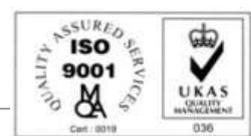


Citizens Forum: FSA Review of Delivery of Official Controls (RDOC)

Research with consumers



TNS BMRB



Executive Summary

TNS BMRB was commissioned by the Food Standards Agency (FSA) to conduct a nationwide series of 'citizens forums', with the goal of establishing an ongoing dialogue with the public on food standards. This summary outlines the findings from citizen forums conducted in 2012-13 exploring the views of consumers, on the review and potential changes to local authority structures for delivering official controls.

Official controls are the basic rules of food law laid down in European regulations. As the Central Competent Authority (CCA) for food safety in the UK, the FSA has a legal responsibility for the national arrangements for the execution and enforcement of these laws.

In 2012, The FSA began a review of the delivery of official controls (RDOC) which formed part of a wider portfolio of work undertaken by the FSA to look at how official controls, in relation to food law, are delivered in the UK. It evaluated the delivery of all food safety and standards official controls undertaken by local authorities and Port Health Authority (PHAs). This included the consideration of how the FSA performs as a CCA in supporting the delivery of official controls. As part of the wider evidence for this review, TNS BMRB conducted research with consumers and local authority staff delivering official controls. This summary focuses on the findings from the research with consumers.

The format was six workshops, each comprising approximately 10 participants, held in six locations across the UK and re-convened over three waves between October 2012– March 2013.

Awareness and expectations of official control delivery and food business compliance

Consumers had limited overall awareness and knowledge of official controls. Official controls were not top of mind when making day-to-day food purchasing decisions and people generally trusted that the food they purchased was safe. However, they assumed official controls to exist at an abstract level, and their existence was considered important for protecting public health.

Views and concerns about the current system

Consumers were asked to explore specific areas of current delivery.

- ***Structures and processes for delivering official controls***

People felt the current level of official controls was at a high standard and comprehensive, compared to their perceptions of official controls abroad and in the past. However, they had mixed views and some concerns about how the bodies responsible were working in practice, individually and collectively, to successfully deliver these checks.

- ***Variations in local authority structures***

Consumers were shown examples of different local authority structures across the UK (e.g. unitary, two-tier authorities) and the variety of ways in which official controls are delivered under these set-ups. Participants had particular concerns that where official controls were split across different bodies, there was risk of a disjointed approach and this could lead to potential loss of efficiency, duplication of work and inconsistency.

- ***Changes in the way local authorities are delivering official controls under recent budgets cut***

It was generally accepted that local authorities needed to make difficult decisions around how they delivered official controls to respond

to changing financial circumstances. However, they had some concerns relating to lowering levels of resources, consistency, knowledge and skills, efficiency and oversight, and the impact of these changes on public safety, which they felt should not be compromised.

- ***How relevant bodies work together***

Consumers felt that it was important that relevant bodies worked towards the same agenda, especially if food controls were split between authorities or undertaken in different ways. As they learned about these variations, it became increasingly important to consumers that local authorities reported to the FSA, as a higher independent body.

- ***How relevant bodies responded to food scares***

The impact of food incidents on consumers was seen to be dependent on the scale and number of people affected, as well as the source of the problem. Consumers agreed that FSA should provide oversight and accountability by overseeing the response and in providing information and awareness to the public, monitoring these incidents and assessing the scale of impact for consumers

Priorities for the delivery of official controls

As consumers learned more about the current system, they identified key areas which they felt were essential in underpinning a successful delivery system. Consumers' priorities were that there should be a balance between consistency of standards and flexibility of delivery to allow responsiveness to local area, upheld by a set of universal minimum standards, which provided a baseline which should not be compromised. Overarching these, consumers also called for accountability and oversight. This was felt to be important in ensuring that controls were delivered as they should be and the responsibilities in place were adhered to. This related to two key roles. Firstly, overseeing local authority delivery of

official controls – ensuring that there is a higher level of authority to which local authorities report to. Secondly, providing accountability to the public – ensuring that consumers’ interests are considered and the public are kept informed.

Overall, consumers have limited engagement and awareness of the delivery of official controls. Once learning more about the current system of delivery controls, they recognised the complexities of official controls and the need for local authorities to make difficult decisions around resource allocation. However, at the same time consumers have unrealistic expectations regarding risk and assume that their safety is guaranteed by the current official controls in place. The implication for the FSA is that they have a fundamental role in providing accountability and oversight through both overseeing local authority delivery of official controls and by protecting consumers interest and values.

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1. Introduction

In December 2005, the Food Standards Agency (FSA) Board agreed to develop more creative and experimental ways of engaging directly with individual consumers and to construct a new model for consumer engagement¹. Central to this aim was the establishment of a nationwide series of consumer forums to enable the FSA to launch an ongoing dialogue with the public on food standards.

The forums provide the opportunity for the FSA to consider the ways it makes decisions to protect public health and consumer interests in relation to food safety. In particular, the forums help to frame issues the FSA focuses on, and ultimately the advice it gives, from a consumer perspective. Specifically, the forums aim to:

- understand the 'top of mind' concerns of UK consumers;
- develop deeper understanding about particular concerns that consumers have in relation to food safety;
- test FSA policy and ensure that the views of consumers are taken into account at all stages of the policy making process.

This summary outlines the findings from citizen forums conducted in 2012-13 exploring the views of consumers, on the review and potential changes to local authority structures for delivering official controls.

1.1 Background

Official controls are the basic rules of food law laid down in European regulations. As the Central Competent Authority (CCA) for food safety in the UK, the FSA has a legal responsibility for the national arrangements for the execution and enforcement of these laws.

Though certain official controls are delivered directly by the FSA or other Government Departments, the majority are delivered through local authorities and port health authorities (PHAs). Given there are 434

¹ <http://www.food.gov.uk/multimedia/pdfs/board/fsa111105.pdf>

separate local authorities, the current delivery model is complex and potentially inconsistent. In turn, this complexity means there are challenges for the FSA to validate if the delivery of these controls is effective.

The impact of cuts and wider budgetary pressures means local authorities and PHAs are in the process of making decisions about whether to reduce or continue their current functions. In this context, the FSA needed to consider how best to secure efficiency, consistency, resilience and sustainability of the delivery of official controls.

The RDOC was part of a wider portfolio of work undertaken by the FSA to look at how official controls, in relation to food law, are delivered in the UK. It evaluated the delivery of all food safety and standards official controls undertaken by local authorities and PHAs. This included the consideration of how the FSA performs as a CCA in supporting the delivery of official controls. Specifically, the review focused on how effectively the structures in place support official control delivery, including:

- Food hygiene in all UK countries
- Food composition and labelling in all UK countries.
- Food traceability and imports in all UK countries
- Adequacy of laboratory and analytical support for delivering official controls.

The review did not aim to assess individual local authorities or PHA performance.

As part of the wider evidence for this review, TNS BMRB conducted research with both consumers and local authority staff delivering official controls. This report focuses on the findings from the research with consumers (findings from the research with local authority staff are reported separately).

1.2 Aims of the research

The aim of the citizen forums was to explore the views of consumers and professionals working in official controls delivery, on the review and potential changes to local authority structures for delivering official controls. The overall objectives of the forums were to:

- Explore how consumers see the role of the FSA and local authorities in the delivery of official controls.
- Understand the expectations, needs and interests of consumers in relation to the delivery of controls.
- Explore views about the current system as well as measuring consumer reactions to any potential change.

Specially, the consumer research sought to:

- Explore how consumers see the role of the FSA and local authorities in delivery of official controls, and how the FSA should work with local authorities when issues arise;
- Understand the expectations, needs and interest of consumers in relation to official control delivery and food business compliance;
- Explore views and concerns about the current system and understand consumer priorities for the delivery of official controls;
- Measure reactions to potential changes to provide an understanding of the impact on consumers in terms of their trust in the system, consumer behaviour, and industry and regulator practice.

In line with changes to the scope of wider review, the objectives were revised during the course of the research which meant that the objective to explore potential changes was revised to explore discussion of key themes emerging from the other strands of evidence from RDOC.² The FSA board decided in March 2013 that the circumstances that led to the commissioning of the review had changed. Evidence from the wider review showed that there were no major structural problems with the current model of delivering official controls. This then pointed for the need for the FSA to consider more widely how they can work together with local authorities to deliver improvements.

² Review of delivery of official controls (RDOC) fourth progress report
<http://www.food.gov.uk/multimedia/pdfs/board/fsa130304.pdf>

1.3 The approach

The Citizen Forums used a three wave deliberative approach which allows respondents to explore contextual and in-depth information provided, informing participants' discussions. Therefore the deliberative method gains a much deeper understanding of consumer attitudes than traditional focus group discussions.

The **first wave** focused on the general views and expectations of consumers around official controls and explored the relative importance of various principles that should underpin the system in the UK. The **second wave** explored in more depth how the system currently works, including expectations, needs and interests of consumers in relation to the delivery of controls and initial reactions to some of the emerging themes of the wider review. The **final wave** explored the themes of accountability and oversight and consumer views on the role of the FSA in supporting local authorities' delivery.

Six forums were conducted, each re-convened over three waves – in the locations of Glasgow, Swansea, Belfast, Barnet, Liverpool and Cornwall. The three waves took place from Oct 2012–March 2013. Each group comprised a group of approximately 10 participants, and discussions in each wave lasted two hours. Locations were selected to include a range of local authority structures (e.g. unitary, two-tier, metropolitan), regions (including all devolved nations), and coverage by PHAs. The sample profile of each group also reflected the spread of the local population in each of the research areas including, gender, age, ethnicity and a mix of rural/urban locations.

Each group was moderated by an independent facilitator, and representatives from the FSA were on hand to answer questions and help clarify any areas of uncertainty. Stimulus materials and expert presentations from the FSA were used to encourage discussion and provoke debate. The findings were subject to a full analysis, which forms the basis for this report. A full methodology (including discussion guides and stimulus) can be found in the appendix.

1.4 The report outline

Following this introduction, **section two** explores participants' awareness and expectations of official control delivery and food business compliance. **Section three** explores consumers' views and concerns about the current system. **Section four** outlines consumers' priorities for the delivery of official controls. Finally, **section five** provides an overview of the findings and considers what this means for the FSA.

All findings represent the views of the participants who attended the workshops and do not necessarily reflect the views of the FSA or emulate FSA policy.

All quotations are verbatim, drawn from transcripts of the group discussions.

2. Awareness and expectations of official control delivery

Prior to the forums, consumers had limited overall awareness and knowledge of official controls. People generally trusted that the food they purchased and ate was safe, and official controls were not top of mind when making day-to-day decisions relating to food. However, they assumed or knew official controls to exist at an abstract level, and their existence was considered very important for protecting public health.

"We just pick [food] up in the shops... you don't really think too much about this side of it." (Glasgow)

"I suppose you always just assume that [food products] have been checked, and they are being checked, so it's not something you would think about. You don't think, 'I wonder if these tomatoes have been checked'. You assume that everything, especially in the supermarket, has been." (Barnet)

Despite this general lack of active awareness and an 'out of sight, out of mind' attitude towards official controls, people described instances where their assumptions had been challenged. For example, hearing media stories about food scares or experiencing food poisoning brought official controls into the minds of consumers, and in some cases informed them about food regulations and laws. These were also the times which highlighted for consumers the importance of official controls being in place.

"I don't think you'd hear about this stuff if it weren't for the TV, the radio... it makes you a bit wiser to what's going on." (Truro)

"If something is wrong with somebody, if somebody ate something, it's all in the newspaper what shop it came from." (Glasgow)

However, these occurrences appeared to have a limited impact on consumers' daily food-related behaviours and decisions. In part, this reflects the habitual nature of food consumption, but also a desire to not think about potentially off-putting issues, such as food hygiene and safety. Rather people prefer to trust that food is safe and assume that appropriate checks are being carried out.

"Every day, everything we eat, we can't know constantly know where it comes from. We eat, we have to eat, so we just eat don't we? We have to trust the other people, that they're doing their jobs." (Liverpool)

"If I thought about this every time I sat down to go to dinner, I wouldn't get maximum enjoyment out of it, because I would be thinking, is it hygienic?" (Glasgow)

As noted above, people's understanding of how official controls currently work was basic, primarily based on assumptions and hopes, rather than an informed understanding. Corresponding with this, their expectations around official control delivery and food business compliance was also vague. This was demonstrated during a preliminary exercise in which participants were asked to fill out a variety of blank food journeys about products moving 'from farm to fork' with the types of checks they expected to happen at each stage, and the bodies responsible for these (see appendix C.1-C.3). When reporting back, consumers identified some specific types of controls they expected; for example, temperature checks, labelling, and animal welfare. However, many responses were generalised under terms such as '*quality control*' and '*health and safety checks*'.

Consumers also had realistic expectations about the level of checks, recognising that it was impossible for everything to be controlled. They therefore assumed that there would be some system of spot checks, but were unsure of the methods and frequencies of these.

Consumers found it particularly challenging to identify the different bodies responsible for carrying out official controls. Among those they expected to be involved were retailers, manufacturers, consumers, the Food Standards Agency (FSA), the 'government', Trading Standards and Environmental Health (although notably, no direct mention of local authorities). They expected these bodies to have different roles throughout the food journey, amounting to a communal responsibility. However, people found it difficult to make connections between these bodies, or specify the nature of the involvement of each.

"Everyone who has a part to play in the food cycle has a responsibility." (Belfast)

"I think it might be a shared responsibility, like certain things might be checked by say Sainsbury's, but then it's not necessarily Food Standards watching over them for each one and stamping it, but as a general consensus it's monitored by Food Standards." (Barnet)

Consumers' initial assumptions were that controls were the primary responsibility of businesses who largely self regulated. There was a general cynicism towards businesses' compliance with food regulations and laws, whether it be relating to human error or businesses implementing short cuts to maximise profit. However, food business compliance was also seen to be driven by consumers, and the potential consequences of businesses losing custom if a food issue occurred.

Consumers also assumed there must be some wider oversight operating above businesses. However, they were unsure what this looked like. They expected some central government or FSA involvement as part of this (there was some confusion about how the two related) especially during national food scares, but they were unclear about how and when they were involved.

"Surely the government has people going round, people independently hired to go and check places out. I'm not sure. I'd like to think so. Who is policing the police?" (Liverpool)

"I think when it becomes that level [a national issue] I think Food Standards have to become involved to ensure that things can be enforced at a national level." (Swansea)

The food journeys exercise (see appendix C) included international, as well as domestic food journeys, which gave some insight into consumers' expectations about official controls in the UK compared to other countries. Overall, consumers assumed that each country had its own official controls system, and in general perceived the standards in the UK to be higher than other countries.

3. Views and concerns about the current system

Anticipating the limited awareness and knowledge of official controls among consumers, the forums made use of a variety of stimulus materials to inform participants about official controls and the current system of delivery (see appendix C-E). This included: completed food journeys, presentations and a quiz. Using this information, participants were asked to assess the current system of official controls delivery. Consumers expressed different opinions about certain aspects of the current system; these will be taken in turn below.

Structures and processes for delivering official controls

Overall, when informed about the current system, consumers were happy with the level of official controls and felt it was comprehensive. However, they had more mixed views and some concerns about how the bodies responsible were working in practice, individually and collectively, to successfully deliver these checks. This in turn had some impact on their perceptions and confidence in the current delivery system as a whole.

Consumers were positively surprised about the level and standard of official controls. They felt reassured on seeing the checks in place, which confirmed their assumptions of a system that protected consumers and for some, increased their confidence in it. The current system was also felt to provide a good standard when compared to their perceptions and experiences of official controls abroad, and also in the past. Although cynicism around business compliance remained, they felt encouraged by seeing the way that spot checks were carried out.

"It's reassuring to know that, actually, there are a lot more checks than what we might have thought." (Glasgow)

"It's pretty encouraging... the fact that [when] they are spot checked, that there is no warning, and that there are standards in place so they know what they should be looking for and not just hoping to discover something." (Swansea)

A bigger surprise for consumers was that local authorities were responsible for delivering the majority of official controls. People had not associated local authorities with this remit, and whilst 'Environmental Health' and 'Trading Standards' had been mentioned previously, they had not been directly linked with local authorities.

"I thought Environmental Health, but I didn't put together that that is the local authority for some reason." (Glasgow)

Consumers had mixed feelings about whether local authorities should be the main body delivering controls. These views were influenced by a number of factors. The first of these was their pre-existing attitudes towards local authorities. Consumers' perceptions of local authorities as bodies holding and providing local knowledge and expertise led to positive reactions, whereas pre-conceptions of local authorities as inefficient, unstable bodies lacking necessary practical and financial resources, undermined some of their initial positive reactions towards the level and standards of checks in place.

"I don't feel safe at all now. I don't trust local authorities because the turnover is so great... my experience with the local authorities is that nothing ever gets done." (Barnet)

"It's left me realising all these things that we didn't know... which leaves me thinking that [the local authority is] probably completely overstretched and can they deal with what they've got to deal with?" (Truro)

Secondly, the role of local authorities in delivering official controls prompted some concerns about potential variation in how these were carried out; specifically, that consumers would be subject to different standards depending on where they lived. There were also concerns about conflicting local priorities, and whether the standards of delivery could be maintained if funding was not from a centralised budget. However, many consumers felt that any such negative impact could be minimised or avoided if a set of standards and practices was being adhered to across the board (see section two).

"If you're going to eat somewhere, you want it to be the same standards as everywhere else; you want to make sure people are getting the same checks. I think that concerned a lot of us there."
(Glasgow)

"It doesn't matter that it's different local authorities as long as they all adhere to the same rules and regulations and that the same checks are being made by every single person." (Barnet)

As consumers learned more about the current system, and the structures and processes within which local authorities operated, their views developed and a number of further questions and concerns were raised about how official controls were delivered in practice. Reactions to certain aspects of the current system are outlined below; specifically in relation to:

- Variations in local authority structures

- Changes in the way local authorities are delivering official controls under recent budget cuts
- How relevant bodies work together, especially in response to food scares

The first of these relates to the **variations in local authority structures**. Consumers were shown examples of different local authority structures across the UK (e.g. unitary, two-tier authorities) and the variety of ways in which official controls are delivered under these set-ups. Despite struggling to understand these variations, participants had some particular concerns that where official controls were split across different bodies, there was risk of a disjointed approach; for example, when Environmental Health and Trading Standards teams were split between county and district councils people were concerned about a potential loss of efficiency, duplication of work, and inconsistency. Effective communication between relevant people involved, and accountability at a higher level, was therefore seen as essential in ensuring this did not happen.

"[In two tier authorities] there were too many people and a bit too many stages, when you have so many different groups, then [consistency] becomes an issue. Who's the overall enforcer... to make sure that everything runs smoothly." (Glasgow)

"We found it was a bit disjointed because food controls were split so you didn't know who was responsible for which bit, who does different areas, so where does the accountability lie?" (Belfast)

Participants also considered **changes in the way local authorities are delivering official controls under recent budget cuts**. This was presented to participants in the form of several mock case studies (see appendix D.3). Consumers generally accepted that local authorities

needed to make difficult decisions around how they delivered official controls to respond to changing financial circumstances. However, they had some concerns relating to lowering levels of resources, consistency, knowledge and skills, efficiency and oversight, and the impact of these changes on public safety, which they felt should not be compromised.

Reactions to specific changes are outlined below:

- The **introduction of private laboratories for sample testing** (following the closure of some public laboratories) typically provoked concern about potential loss of accountability and oversight.

"If it's private, they're accountable to the shareholders, whereas if it's public they're accountable to the public." (Truro)

However, some consumers who were more pragmatic about the need to reduce costs felt that a private laboratory could provide greater efficiency and potentially better technical expertise; for example, if they were able to specialise in particular areas.

- The **move from specialist food teams to generalist teams covering wider environmental health issues** (e.g. noise control, air quality, sanitation) also provoked concern about the loss of expertise and specialist knowledge, potentially reducing standards and increasing risk to public safety. Participants wanted guarantees that food safety and standards would still be a priority for professionals within a generalist team. There were similar views on the scenario of Trading Standards officers handing over some of their responsibilities to Environmental Health officers, but this could be acceptable if suitable training was provided.
- Any **reduction of staff** was seen to potentially have an impact on the standards of delivery and therefore levels of business compliance. In

particular, the **loss of senior officers** was a concern due to the loss of knowledge and expertise within Trading Standards and Environmental Health teams.

"Taking out the senior officers, you're basically taking away your expertise, therefore it will affect standards." (Belfast)

For some, this could be acceptable if existing or new officers were provided high standards of training and support from other senior officers and clear guidance from the FSA.

- Consumers were worried about the **move from proactive to reactive investigations** (e.g. only undertaking investigations following specific intelligence) because they felt unhappy about the idea that there could be unidentified problems until something went wrong. They were also concerned it might impact food business operators' attitudes and behaviours in relation to compliance.

"They would need an outbreak or something to go wrong before an audit or an investigation, which we don't like the idea of that... because that means [businesses will be] saying we're not going to get audited unless something really happens so we'll cut a corner here, and we'll cut a corner there." (Glasgow)

- **Combining 'back office' admin resources** (e.g. IT, HR, Finance) with other authorities in the region was seen as a positive move to free up resource for the frontline delivery of official controls.
- There were mixed views regarding the **removal of ring-fenced funding for food safety in Northern Ireland**. There was concern that resources would subsequently be cut. However, the removal of ring-fencing could also provide greater flexibility for local authorities to prioritise where and how they spend their budget based on local need.

Participants suggested a need for monitoring how budgets changed to ensure sufficient resources were still available. The future **reduction of districts in Northern Ireland** was felt to provide greater consistency of service delivery, particularly in light of proposals for more services to be passed down from central government to district councils.

- **Contracting out delivery** of some official controls to private contractors provoked mixed responses between the groups. In Northern Ireland it was viewed positively, demonstrating local authorities thinking smartly and 'out of the box' about resource prioritisation. However, across the rest of the UK, people seemed less comfortable with the idea of privatising public services. Specifically, they felt that more checks and monitoring would be needed to ensure standards were maintained, which could be resource intensive and lead to limited cost savings.

"You've lost accountability and you don't have that control, and it's a private company. It'll be about, you know, making money and cutting corners." (Glasgow)

- **Changes to how local authorities use a risk-based approach to activities** was met with some apprehension. Specifically, there was concern that focusing solely on higher risk businesses meant that lower risk businesses may drop off the radar and feel less need to be compliant if they know they are no longer a priority for official controls, resulting in potentially lowering standards and increasing risk. It was suggested that communication could be maintained with lower risk business through lower level contact and education.

"It's no use saying, oh that's low risk, we're not going to inspect it ever. It's carte blanche for certain businesses to do what they want." (Truro)

Consumers also learned about **how the relevant bodies worked together** within the current system, including some examples of the ways in which FSA provided guidance to local authorities (see appendix D.2 and D.3). Consumers took interest in hearing about how the different bodies worked together, and felt that it was important that they all worked towards the same agenda, especially if food controls were split between authorities or undertaken in different ways (as detailed above). As they learned about these variations, it became increasingly important to consumers that local authorities reported to the FSA, as a higher independent body. The need for such accountability and oversight was considered essential (see section four).

“An overseeing body is essential to ensure districts comply with standards.” (Swansea)

On seeing examples of the ways in which FSA audited and provided guidance to local authorities (outlined in the mock case studies, see appendix D.3), many were surprised to hear that not all authorities were regularly audited, which they felt was unacceptable. They called for FSA to be more proactive in their auditing and advisory role.

Further to learning how the different bodies worked together, consumers also assessed **how relevant bodies responded to food scares**. As outlined in section two, consumers thought most about official controls when things went wrong. Therefore, as well as structures and processes, participants were shown some case studies of recent food scares and how relevant bodies responded, and discussed their views on these (see appendix E.3).

Generally, the impact of food incidents on consumers was seen to be dependent on the scale and number of people affected, as well as the

source of the problem. There was an understanding that some incidents were small scale and would occur from time to time due to errors. Inevitably, larger food scares, such as the recent horsemeat issue, were more of a concern, suggesting more significant problems within the regulatory process.

Consumers felt overall that food producers/retailers have the ultimate responsibility to ensure food is safely manufactured, transported and sold. However, unprompted discussion of the horsemeat issue confirmed people's limited trust in the practices of supermarkets and food producers and also raised some concerns about official controls abroad.

Consumers discussed how the impact of food incidents could develop from local incidents to having national impact and agreed that FSA should provide oversight and accountability by overseeing the response and in providing information and awareness to the public, monitoring these incidents and assessing the scale of impact for consumers (see section two).

"There should be quite a lot of communication between them [local authorities and FSA]... Whilst the local authority covered technical ground perhaps the FSA might have a wider role with the media and in allaying public fears." (Swansea)

Participants generally reacted positively to the response of the FSA to food scares in the case studies which were shared with them (the 2012 *E. Coli* outbreak in Northern Ireland, and the 2012 outbreak of *C. Perfringens* in East London – see appendix E.3). Based on seeing that FSA acted after media interest in the *C. Perfringens* example, however, some felt that they could have been more prompt in their response. Despite this, consumers typically felt reassured about the FSA involvement.

4. Priorities for the delivery of official controls

Consumers' priorities for official controls and how these should be delivered were shaped by their views and concerns about the current system, combined with an overarching desire for a regulatory system which successfully protected consumer safety. In addition to information provided about the current system, participants were asked to reflect on some of the emerging debates from the wider Review of the Delivery of Official Controls³ to further prompt their views. Where appropriate, these are highlighted below.

At the start of the forums, prior to considering information about the current system of official controls, consumers identified their overarching concern and priority – namely the protection of public health. In line with this, although all areas were considered important to a certain extent, the areas of official controls which they felt should take priority were those which had the most direct impact on their health, such as food hygiene. Although it's important to note that the recent horsemeat incident raised the importance and profile of trading standards, and emphasised the need for stringent controls for food imported from other countries.

Beyond this, consumers found it quite difficult to articulate their priorities for the delivery of official controls, due to the unfamiliarity of the subject. However, as they learned more about the current system, consumers identified some key areas which they felt were essential in underpinning a successful delivery system:

- Consistency of standards
- Responsiveness to the local area

³ See the Final Review of Official Controls board paper <http://www.food.gov.uk/multimedia/pdfs/board/fsa130304.pdf>

- Universal minimum standards
- Accountability and oversight

Whilst consumers called for consistency first and foremost, their priorities shifted over the course of discussions to allow more flexibility, and universal minimum standards subsequently emerged as the key priority. This shift happened as consumers learned and understood more about the complexity and interplay between consistency and flexibility. However, they found it difficult to reconcile the two, and it remained unresolved as to how this balance could be applied in practice. Accountability and oversight related both to the relationship between local authorities and the FSA, and FSA's responsibility towards the general public. These were felt to be important in ensuring that controls were delivered as they should and the responsibilities in place were adhered to.

In summary, consumers identified the key areas which they thought were essential in underpinning the system. They felt that there should be a balance between consistency and flexibility of delivery (to allow responsiveness to local area), upheld by a set of universal minimum standards, which provided a baseline which should not be compromised. Overarching these, consumers also called for accountability and oversight.

In the following sections, each of these key priorities will be taken in turn. As above, these are intertwined and therefore will be referenced as appropriate.

Consistency of standards

Consistency was considered an important priority for the delivery of official controls – necessary as a requirement of fairness in applying the same standards UK wide. Consumers felt it was important for their safe

health not to be subject to a 'postcode lottery', and potentially compromised as a result.

"If the standards aren't all the same and on the same measurements across the board you end up... with a postcode lottery. It has to be fairly regulated in that respect." (Truro)

Consumers felt, therefore, that consistency should be applied both to the quality and standards of food purchased from food business operators (e.g. hygiene, storage and packaging requirements) and the delivery system of official controls itself. Whilst they recognised the need to have different controls for specific food areas (e.g. meat processing vs. retail), they felt that it was important for officers to be following consistent protocols within each area or sector via the same guidelines or checklists. This would ensure that officers were trained and qualified to the same level, and that food business operators were complying to consistent standards.

"Everything needs to be treated to one standard... You can't have different standards, it's one for all isn't it?" (Liverpool)

Whilst there were mixed reactions, including some strong negative reactions, towards the primary involvement of local authorities in delivering official controls, the implementation of consistency in these ways alleviated the concerns of many consumers.

"I don't think it matters who does it, national or local, as long as they're singing off the same song book as to what the standard is." (Truro)

However, as their understanding of official controls developed, they also increasingly recognised the need to balance consistency with flexibility.

Consumers felt it was important that the system allowed for greater flexibility to be able to tailor delivery to the local area and its needs (outlined below). As such, consistency of delivery of standards broadly became less of a priority for consumers. However, consumers still emphasised the need for a universal minimum standard at a level where a consistent level of public health could be ensured, therefore consistency in this sense remained key (discussed further below).

Responsiveness to local area

From the beginning, consumers identified the need for the system to be responsive to local areas. This would allow the delivery of official controls to respond to different issues and contexts relating to, for example, urban and rural location and size and scale of businesses. Some felt that local authority responsibility for delivering official controls was an advantage in this context, given their local knowledge. However, consumers were initially unable to articulate how flexibility could be applied, and felt that adapting or tailoring the system should be restricted to unusual contexts and that consistency of standards of delivery should be the norm.

As consumers were prompted to reflect further (for example, through case studies of changes in the way that local authorities were delivering under current budget constraints – see appendix D.3) many recognised the advantages of working more flexibly and the need for it. They suggested for example that some flexibility could allow local authorities to use their local knowledge to operate on a risk-based approach.

"I think they should maintain all the inspections, but they should prioritise the greater risk ones, because obviously it's not going to be the same. If someone is selling cakes in their kitchen, it's going to be different for a mass abattoir, or whatever. And then apply the basic standards for whatever it is." (Truro)

Other suggestions included lighter touch activity for low risk businesses, such as self completion inspection forms and ongoing telephone contact. Business compliance could also be safeguarded through the provision of training, education and advice to businesses.

As people learned more about the system in this way, they recognised the potential tension between their need for consistency with responsiveness to the local area.

"I think that [flexibility] is really important for the businesses in the area, because nobody knows the area like their local knowledge... but I think there are still certain rules that we still need to follow."
(Glasgow)

"I think the local authorities have a greater idea of what's going because obviously they're there – they can see everything. Someone up wherever is not going to really truly understand what's going to be happening down here. But, we are a nation that moves around a lot so you have to know that if you go to a takeaway in Birmingham that it's going to meet the same standards that you're expecting it to meet in Cornwall." (Truro)

Consumers found it difficult to reconcile the two priorities of consistency and responsiveness, as they were able to see the advantages and necessity of both, and therefore wanted to retain the two together. This was confirmed when asked about their views on the emerging debate from the wider review about whether officers should abide by strict standardised rules or be allowed more flexible voluntary guidelines. Consumers' opinions in this regard were that there should be a balance between the two, allowing aspects of both.

"A mixture of both... I think you can have strict standardised rules but have a degree of flexibility in terms of how often you monitor them. The rules should always be there." (Belfast)

They found it difficult to articulate what this balance looked like and how it could be applied, instead emphasising the importance of ensuring a universal minimum standard. This became the benchmark above which flexibility could be applied, alongside accountability and oversight in order to ensure standards are maintained (see below).

"You need to be responsive to the local area. [In an] urban area, their priorities might be different, but you would still expect that there would be a priority of standards no matter where you are in terms of your local area." (Belfast)

Universal minimum standards

Underpinning this debate over the balance between the priorities of consistency and responsiveness, was consumers' wish for universal minimum standards to be maintained throughout the delivery of official controls.

As with the other priorities, consumers found it difficult to give a clear idea of exactly what universal minimum standards looked like in practice but it related primarily to the reassurance of having some sort of standards in place to ensure consumer protection. As stated previously, protecting public health was consumers' overarching priority, and universal minimum standards were perceived as the key to achieving this.

"[Minimum is] the amount you have to do to keep things safe." (Barnet)

"As a member of the public you need to be reassured that there's some kind of checks out there and the minimum standards are – if you're going to buy or eat food – you know it's safe and that there have been checks put in place." (Belfast)

As consumers' priorities shifted to allow for greater flexibility (as noted above), universal minimum standards became even more important in providing the baseline above which flexibility of service delivery could be applied. Anything below this relatively abstract level was considered unacceptable. Participants emphasised the importance of minimum standards that provided something for local authorities to work from, but that was high enough to ensure consumer protection.

"You have to have minimum standards. If you want higher then that's okay because you've got more money to throw at them, but you have to have a certain level that no-one can be below."
(Belfast)

Furthermore, universal minimum standards were considered especially important in the context of potential changes in delivery as a result of budgetary pressures. This standard was perceived as setting the boundaries of acceptability for consumers, who were concerned about the impact of the changes of standards of delivery. One example of this related to local authorities potentially adopting a reactive (rather than proactive) approach to investigations in the face of cuts – consumers felt that this could be acceptable if there were minimum standards in place.

"I'm not sure it's always possible to go in and do all the checks all the time, and I think we live in a reactive society a lot of the time. But ... they have a minimum standard to maintain" (Belfast)

Similarly, consumers were willing to consider the tailoring of official controls according to a risk-based approach, accepting that there might be less focus on low risk businesses compared to high. However, they drew a line of acceptability – namely, that it was unacceptable that there were low risk businesses which were left unchecked at all. The minimum standards were that all businesses should be checked, even if at a less frequent level.

"Although we agreed they had to put these resources onto the high risk, you can't just totally ignore the low risk and say you can't afford it and therefore we're not going to do it... They have to inspect it some time... otherwise your low suddenly starts becoming a high risk." (Truro)

As universal minimum standards emerged as the key priority for consumers, they became less concerned about how the local authorities delivered official controls (and even, the balance between consistency and flexibility). Rather, the focus for consumers was to achieve universal minimum standards for business compliance that ensured consumer safety. To some extent this highlights consumers' unrealistic attitude towards risk and their unwillingness to engage with these complicated issues, or to acknowledge that regulation is unable to 'guarantee' consumer safety.

"I don't think we would really be interested or understand the logistics between inter-government organisations... so long as whatever they're policing delivers the appropriate quality standards to us... and there isn't any risk to us, then people I would think, would be happy. (Liverpool)

"As a member of the public, you have to have faith in what is going on, and if that's done, whatever the language of consistency of

standards or responsiveness or accountability, it all boils down to you have to be happy and know in your head that all of those things are covered. It doesn't matter how they're covered or who covers them, but they need to be covered, and I think most people out there assume they are." (Truro)

Accountability and Oversight

Underpinning the above priorities was the need for accountability and oversight of official controls delivery. This related to two key roles:

- Overseeing local authority delivery of official controls – ensuring that there is a higher level of authority to which local authorities report to;
- Providing accountability to the public – ensuring that consumers' interests are considered and the public are kept informed.

It was considered important that a higher body provides **oversight** of how local authorities carry out official controls – undertaking audits and monitoring data to ensure information regarding business compliance and delivery of official controls is accurate. This was particularly important in light of people's initial surprise that local authorities were the main body delivering official controls, which led to a need for reassurance that they were reporting to an independent higher body, which had overview of what was happening across the UK.

"You need to have the reassurance that there's somebody there, because if there was nobody accountable or nobody had oversight, nobody would be bothered about adhering to any kind of protocols or rules or practices potentially." (Belfast)

"You need someone to marry up everything to make sure the whole operation is going well." (Belfast)

Despite this, consumers generally found it hard to judge what would be a sufficient balance between delivery and oversight. When asked to comment on the debate among professionals about this balance, participants emphasised that although time spent on delivery was key, and relatively more important, it was essential that FSA oversaw this and monitored it to make sure it happened as it should.

"If you're not checking what they're doing and they're not doing the paperwork to backup what they're doing, then they're... not doing it in the first place, or they think, you know, ah, they're not doing their checks, I'm not going to do it." (Truro)

In recognition that local authorities were facing budget pressures, consumers suggested that monitoring and audit systems could be made more efficient by streamlining and reducing the administrative burden on local authorities. Participants found it difficult to say how this could be applied but there were ideas discussed, such as getting local authorities to inspect each other.

There were a variety of instances where consumers felt accountability and oversight were particularly important. First, suggestions that budget pressures were leading to greater variation in the delivery of official controls prompted calls for increased monitoring to ensure minimum standards were being maintained. Second, it was seen as important for FSA to respond to food scares and incidents, making sure that such incidents were monitored and assessed in terms of consumer impact. Consumers felt that FSA involvement should be immediate and prompted through effective lines of communication with local authorities and other relevant agencies. This should include reports about incidents which may have a national impact.

"If anything goes wrong or if anyone needs to backtrack on any sort of information, the FSA have got a database then of anything they need, any reports. They should have all the knowledge of every report that goes in from whichever boroughs... they should know everything." (Liverpool)

"I think there should be an automatic response... if it's something that should be flagged up by the FSA, even if it's just an automatic email or weekly report. Because, if there's one here and one in that authority down there... it's part of a wider picture." (Truro)

In response to the food scare case studies shown during the forums (see appendix E.3), participants felt that FSA involvement should not be seen to be prompted by media interest or coverage, but should be actioned through its own means.

In addition to monitoring and auditing, consumers identified other ways in which FSA should oversee and support local authorities. First, consumers felt that FSA should enable local authorities with provisions to educate, and power to enforce food business operators where necessary – and oversee the balance between the two. Education and enforcement were considered increasingly important in the context of reduced practical and financial resources, where alternative and additional measures had to be put in place. The provision of food safety and standards education was important to maintain contact with lower risk food business operators, and raise the knowledge and practice of higher risk businesses. The power of enforcement on the other hand was considered important as a deterrent for food business operators and also an action which protects public safety from persistent offenders. It was also seen as a necessity to ensure official controls had sufficient power.

"If there's no enforcement you're not going to move forwards are you?" (Truro)

Furthermore, there were some ideas around how FSA could help local authorities champion food safety within local authorities. Participants found this issue hard to engage with as it was so removed from their day to day experiences. However, they did feel it was important for FSA to provide support for local official controls managers generally, and step in when there were issues around allocation and resources for funding.

"If they were cutting too many people or retiring them early or something like that, it will be up to the FSA to say – 'for the number of businesses you have to test in your authorities, you should not be thinking of making such severe cuts', for example." (Swansea)

"FSA are the sort of guardian of the standards of it all, then if they feel that a local authority needs some guidance or whatever then they should be there." (Truro)

There was some feeling that senior local authority managers could be too detached from food safety issues, which was a concern for participants. It was supported by the belief that there could be greater consistency of consumer protection if FSA had a greater role in influencing budgetary decisions at local authority level.

The second key area of accountability relates to **FSA's role in being accountable to the general public**, as the UK's Central Competent Authority (see section one). Consumers' initial views showed that official controls are not something they do or want to think about day to day. However, they wanted to ensure there was some accountability to the public, and they felt consumers had a role to play also; specifically, in

reporting incidents or generally using their consumer power to 'vote with their feet'.

Consumers felt the FSA had the responsibility of sharing certain information with consumers in relation to official controls. Some information, which related primarily to things which had or could have a direct impact on public health, was considered absolutely necessary. Examples of these were contact information about where to go to report an issue and FSA responses to food scares. With regard to the latter, consumers felt FSA, in conjunction with the media, had a responsibility to providing information about food scares, and not to scaremonger the public about food safety and standards.

"If something happens in another part of the country I would like to know about it, if it could affect my health. Although if this happened and it was only say the local authority that was overseeing operations I might not hear about it but if it's a national body like the FSA who are involved then I might hear about it. Your public relations department might be informing the media and it might spread and we'd all be warned." (Swansea)

"You've got to build up public confidence so that they can be persuaded that what's been discovered, what actions have been taken, is solving the problem." (Truro)

Beyond this, consumers recognised that they were unlikely to actively seek information relating to official controls, such as reports from individual retailers, or information about how local authorities determine risk and how this relates to inspections. However, they felt such information should still be available for consumers to access if they wanted to. This transparency was also important in deterring people from coming to their own conclusions.

"If you hide it people will come to their own conclusions. What have they got to hide?" (Truro)

There was also some information they considered unimportant for consumers to be informed about, on the basis that they trusted they were in place. These included information on training levels of officers, and FSA guidance to local authorities.

"You need to put some sort of trust. They're not going to have people in the jobs who are not skilled or qualified to do it." (Glasgow)

Overall, they recognised that official controls was not an issue consumers would seek much information about or would think about often. However, they felt that FSA had a role in being accountable to the public in these ways. Participants also felt that during the research process they had gained a better understanding of the role of the FSA and that this would be beneficial for the wider public, specifically to help build trust in the work that local authorities and FSA were doing.

5. Conclusions

People do not tend to think about official controls unless something goes wrong and there is a risk to public safety. At the same time, consumers assume that they are protected and that official controls are working to a high standard, particularly in comparison to other countries. Failures to the system are a frightening prospect and consumers fall back on a comfortable default position that there are higher bodies and organisations in place that will protect them. One implication of this for the FSA is that consumers have an unrealistic sense of security and trust which is based on limited consumer knowledge and understanding of the current system. Due to this lack of engagement, it is important that the FSA are honest and transparent about its role and the process of official control delivery, so when there are failures in the system it is clear what happened and what was in place to try and prevent such incidents.

The current system of official controls was seen as complex and challenging for consumers to fully grasp. After learning more about current delivery of these controls, people were typically reassured; although there were some concerns about potential variations between how local authorities deliver official controls; particularly, that consumers would be subject to different standards in different locations. Consumers were pragmatic about the need for local authorities to reduce costs (in light of recent budget pressures), but had specific concerns around lowering level of resources, consistency, knowledge and skills and efficiency and oversight.

Consumers highlighted particular priorities that they expected from the system: to ensure minimum standards to protect consumers' health and safety; provide a balance between consistency and flexibility in terms of how official controls are delivered; and, ensure that delivery of official

controls is underpinned by high level oversight and accountability. However, they found it extremely hard to think about how these priorities could be practically achieved together and how you resolve tensions between these aims. However, crucially they were happy for local authority professionals to make decisions about resources as long as they were left assured that there was a promise of protection and safety. However, this highlights consumers' unrealistic attitude towards risk and their unwillingness acknowledge that regulation is unable to 'guarantee' consumer safety.

The key message for the FSA is that consumers recognise the complexities of official controls and that potentially difficult decisions about how resources are allocated need to be made. Subsequently overall, consumers want to be reassured and told that they are protected. This means that the FSA has a fundamental role in providing accountability and oversight in two main ways: firstly, proactively providing advice and monitoring in overseeing delivery by local authorities; secondly, ensuring that the FSA is a body which protects consumers needs and interests and that consumer trust is supported by transparency and openness, despite their limited engagement with the topic of food controls.

One of the more direct routes to increase consumer engagement, is to make consumers aware how to report incidents where they feel there are issues with the standards and safety of the food they have purchased and consumed.