

# Report of 11 September 2023 Business Committee Meeting

INFO 23-09-02

## **The Committee considered the following:**

Chief Executive's (CE) Report to the Business Committee (FSA BC 23-09-03)

Discussion of the CE Report included: staff working from home and HM Treasury's productivity review; risks of zoonotic infection from avian flu; and the one-year extension of the Eville & Jones (E&J) contract for delivery of official controls.

It was explained that there was no straightforward way measure the productivity of desk-based staff but, anecdotally, the amount of discretionary time home workers put towards their jobs, as well as looking at sickness rates as a proxy for productivity, suggested a slight increase in productivity where workers had the flexibility to work from home.

The productivity review from HM Treasury had focussed on the period to the end of 2028/29 and encouraged a cross-departmental approach. HM Treasury now had the FSA's return and discussions to inform the next Spending Review were ongoing.

On the risk of zoonotic infection from Avian Flu, the Chief Scientific Adviser (CSA) explained that the FSA had recently published a risk assessment which showed that the risk of human infection was generally low due to the short lifespan of infected birds and the need for inhalation of the virus rather than absorption through the gut. The larger risk was to workers on farms, which was being monitored, but there was no evidence of the virus moving into the human population more widely.

The extension of the E&J contract for the provision of vet services, for a further and final year, meant that the tender of the subsequent contract needed to be concluded by April 2025. This provided a hard deadline, as no further extensions were possible. It was noted that work was underway to consider the approach to the tender.

An update was also given on a legal case around the infringement of the Food Hygiene Rating Scheme (FHRS) trademark, which had been settled on confidential terms.

## **Update on GB Official Laboratories Capability Building (FSA BC 23/09/04)**

The Business Committee Chair declared an interest as Head of Kent Scientific Services, which is Kent County Council's in-house Public Analyst, toxicology and metrology calibration laboratory, providing these services to local and national government and business. To avoid a potential conflict of interest, he recused himself from the meeting and asked Susan Jebb to chair the discussion.

The Business Committee heard a brief update against the delivery of the previously agreed plan for building laboratory capacity and the skills pipeline and asked about the delivery timeline and capability gaps identified by the UK Health Security Agency (UKHSA).

On the delivery timeline, it was explained that phase two, was one year in and would be delivered by March 2025. There were plans for delivery work to continue and work for the design of phase three would accelerate over the coming months. A meeting of CSAs with concerns around surveillance in their fields was to be convened shortly, to identify common concerns and discuss the possibility of a common approach to funding.

The capability gaps identified by UKHSA were largely technical ones around anaerobic bacteria and other, less common, pathogens. The CSA said his concerns around lab capacity were focussed on chemical analysis rather than microbiology.

## **Performance and Resources (P&R) Q1 2023-24 (FSA BC 23/09/05)**

Discussion of the P&R Report included: levels of trust and confidence in the FSA; local authority performance; the Achieving Business Compliance programme; and food crime.

Regarding trust and confidence in the FSA, it was highlighted that while media coverage played an important role in driving awareness, consumers got their news and information from an increasingly wide range of sources. As a result, other channels, such as subscriptions to FSA newsletters, or working with partners such as charities, could help the FSA reach different audiences. Figures for public awareness of the FSA reflected a cross section of the public and further detail on segmentation would be provided. It was noted that feedback from Operation Hawk suggested that some businesses felt they had received little communication from the FSA. This was largely due to the messaging reaching them indirectly, through local authorities as this was often the best channel for communicating with industry, and did not imply that the FSA was not engaging with the issues..

The resourcing challenges being faced by Birmingham City Council, as well as local authorities more broadly were raised. It was positive that in the FSA's recent discussions with Birmingham, they had recognised enforcement of food safety to be a statutory service. The Business Committee encouraged the FSA to reinforce this point in correspondence, to support local authority food team leaders in demonstrating the need, within their organisations, for these services to continue. The Committee noted the FSA had escalation powers in the event that services were not delivered, for example to request Ministerial directions. The Committee also noted the importance of the support the FSA had already provided for local authority apprenticeship programmes.

For the figures presented for local authority interventions into businesses, it was possible to say whether local authorities had made the interventions according to the expected timescales. It was hoped in future, it would also be possible to report the impact of interventions on business compliance, though the capability to provide that data was not yet available. Data on the number of local authorities at different stages in the performance management process would be circulated to Business Committee Members.

On the Achieving Business Compliance programme, the new food standards model was being rolled out this year. A public consultation had been held on the proposed changes to the food hygiene delivery model, including workshops with local authorities and a written consultation to which responses were received from a wider group of stakeholders such as third-party assurance providers. The intention had been to proceed next to a pilot phase. However, feedback from local authorities was that they currently face very significant resourcing challenges. They wanted

to see some changes introduced more quickly than planned, and they encouraged the FSA to be more ambitious in the longer term. Some other stakeholders encouraged the FSA to consider additional ideas too. The Committee agreed that, in the light of this feedback, the FSA should consider what changes could be introduced without piloting and should also reflect on whether more ambitious changes could be proposed after that as part of ABC.

There was a discussion of the timetable for the Board's involvement in the Achieving Business Compliance programme. A paper would be included on the Board's agenda for December, and this discussion would be highlighted to the Board in the report from the Business Committee.

During discussion of Key Performance Indicators (KPIs) relating to the FSA's performance, it was explained that the P&R Report sought to demonstrate how the FSA was performing against the Annual Plan. The indicators used in it were listed in the Annex to the Report. A more detailed set of performance data was reviewed regularly by the Executive Management Team. It was suggested that consideration be given to whether a fuller set of FSA KPIs should be presented to give the Business Committee oversight of delivery and an understanding of areas of concern and it was agreed that KPIs would be articulated in an overarching way to give assurance that they were in hand.

The new style of the P&R Report was generally welcomed by the Committee, though it was noted that it did contain a much higher word count. It was questioned whether some of the contextual information could go in the accompanying paper instead. It was agreed that the structure of the discussion had enabled a good focus on relevant detail through breaking the Report up into separate agenda items on each of the themes.

In conclusion the Business Committee agreed the FSA's approach to monitoring and reporting. On the reporting schedule it was noted that feed and port health authorities were issues that were not included in the schedule. It was also noted that the biannual reporting on the National Food Crime Unit (NFCU) focussed on understanding the food crime threat rather than the NFCU's performance.

## **ANNEX A**

### **Business Committee Papers – 11 September 2023**

- [Minutes of the FSA Business Committee Meeting on 12 June 2023 \(FSA BC 23-09-01\)](#)
- [Actions Arising \(FSA BC 23-09-02\)](#)
- [Chief Executive's \(CE\) Report to the Business Committee \(FSA BC 23-09-03\)](#)
- [Update on GB Official Laboratories Capability Building \(FSA BC 23/09/04\)](#)
- [Performance and Resources Q1 2023-24 \(FSA BC 23/09/05\)](#)