

Heather Hancock
FSA Board Chair
Food Standards Agency
Aviation House
125 Kingsway
London
WC2B 6NH

16 September 2016

Dear Heather

**ADVICE FROM THE WELSH FOOD ADVISORY COMMITTEE (WFAC) TO
THE BOARD OF THE FOOD STANDARDS AGENCY ON ISSUES
ADDRESSED BY THE COMMITTEE: SEPTEMBER 2016**

The key role of the Food Advisory Committees is to advise the Board of the Food Standards Agency. At yesterday's meeting, the WFAC discussed the following issues that will be discussed by the Board:-

- Animal Welfare
- The Consumer Interest in the Food System
- Regulating Our Future

On behalf of the Committee, I am grateful to Jason Feeney and Nina Purcell for joining us in person and also to Catherine Clarke and Ely Mirzahosseinkhan for joining by video conference to present their papers and for answering questions from members.

Animal Welfare

WFAC members considered the paper which sets out the current and proposed activities, in England and Wales, as part of the ongoing programme to “Deter, Prevent, Detect and Enforce” animal welfare breaches. The Committee was informed on the different roles and responsibilities and recognised that the Department for Environment, Food, and Rural Affairs and Welsh Government have lead policy responsibility for animal welfare issues including those relating to businesses regulated by the FSA. The role of the FSA at slaughter houses

in maintaining an effective system of controls to verify compliance was equally recognised by the WFAC.

In discussion, members made the following points:-

- that the WFAC welcomes and supports the FSA's current reactive and zero tolerance approach to animal welfare issues and noted actions taken in response to incidences of animal welfare concerns that have occurred in the last 18 months;
- that the WFAC would fully endorse any approach to strengthen enforcement actions taken by the FSA in relation to animal welfare;
- the WFAC endorsed the appetite for active exploration of the use of CCTV but recognised that its use is not the panacea but one of a number of contributing tools available to ensure compliance;
- that it would fully support the mandation of CCTVs in slaughter houses and, in this respect, it commented that the reducing cost of CCTV equipment and advances in technology was encouraging, making the installation of equipment more affordable to businesses; and
- the importance of underpinning good practice guidance informing on, for example, the location and use of CCTV monitors, and the time frame for the retention of footage.

In concluding its discussions, the WFAC commented that it fully supported the direction taken in the paper.

The Consumer Interest in the Food System

Members considered the paper which provided an update on work undertaken to date to listen to, understand, inform, and ultimately empower consumers in the food system. The WFAC congratulated the FSA on the approach taken. Discussion was held on opportunities for the WFAC to play an enhanced role in engaging with consumers in Wales and feeding information into wider Board discussions. In this respect, it was noted that the FSA in Wales' engagement programme provided some opportunity for engagement at key events including the Eisteddfodau and Agricultural shows in Wales and that the WFAC would look to build on this. Further, the WFAC was of the view that it would be beneficial for its members to participate in Citizens Fora and other research opportunities held in Wales.

The WFAC commented that it is keen to have assurances that the Welsh consumer voice is being captured and analysed in the work undertaken by the FSA and that any distinct, and Welsh specific issues, are being addressed.

Members emphasised the need to ensure that the approach taken to empower consumers is robust and comprehensive and that areas of policy which the FSA needs to nuance, in order to meet the needs of the different communities, is clearly recognised.

In considering future work that could be undertaken, the WFAC identified a number of potential areas for exploration including consumers living in poverty. Indeed, in this respect the WFAC was mindful that Wales has a high percentage of its population identified as living in poverty. Another suggested potential area for further exploration included an evaluation of the FSA's 'Report a Food Problem' initiative.

Discussion was held on the implications of the Well-being of Future Generations (Wales) Act 2015 which places a direct obligation on public bodies listed in the Act to improve the social, economic, environmental and cultural well-being of Wales. Noting that the FSA is not a listed body in the Act, when it acts on behalf of Welsh Ministers (for example when making regulations) there is a legal obligation to comply with the Act. The WFAC suggested that the FSA might be able to learn from partners in Wales on how they are approaching this requirement to ensure that future FSA policies ultimately empower consumers in the food system. The 'ways of working' expected by the Act strengthens the importance of involving the public in the FSA's work.

The WFAC concluded its discussions with a suggestion that that the Board, and indeed the WFAC, might appreciate more regular reviews of the FSA's consumer engagement work and requested that a six monthly review might be appropriate.

Regulating Our Future

Members considered the paper which provided an update on the Regulating our Future programme, including activity to date, an overview of the plan, with a summary of the strategic risks and a summary of the feedback received from consumers and small businesses.

The Director reminded the WFAC of the compelling drivers for designing a new regulatory system and the underpinning principles which form the foundation of the programme. In its considerations, members made the following observations:-

- the need for the FSA to ensure that this major programme of work is afforded sufficient people resource;
- the importance of piloting, evaluating and stress testing different approaches;

- that it welcomed the degree of engagement that had taken place to date; and
- the need to continue to ensure that the development of the programme is undertaken in collaboration with key stakeholders.

A number of observations were made by stakeholders attending the meeting and these are reflected in the comments above. Additionally, I referred to correspondence received from the Directors of Public Protection in Wales (DPPWs) on the proposals being developed. The FSA Director in Wales had been in discussion with the Chair of Directors of Public Protection in Wales and further meetings were planned. Separately, I referred to a number of questions which had been raised by stakeholders prior to the meeting. The questions and the response provided are attached to this letter in Annex A.

Subject to the above comments, the WFAC welcomed the update on the Regulating our Future Programme and noted the strategic risks associated with it and the controls and actions proposed to mitigate the identified risks.

Other Matters

I provided a written report to the committee which provided a summary of discussions at the last Board meeting. In updating the report, I shared with the WFAC the detail of my FSA induction programme.

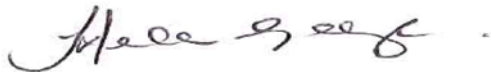
The WFAC was pleased to receive the regular report from the Director in Wales which informed the Committee of the recent workshop regarding smoked skin on sheep following the completion of a desk study by Liverpool University. It has been agreed that an Industry led consortium would drive the next phase of the work in demonstrating a method of production where there was no increased risk to public health. It was noted that the FSA would be part of the consortium, but that the FSA role for future would be to focus its efforts on gathering science and evidence to support consumer messaging alongside a continued enforcement role to pursue and ultimately prosecute the illegal production of smoked skin on sheep.

The report also provided an update on the work that has been carried out by FSA Wales to improve communications with local authorities with the recent introduction of a new online communications system across all local authorities in Wales following a successful pilot. In commenting on her report, the Director informed of her recent and beneficial visit to Anglesey where she attended the FSA stand at the Anglesey County show and took the opportunity to meet with the local authority and a local food business operator. In noting the engagement members took the opportunity to congratulate the FSA in Wales on its 2016 summer engagement programme and commented positively on the new branding and resources developed to support it.

The Committee's discussions on the above issues were in open session and, in line with the views of the WFAC regarding the openness and transparency of its advice to the Board; it is my intention that this advice will be published.

I am copying this letter to the Board Secretariat and to the Chief Executive.

Yours sincerely,

A handwritten signature in cursive script, appearing to read "Alan Goff".

pp Dr Ruth Hussey CB, OBE
Chair of WFAC
(Authorised by and signed in her absence)

Annex A

Questions on Regulating our Future for consideration at the Welsh Food Advisory Committee Meeting September 2016

Question: Does the Committee agree that the evidence suggests that the regulatory system for food safety, being delivered by local authorities in Wales, is working well and does not indicate that a radical overhaul is needed?

Mark Elliott – Chair, Wales Heads of Environmental Health Group

Question: Will the Committee confirm that it will aim to ensure that any proposed changes to the way in which the food and agricultural industry is regulated are in the best interests of Wales and Welsh Consumers?

Dai Jones – Welsh Heads of Trading Standards

Question: What steps can the Committee take to give confidence to consumers that FSA proposals to move responsibility for assuring food safety away from independent local authority regulation to food businesses' own auditors will not compromise public or animal health?

Rob Hartshorn, Chair, Directors of Public Protection Wales

Response from Ruth Hussey, Chair of WFAC:

I welcome the questions which have been raised. We have three questions which all have a related theme focussing on the rationale for a change in approach to regulation. In responding, I wish to make clear the role of the WFAC. The role of the WFAC is to act as an advisory body to the Agency about matters connected with its functions in particular those affecting or otherwise relating to Wales. In relation to the Regulating our Future Programme, the WFAC has contributed and been kept fully apprised on the development of proposals. It fully recognises the need for the FSA to consider all options around designing the most effective and sustainable way of regulating the food industry in the future. This is key to fulfilling its statutory purpose, and meeting consumer expectations in relation to food we can trust.

The WFAC has been pleased with the open and collaborative approach that has been adopted, by the FSA, to inform the design of any sustainable future regulatory system. WFAC welcomes the degree of engagement that has taken place to date and has commented upon the governance arrangements proposed to contribute to this work. The WFAC will continue to advise the Board of the need to engage with all relevant stakeholders including consumers, including stakeholders in Wales, in shaping the future.

One of the compelling drivers for designing a new regulatory system in the increasingly complex and rapidly changing world in which we operate and its

consequences for food safety and standards. The underpinning principles which form the foundation of the programme were agreed by stakeholders. The FSA's exploration of models is to ensure that we make the most of the changing food landscape capitalising on the availability of new technologies and data for obtaining assurances from business. The programme's ambition is to develop and implement a new and sustainable approach to regulation and leverages business behaviour change to deliver consumer benefits.

I wish to emphasise that no one model has been decided upon and it is important that any new approach continues to be developed on a collaborative basis to provide assurance. Going forward, we need to ensure that any model that is developed is tailored and proportionate for the growing range of businesses and so we will be considering how to segment the assurance approach.

The role of local authorities in informing any new regulatory system is critical and the WFAC is encouraged that this is reflected in the governance structure which has been established to support the programme. WFAC notes and welcomes in particular that local authorities in Wales are represented on the Regulating Our Future Expert Advisory Group which meets for the first time on 19 September.

Continued communication from the FSA is key to the success of this work and a communication plan is in place. Indeed, a local communication, specific to Wales is planned for issue to local authorities in Wales on 16 September.