health scheme due to the commitment from local

authorities, and we are very grateful for their ongoing support.

Food Data Transparency Partnership (FDTP)

11. Since the Food Data Transparency Partnership was announced, we have been working closely with industry and colleagues in Defra and DHSC to take this programme forward. Julie Pierce co-chairs the data workstream with Anne Godfrey, of GS1.

Research updates

12. On 1 March we published Wave 5 of our consumer survey, [Food & You 2](#). This shows that the most common changes people have made to their eating habits include eating out less and eating fewer takeaways; cooking and eating at home more; buying items on special offer more; and changing what and where they buy to cheaper alternatives. 20% of households across England, Wales and Northern Ireland now have limited or uncertain access to adequate food. This is the highest reported level of food insecurity since tracking began in 2020. Food prices are the top concern for people (66%), with food waste (60%) and the amount of sugar in food (59%) also featuring in the top three prompted concerns. The first annual trends report will be published in Summer 2023 (covering Waves 1-4). Wave 6 results will be available in August 2023.

13. Findings from our [Consumer Insights Tracker](#) continue to be published monthly and remain a valuable resource for stakeholders monitoring indicators of food insecurity such as food bank usage, inability to afford essential food shopping and skipping meals. Latest data indicates that trends remain stable but significantly higher than when tracking began e.g., in February 2023 15% of respondents reported they had used a food bank or food charity at least once in the last month, compared to 8% in April 2020.

14. The Social Science team were shortlisted for the Civil Service 'Best use of Data and Technology Award' and awarded an Analysis in Government 'Innovative Methods Award' for our Kitchen Life 2 project – an innovative behavioural science research project which uses motion sensitive cameras to observe real-life behaviour in domestic and business kitchens.

Engagements

15. Since my last report to the Board in December 2022, I have met Lord Deben and spoken to Lord Krebs. I have also met Chief Veterinary Officer, Professor Christine Middlemiss and Environment Agency Chief Executive, Sir James Bevan and held meetings with officials from Defra and the Department for Business, Energy & Industrial Strategy (BEIS).

16. I held regular meetings with the Food Standards Scotland CEO. I joined the quarterly meeting with the CEOs of safety regulators, met Karen Betts of the Food and Drink Federation and joined the cross-Government coordination group meeting on FDTP with officials from Defra, BEIS, DHSC, HM Treasury and DAERA.

17. I attended a Cabinet Office networking breakfast hosted by the Cabinet Secretary, Simon Case and I supported the Chair at the Consumer Stakeholder Forum where we were joined by the Food Ethics Council, Sustain, Which?, WWF, the Soil Association and the Food Foundation.

18. In the last quarter, I have also met Sandy Thomas, Chair of the Science Council, John Mettricks, Chair of the Abattoir Sector Group, Professor Joanna Price, Emeritus Professor at the Royal Agricultural University, Claire White, National Farmers' Union (NFU), Sarah Hendry, CEO of the County Land and Business Association and representatives from the Institute for Government, Deloitte and Chapel Associates.

19. The Chair and I attended a dinner hosted by Lynette Wood, Acting High Commissioner for Australia. At the beginning of March, I joined Jane Hartley, Ambassador of the United States of America for a St. David's Day reception.

20. I held a stakeholder forum with meat industry representatives and also joined a roundtable on innovation hosted by the Government's Chief Scientific Adviser. I met the Association of Chief Executive's Chair, Martin Jones and joined the Public Chairs Forum conference. I also attended the NFU conference in Birmingham.

21. I spoke at the All Party Parliamentary Group on Food and Health Forum and I gave an interview to Farming Today. I also spoke at a Cabinet Office Deputy Director leadership event in York and gave a speech at a Women Into Leadership conference in Birmingham.

22. I also attended a tea for chief executives at the Institute for Government, met Caroline Kenyon from Food Awards, Dr Tazeem Bhatia from the Office for Health Improvement and Disparities and representatives from the Northern Ireland Office.

23. Since December, FSA colleagues and I have visited an abattoir and the Rhug Estate in north Wales as well as two dairy farms in Gwynedd.