

**DRAFT MINUTES OF THE JOINT MEETING OF THE FOOD STANDARDS SCOTLAND (FSS) AND FOOD STANDARDS AGENCY (FSA) BOARD HELD ON 17<sup>TH</sup> OCTOBER 2018 FROM 09.45 AM TO 11:00 AM AT SCOTTISH GOVERNMENT, VICTORIA QUAY, EDINBURGH, EH6 6QQ**

**Present:**

**FSS Board** - Ross Finnie, Chair; George Brechin; Marieke Dwarshuis; Heather Kelman; Susan Walker; Anne Maree Wallace.

**FSA Board** - Heather Hancock, Chair; Laura Sandys, Deputy Chair; David Brooks; Rosie Glazebrook; Stewart Houston; Ruth Hussey; Colm McKenna; Mary Quicke; Paul Williams.

**FSS Executive** - Geoff Ogle, Chief Executive; Ian McWatt, Director of Operations; Katherine Goodwin, Head of Communications & Marketing; Karen McCallum-Smith, Head of Private Office; Norval Strachan, Chief Scientific Advisor.

**FSA Executive** - Jason Feeney, Chief Executive; Simon Dawson, Head of Operations and Assurance; Chris Hitchen, Director of Finance and Performance; Maria Jennings, Director of Northern Ireland and Organisational Development; Julie Pierce, Director of Openness, Data and Digital; Guy Poppy, Chief Scientific Adviser; Colin Sullivan, Chief Operating Officer; Steve Wearne, Director of Policy and Science Group; Michael Wight, Acting Director of Policy and Science.

**1. Welcome and Introductions**

- 1.1. The FSS Chair welcomed everyone to the first joint, FSS and FSA Board meeting and acknowledged representatives from Quality Meat Scotland, Association of Meat Hygiene Inspectors and Scottish Association of Meat Wholesalers who were in the audience. The FSA Chair explained that to meet the requirements of the standing orders of both Boards, the discussion would be recorded for publication.
- 1.2. Apologies were received from FSA Board member Stuart Reid and FSS Board members Carrie Ruxton and Louise Welsh.

**2. Final Report of the Review of Cutting Plants and Cold Stores**

- 2.1. The FSA Chair then welcomed Colin Sullivan, FSA Director of Operations; Ian McWatt, FSS Director of Operations; and Simon Dawson, FSA Head of Operations Assurance to the table to introduce this report. Colin gave an overview of the review process and the joint nature of the review as well as the collaborative approach taken by industry and their recognition of the importance of a responsible approach. Colin explained that the purpose of the review was to improve consumer confidence in the meat processing industry following a limited number of high profile incidents in relation to non-compliance issues. Colin emphasised that the review was a joint effort by both FSA and FSS, with colleagues working together in a unified programme

structure involving a number of workstreams, with a joint project board chaired by FSA and FSS Chief Executives, Jason Feeney and Geoff Ogle.

- 2.2. Colin advised that a new approach was adopted involving an external Challenge group to provide constructive challenge and refine the final review report. Colin noted that the review showed that most food business operators in the meat industry are acting responsibly, ensuring that food safety is important and that the actions of a number of businesses had damaged the reputation of the meat industry. Colin acknowledged that industry and stakeholders engaged and participated widely in the design and development of the recommendations. Colin summarised the engagement with local authorities, food business operators and six user design workshops which had taken place across the UK, which was incorporated into the review.
- 2.3. Colin invited Ian McWatt to introduce the recommendations from the review. Ian McWatt explained these had been brigaded under a number of key themes to address the main areas for concern. Ian noted the recommendations consider competency and training requirements for the meat industry and regulators and seek improvements in official controls and how they are delivered and the associated guidance. Ian explained the move towards greater industry transparency, including data sharing, use and sharing of CCTV footage; improved competency matrices and guidance would contribute to significant improvements. Ian advised that detailed implementation plans did not form part of the review at this stage, pending agreement by the both FSA and FSS boards, the executives would develop implementation plans under the Regulating Our Future (FSA) and regulatory strategy (FSS) programmes. Ian thanked those in the Review team, Challenge Group, Simon Dawson and Sandy McDougall and stakeholders for collating information for the review in a short timescale.
- 2.4. The FSA Chair thanked Ian and Colin and asked the Boards if they had any points for clarification. FSA Board Member Colm McKenna asked about the application of Recommendation 1 in Northern Ireland and the absence of a specific reference to Northern Ireland in the recommendations. Colin explained that the Department of Agriculture, Environment and Rural Affairs (DAREA) had been involved and had contributed to the review.
- 2.5. FSA Board Member Ruth Hussey then asked about the planned Cabinet Office review of implementation and whether this would include a review of the recommendations planned for industry as well as those for the FSA and FSS. Colin confirmed that this would be the case. FSS Board Member Marieke Dwarshuis then asked if there was a reason for Recommendation 8 not applying to Scotland. Ian McWatt explained that this was an error and that the recommendation should be considered applicable to Scotland as well.
- 2.6. FSS Board Member Susan Walker sought clarification on longer term recommendations (18+ months) and when would full implementation be expected. Colin explained that it had been recognised at the outset of the review that the six-month period to complete it was an ambitious target and

that there would inevitably be some things that would require further work beyond 18 months. He noted that FSA and FSS will work through the implementation plans and provide the details of longer term recommendations and timescales and provide an update to both FSA and FSS boards.

- 2.7. The FSA Chair then invited questions on the substance of the report, noting how incidents focused attention on the issues and the potential that existed for damaging public confidence were the issues not properly addressed. On the HACCP certification for cutting plant and coldstore staff, FSA Board Member Rosie Glazebrook asked whether there were other bodies where professional staff are registered and have their competencies checked that could act as a model. Ian McWatt referred to the continuous professional development accreditation system from the Institute of Food Science and Technology which is being considered as a pilot for meat hygiene inspectors and veterinary staff in FSS. She also asked a question about whether tangible improvements for consumers could be made e.g. processing history via a QR code.
- 2.8. FSA Board member Paul Williams praised the report and noted that a significant proportion of the consultation with industry appeared to have taken place through trade organisations. He asked whether there was a danger that a cohort of businesses, which are not represented by these bodies, might have been missed. He added a question over whether industry would encounter difficulties in recruiting more highly qualified staff.
- 2.9. Colin explained, in relation to Paul's first question that both FSS and FSA were aware of this concern and that a centralised database of businesses was being compiled to assist with ensuring that key businesses would not be missed. He added that this database was already complete and active across Scotland. He acknowledged the sensitivity of large-scale data collection but emphasised its importance to maintaining consumer confidence. Ian then addressed the challenge of upskilling staff to Level 4 HACCP and outlined discussions with industry around proportionality and the need for this change to achieve the ambitions of the report, noting that the standard had been set deliberately high but that this was in line with aspirations.
- 2.10. FSA Board Member Mary Quicke welcomed the scope and coherence of the review and raised a question around whether a one-size-fits-all approach was sensible given the diversity of the profile of relevant businesses. She noted that in recommendation 5, data could be extracted from sources such as Safe and Local Supplier Approval (SALSA) and British Retail Consortium. Ian explained that this was acknowledged by the report but noted that the size of a business was not necessarily proportionate to the capacity of that business to pose a risk to the food system – small businesses can pose large risks. Ian explained the purpose of the review was to change behaviours and improve standards as there is a current skills gap. Ian explained there was no legal requirement for food businesses to have Level 4 HACCP, however this was an aspiration for food businesses to achieve.

- 2.11. FSA Board Member David Brooks commended the report and asked about the views of stakeholders, such as Local Authorities (LAs), industry groups and DAERA, also noting that implementation, being guideline driven, should be taken forward in a way that ensures guidelines are couched in a way that is useful for industry. He also asked about how success would be measured in implementation. Colin explained that compliance is measured and increases in compliance across industry can be monitored. This will form the indicator to measure success. Simon Dawson explained that engagement with LAs and industry groups through the process indicated that report is likely to be welcomed. Geoff Ogle (the FSS CE) also commented on the New Zealand example of a culture of intolerance from industry to non-compliance due to the risk of a sectoral loss of public confidence, noting that success will be complete when a similar attitude becomes prevalent across industry in the UK. The FSA Chair indicated her agreement with that sentiment adding that, encouragingly, she had heard a UK business making the same point.
- 2.12. FSS Board Member George Brechin noted that the challenge of working with industry should not undermine the message that that compliance is the FBO's responsibility. George questioned the timescale for recommendation 18 and whether this could be brought forward. Simon Dawson explained that there was the potential need for a legislative change around labelling, which was being considered, and that this is the reason for the longer time-scale around labelling requirements.
- 2.13. FSA Board Member Laura Sandys endorsed the recommendations and noted that awareness of the incidents that gave rise to the review came from anonymous whistle-blowers, emphasising the importance of the organisations ensuring that it is understood that whistle-blowing is welcomed. Colin explained that, as Geoff had mentioned, through implementation the organisations would be seeking a culture change, which should help stimulate an atmosphere of security among whistle-blowers to know that this will be welcomed, not only by the FSA and FSS but by the industry more generally.
- 2.14. FSA Board member Colm McKenna raised two questions, firstly about how early warning signs from industry on potential issues can be found and then how consistency in the inspection regime can be achieved. Ian replied that the recommendations have been driven by current incidents, noting that the Russell Hume incident was still live. He explained the 2 Sisters pilot scheme for data sharing is an exemplar for the meat industry. Colin added that FSA would look at information integrated from audits and inspections to gain consistency and ensure effective use of resources.
- 2.15. The FSS Chair explained that attitudes of FBOs should be something that both Boards maintain an interest in to ensure that the designed changes are occurring. FSA Board member Ruth Hussey explained culture change would need to be woven into all elements in the implementation plan. Ian explained that this is the challenge for implementation where the number of food hygiene interactions was reducing, noting also the number of personnel delivering the official controls who do not have English as a first language.

Colin added that the spread of the pilot would depend on the volunteer Local Authorities.

2.16. Heather Kelman welcomed the level of industry engagement that had taken place, noting that some of the recommendations in the report are for action by industry and go beyond regulatory requirements. She questioned whether there was an indication from industry how they were to complete these actions and how the FSA and FSS as regulators could enforce this. Geoff replied that it was important to recognise good practice, which already exists, and challenge robustly where industry does not demonstrate compliance.

2.17. The FSA Chair added that there were also good business reasons for doing this. Susan asked about the LA attitude to pilots and whether sufficient pilots would be obtained. Ian explained that there was a mix of attitudes. Simon added that there was confidence that sufficient interest had been displayed that less enthusiastic LAs could be brought on board.

2.18. The FSA Chair summed up the discussion as follows:

- Although the review had been commissioned following incidents, we can be confident that the UK achieves high safety standards in this sector
- Both Boards had welcomed the review as well as the participation of LAs and industry.
- She thanked the Challenge Group for its contribution.
- The commitment of LAs to work with the FSA and FSS as the regulators was welcomed.
- The recommendations in Annex 1 of the report are endorsed and industry is encouraged to continue the collaborative approach in implementation.
- The FSA and FSS are alert to the need for a culture change within industry but that ultimate responsibility for food safety lies with the FBO.
- A post-implementation review will be commissioned.

2.19. The FSA Board:

- **Endorsed** the findings and conclusions set out in the review report
- **Agreed** the recommendations developed in Phase 2 to address the findings
- **Agreed** the implementation approach outlined for Phase 3 and further areas for research
- Requested that an implementation plan be presented to the FSA Business Committee in due course

2.20. The FSS Chair noted the large volume of work that had taken place and highlighted the areas that had arisen from the review that could effect a positive impact to both industry and the FSS and FSA as regulators. He thanked all those who had participated from both organisations as well as external stakeholders. He mentioned that FSS would adopt a different approach to the FSA in implementation, noting that the profile of industry in Scotland would make a big-bang approach to implementation less

appropriate. He noted that FSS also fully endorsed the recommendations of the review.

2.21. The FSS Board:

- **Endorsed** the findings and conclusions set out in the review report
- **Agreed** the recommendations developed in Phase 2 to address the findings
- **Agreed** the implementation approach outlined for Phase 3 and further areas for research

**3. Any Other Business**

3.1. No further business was raised and the meeting was closed.