

Minutes of 9 June 2025 Business Committee Meeting

FSA BC 25/09/01 - Via Teams

Attendees:

COMMITTEE	
Timothy Riley	
Susan Jebb (Joined at 14:35hrs)	
Rhian Hayward	
Mark Rolfe	
OFFICIALS ATTENDING	
Katie Pettifer	Chief Executive
Amie Adkin	Deputy Director of Risk Assessment
Nathan Barnhouse	Head of Regulatory Compliance Division (for FSA BC 25/06/04)
Beth Chaudhary	Director of Strategy and Regulatory Compliance
Claire Forbes	Director of Communications
David Holmes	Deputy Director of Strategy (for FSA BC 25/06/05)
Anjali Juneja	Director of UK & International Affairs
Robin May	Chief Scientific Advisor
Ruth Nolan	Director of People and Resources
Lexi Rees	Head of Regulated Services Delivery
James Robinson	General Counsel
Rebecca Sudworth	Director of Policy
Michael Todd	Head of Planning and Performance (for FSA BC 25/06/04)
Darren Whitby	Head of Incidents and Resilience

1. Welcome and Introductions

1.1 The Committee Chair welcomed everyone to the meeting. There were apologies from Junior Johnson, Director of Operations and Julie Pierce, Director of Information and Science. Darren Whitby and Amie Adkin were in attendance as respective deputies. There were no declarations of new external interests since the last meeting. No Members raised items of Any Other Business.

2. Minutes of March 2025 Business Committee Meeting (FSA BC 25/06/01)

2.1 It was noted that until Susan Jebb arrived the meeting was not quorate; therefore, the decision to accept the minutes would have to wait to be taken when Susan was in attendance.

2.2 The Committee later agreed, once Susan had joined and the meeting was quorate, that the minutes of the March meeting represented an accurate account of the discussions at that meeting.

3. Actions Arising (FSA BC 25/06/02)

3.1 There were no comments on the actions arising.

4. Chief Executive's Report to the Business Committee (FSA BC 25/06/03)

4.1 Kate Pettifer updated the Committee that, in addition to the Judicial Review (JR) from Association of Independent Meat Suppliers (AIMS) as mentioned in her Report, at a later date the British Meat Processors Association (BPMA) had also raised a JR against the FSA regarding this year's charge rates for the meat sector.

4.2 Katie mentioned anticipated outcomes of the Spending Review.

4.3 Katie confirmed for the Committee that the late paper on the June Board agenda would be on glycerol in slush ice drinks because we now had a near final risk assessment which suggested we needed to change our risk management advice. The Board's involvement would be earlier than normal in the process, but it would enable the Executive to get the Board's input before making risk management decisions which we would aim to do before the summer.

4.4 Rebecca Sudworth noted that the June Board paper on glycerol in slush ice drinks closed the outstanding action for her on the actions arising list.

Action 1 – Board Sec to close Action 2 for Rebecca Sudworth to share options for further action with the FSA Chair.?

4.5 The Committee welcomed the new powers provided to the FSA under the Police and Criminal Evidence Act 1984 and the Criminal Justice and Public Order Act 1994 which had come into force on 1 May 2025. The importance of the work done to ensure that the National Food Crime Unit (NFCU) staff who exercised those significant powers were only those that had been trained to do so was highlighted and commended.

4.6 The point was also made that food fraud was financially motivated. Thus, making use of financial investigators and their powers under the Proceeds of Crime legislation to prosecute and confiscate money was a more effective deterrent than prosecution alone. It was vital to publicise the Confiscation Order so that potential fraudsters understood the FSA would prosecute and seize assets. As to whether the FSA, as the prosecutor, got money back through the incentivisation scheme, it was confirmed that 50% went to Treasury via Home Office and of the remaining 50%, 25% went to the Crown Prosecution Service, leaving all other interested parties including FSA to bid for the remainder.?

Action 2 – NFCU to consider publicising the Confiscation Order as well as successful outcomes to improve the deterrent to food fraud.

4.7 A Committee Member asked about the work on improving protocols for handling incidents in healthcare settings in the wake of the Listeria outbreak. Darren said the FSA were part of a UK

Health Security Agency (UKHSA) led working group looking at lessons learned in addition to the FSA's routine internal lessons learned exercise. So far, the lessons learned with UKHSA had reflected well on the FSA and its part in pulling the different groups together. Darren said he would provide a further update for the Board via a weekly circulation on how that progressed.

Action 3 – Darren Whitby to provide an update for the Board via a weekly circulation on progress of the UKHSA led working group on improving protocols for handling incidents in healthcare settings.

4.8 A Committee Member noted that she had accessed the FSA's online advice for Wales about Hepatitis A which took her to the NHS 111 Wales website where there was no advice about contracting Hepatitis A from food in the UK rather than travel abroad. Rebecca agreed to take an action to follow up on the inconsistency between the FSA and NHS 111 Wales online advice.

Action 4 – Rebecca Sudworth to follow up on the inconsistency between the FSA and NHS 111 Wales online advice about contracting Hepatitis A from food in the UK rather than travel abroad.

4.9 Ruth Nolan provided an update on the FSA London office move. The heads of terms for the new office had been signed with the landlord, and we expected to receive the keys on 1 July. Ruth outlined plans for a phased move-in, starting with a small number of staff who needed to be office-based, followed by a full move once the building was ready with IT setup and safety measures. The new office would be shared with another department to ensure value for money and efficient use of space. Ruth mentioned there was a programme board set up to evaluate the effectiveness of the new office space, including lessons learned for future office moves.

4.10 Katie put on record her thanks to Ruth and the whole team for all their hard work on achieving this good outcome for the FSA. The new office was a useful space that would be able to accommodate meetings like Board Retreats.

4.11 In conclusion, the Committee Chair noted the FSA's provisional year-end outturn and how any late bills would improve our situation. The Committee had heard about the protocols for Incidents and recognised the difficulty in the interaction with the healthcare setting and how that was managed. This would be an area the Committee would want to continue to monitor. The Committee would hear more about information on home acquired Incidents of Hepatitis A as opposed to travel acquired incidents. Finally, on the new London office, the Committee would look forward to hearing more on the evaluation of the move.

5. Regulation Action Plan Commitments (FSA BC 25/06/05)

5.1 David Holmes summarised that, while there were some risks as set out in the paper, broadly the FSA was on track across the four commitments. Those commitments were not the limit of how the FSA was engaging with the government's plans in terms of the regulatory system and how that would contribute to the growth mission by driving business confidence and investment. In particular, there was the commitment the government had made to reduce burdens on businesses from regulation by 25% over the course of this Parliament.

5.2 A Committee Member said that the Chancellor's aspiration in this space was much broader than these four commitments and applied to the rest of the work the FSA and our partners did. Therefore, in addition to the four commitments we also needed to focus on the cultural expectations we had of the FSA and our partners to ensure we were meeting the other aspirations in this space around supporting growth. One of the key areas of supporting growth was making sure the food we had was safe because the impact of that on foodborne illness and so the wellness and productivity of the nation was significant.

5.3 The other aspect of the FSA's core role which it was important to bring out in our growth narrative was the work we did investing in science and technology. While this was helpful for food regulatory frameworks, it was also more broadly helpful in supporting UK PLC. David confirmed that he and his team constantly made the argument with DBT and Treasury that the best way the FSA could support growth was by doing our core job well. Without trust that food was safe, there would not be consumer confidence, business confidence, growth nor innovation across the food system and international trading partners would not have confidence that food controls were in place.

5.4 The Chancellor's Action Plan stated that when regulation was designed and implemented well, it could be an essential tool to promote growth and investment. Regulation did protect from public health risks and protected consumers from detriment to maintain their confidence. It was not, as sometimes portrayed in the media, a crude trade-off between de-regulation and growth.

5.5 A Committee Member noted that much of what we did had dependencies on businesses themselves, their behaviours and compliances, and on intermediate actors, such as local authorities. David said we fully recognised the regulatory burdens other actors across the system might impose, particularly local authorities, and had made that point to DBT.

5.6 A Committee Member noted that the numbers for local authority migration to the new Food Service Delivery Model (FSDM) in this report did not align with the numbers in the Performance Report. The Executive clarified that the correct number was that as of 9 April 2025, 15 local authorities out of a total of 154 had fully migrated to the new FSDM.

5.7 The Committee discussed how it was going to monitor progress and delivery against the four commitments which covered this calendar year. The Committee asked to be provided with project delivery plans which would enable them to scrutinise how delivery was progressing, key milestones and risks. It was agreed that clearer project plans, with a graphical element, drawing out links to other areas of work were needed for each commitment for the September Business Committee.

Action 5 – David Holmes to provide more detailed project delivery plans for each of the four commitments at September Business Committee.

5.8 In conclusion the Committee Chair said the Committee's discussion had been on both general points of principle and specific issues such as project management, the representation of milestones, contingencies and dependent issues and making sure they fit within our governance timescale. The Committee said it was important to keep underscoring the benefit that our work, including science and technology, had to growth. Good food builds trade, consumer confidence and opportunities for wealth and we had to make that compelling case so that others accommodated it. The Committee recognised we were on the front foot as far as we could be to demonstrate that we were playing our part around the 25% burden reduction target. That meant considering wider aspects such as local authority work and considering how it fit in the calculations. The Committee looked forward to the project planning being in place so we could see and assess forward progress.

6. Performance Report Q4 2024-25 (FSA BC 25/06/04)

6.1 Ruth Nolan introduced the Report and apologised for an error at the bottom left of page six related to NFCU and the percentage of businesses that changed prevention practices. The correct data for quarter three should have been 73% and for quarter four, 66%.

6.2 Darren Whitby then presented the data on **Incidents**. The focus of quarter four had been on the implementation of the new case management system (CMS), PRISM, which had gone live on

28 April. The new CMS, and a mailbox solution expected to go live in quarter two, would help generate automated reporting, better interrogate data. That work had been done against a backdrop of a busy level of incidents including the non-routine listeria outbreak and the tail end of the peanut in mustard incident.

6.3 The Committee asked how the new CMS would change and improve what the Incidents team did. Darren responded that we would be able to track the progress of the end-to-end process within an incident. The new CMS would save us time and effort and improve internal communication as everyone would be using the same system with the same information.

6.4 The Committee welcomed the streamlining of the infrastructure, the improved data which everyone could access and interrogate, the metrics for performance and the better insights into the system. However, the Committee felt a discussion at the Board meeting was merited around plans for how we were going to use the data to improve the efficiency of incident work given that the number of incidents was not declining, and the complexity was increasing.

6.5 Lexi Rees presented the data on **Market Authorisations**. A highlight was that the caseload was lower than forecast as a result of improved quality measures resulting in 90 applications exiting the service over the year either through invalidations, withdrawals or authorisations. We expected around 80 pure renewal applications to exit the service next month as we implemented the April 2025 reforms.

6.6 Whilst we were making steady progress with the next batch of applications to authorisation, the ministerial determination document, which replaced the Statutory Instrument, had required significant input from lawyers across the nations and taken longer than anticipated to finalise due to its complexity. However, agreeing this legal document now would pave the way for a smoother authorisation journey for future batches.

6.7 A strategic discussion had been held by the Executive Management Team on how the current service delivery model could be affected by the proposed SPS agreement. Therefore, we proposed refining our metrics to demonstrate the progress and quality of work within our direct control.

6.8 The Committee queried refining the performance metrics, which had not been in use for long and which the Committee had just become familiar with, before we knew what an SPS agreement looked like. Lexi responded the aim was to refine them on where we would focus our efforts as a service in light of a proposed SPS agreement. We would also bring together the key performance indicators (KPIs) designed for precision fermentation applications and Cell Cultivated Proteins (CCPs) work to ensure we were reporting on the right aspects going forward.

6.9 Regarding the ministerial determination documents, James Robinson updated the Committee that there were ongoing discussions with the Wales Government Legal team as to process.

6.10 A Committee Member asked if the 93% of the 28 contacts received which had had sufficient evidence to progress meant that we had improved how we landed our advice with businesses. Lexi responded that this had been as a result of the case management system which ensured the applicant had to submit the right information upfront; there was also an element of improving our guidance.

6.11 Nathan Barnhouse then presented the data on Local Authorities (LAs). The figures in the Report referred to Q1 and Q2 performance. Early analysis on the Q3 and Q4 figures was showing notable improvements in LA performance across the A to E risk categories for Food Hygiene in all three countries, which was promising. The situation for the D&E risk rated premises had improved as well and we were now at the highest levels since 2020, which was another good indication that LAs were able to redirect resources into the lower-risk premises now that the high-risk premises were under control. For Food Standards, we were seeing some fluctuation in the data and that

was to be expected because we were going through the transition process to the new delivery model. Verified figures on the number of unrated or uninspected businesses would be reported to the December Board.

6.12 On the latest June figures for the Food Standards Delivery Model rollout, we were continuing to see good progress. 131 local authorities were now using the new model; of that 21 were fully migrated, 25 should be migrated within the next two weeks and 74 were awaiting their Management Information System (MIS) update. The issue with that 74 was the data and the timelines from the MIS providers. 23 LAs remained without a fixed time scale for transition and we were working with each of those to understand what was going on in the background.

6.13 The Committee Chair commented that this update on the FSDM roll out was more reassuring than previous ones. Nathan identified that the letter that Katie had written earlier this year had had a positive impact on progress by bringing the issue of the rollout and MIS providers to the attention of LA Chief Executives. We were closely monitoring the remaining 23 LAs who were not transitioning. The LAs not actively engaging in the rollout at all would be dealt with via the performance management framework and, if necessary, we would bring them back to the attention of the LA Chief Executives again.

6.14 A Committee Member asked about escalation and whether we were making any progress with those LAs with whom we had escalated our concerns. Nathan said escalation was mostly used for Food Hygiene issues and it was a mixed picture. Most LAs when they did enter into escalation, did work with us and provided updates that gave us assurance that at some point in the following few months they would be able to live up to the plans they had provided us with and come out of the process.

6.15 Often the reason for escalation was the fact that LAs were facing resource pressures and finding it difficult to get officers to carry out inspection plans. The focus tended to come back to the mitigations they could put in place when they did not have enough officers and had to bring in contractors or where they could demonstrate they had financial clearance from their budget holders to go out and start recruitment.

6.16 The Committee recognised that even if LAs were authorised to recruit, there were not that many people to recruit and so one LA would be taking a member of staff from another LA and putting that LA into more difficulty.

6.17 A Committee Member drew attention to slide 8 on LA FTE resource where a large proportion of the RAG ratings were red and asked if an indication could be added as to what we were aiming for here, how much FTE resources was enough. Looking to the future, with different technologies, ways of working and efficiencies, the requirement for LA FTE may be different than it was now.

6.18 Nathan explained that we collected this data on a six-monthly basis at the moment so as the number of LA FTE reduced, the RAG rating became red and if it increased, it turned green when it changed sufficiently to affect the officer to establishment ratio past key milestones e.g., bringing it below 250 to 1 ratio. The resource modelling tool we had developed for Food Hygiene would give the local authorities who chose to use the tool a good indication of how many officers were needed to carry out the controls, which would then be reported to the FSA once the model was rolled out. We would look to add an analysis of what we were looking at in terms of LA FTE so the Committee could know what triggered a move between RAG statuses.

Action 6 – Nathan Barnhouse to consider what analysis can be added to slide on LA FTE resource.

6.19 Nathan said, at the moment, we had a model that was designed 30 years ago and a level of resource required for that time and model. We knew that model was no longer fully fit for purpose

for the way the food system worked today. We were not seeing that underlying risk in terms of public health manifest and public safety being breached, as the model is preventative in nature, but the current model did not have enough resources to deliver it. We were looking at how the model should be designed and at what resources were required for the future which would be a mix of different types of technology, levels of competency and skill and different entry points for people carrying out those controls.

6.20 In response to a question from a Committee Member about the outcome of the validation of the LA resource tool, Nathan said it had been positive and LAs were really keen to use it; he committed to coming back to the Committee with further information.

Action 7 – Nathan Barnhouse to come back to the Committee with further information on how the validation of the LA resource tool went.

6.21 On Science, a Committee Member commended the improvement over the last 6 to 12 months in the science KPIs which now provided more visibility of where science and evidence fit in the system. She asked if we could consider adding a measure on the science KPI slide regarding the Scientific Food Advisory Committees (SACs) and the Science Council, perhaps in relation to their time and how it was contributing to the activities we wanted them to undertake.

6.22 In discussion the points were made that we would have to carefully consider what we were trying to show about the SACs and what the most useful metric of the SACs would be that would have real meaning behind it. We would also have to consider this through the lens of the SPS discussions which would potentially impact on some of our SAC work.

6.23 In conclusion, the Committee Chair reflected on the discussion around the importance of what we learned from Incidents data as opposed to just receiving it and leaving it open to interpretation. On LAs, the impact of Katie's letter demonstrated the power of the FSA in affecting positive change, though there was still concern around the outstanding 23 LAs which we would want to focus on next time to monitor progress. The Committee were pleased to hear progress on market authorisations was being achieved notwithstanding whatever changes might come in respect of an SPS agreement. We would have to think about the impact of any changes not only on our performance, but on the process for industry so they could navigate it.

7. Any Other Business

7.1 No other business was raised, and the meeting was closed. The next FSA Business Committee meeting would take place on Wednesday 10 September 2025.