

CHIEF EXECUTIVE'S REPORT TO THE BUSINESS COMMITTEE

1. The period since the last Business Committee meeting in December has included the end of the EU Transition Period with confirmation of a UK/EU Trade & Co-operation Agreement, and with that implementation of the Northern Ireland Protocol, and a further period of UK-wide lockdown due to Covid-19. These developments have had a significant bearing on the prioritisation of work areas by the Agency and included a period (1- 20 January) when there was a moratorium on non-essential staff leave.
2. Our **Winter Plan** emergency response arrangements were stood up in mid-November to help the FSA remain agile and resilient in ensuring food and feed safety during this period. They were scaled down at the end of February at which time the Winter Plan **Briefing Cell** was closed. I would like to thank all the volunteers who stepped forward to support the Briefing Cell in producing situation reports, lines to respond to government departments, wider stakeholders and industry as well as other internal briefing documents. In terms of any further briefings, Ministerial requests, or parliamentary questions, these are being dealt with as business as usual going forward.
3. The areas of the business which remain under notable pressure are in specific areas of the Agency most impacted by the combined impacts of Covid-19 (with vulnerable staff shielding) and EU exit, such as in Field Operations. Here, frontline staff (Official Veterinarians and Meat Hygiene Inspectors) have been assisting with completion of **Export Health Certificates** (EHCs) for products of animal origin which are being exported to EU Member States or moved to Northern Ireland.
4. While export controls are the responsibility of Defra and Animal and Plant Health Agency (APHA), the FSA has agreed to assist where capacity allows. The FSA has received 77 requests for support to complete export certification and we have been able to support 23 (30%) of these. We continue to monitor the situation closely, providing support where possible, whilst giving priority to the delivery of Official Controls in our approved establishments. Feedback from industry is that export volumes are still lower than pre-Christmas levels, and this combined with the ending of the current grace period on 30 June for certain Prohibited & Restricted (P&R) goods being exported from GB to NI means that it remains uncertain what the demand for certification work will look like in the longer term. We are working closely with Defra in this area.
5. As of 8 February, 3.1% of our staff were absent due to COVID-19. Of those, 14.6% were absent due to illness, 4.9% were self-isolating (including as a result of Test and Trace), and three quarters were operational staff who were shielding and unable to work from home. In addition, 4.9% were on special leave looking after dependants (including due to school closures). As a result of the Government's decision to close schools, some additional flexibilities have been put in place to help support staff with childcare responsibilities. This includes the temporary lifting of the 5-day cap on emergency special leave for dependants.

6. The People and Organisational Change and Field Operations management teams continue to maintain and adapt the health and safety arrangements put in place to support **the COVID-19 response**. More recently, this has included a consideration of the impact of new variants of the virus and the move to a cumulative 15-minutes calculation in identifying a 'close contact'. Health and safety risk assessments have been undertaken in all 268 abattoirs where we have a continual staff presence and mitigating actions have been implemented to ensure the health, safety and wellbeing of our teams. We believe these actions have helped to keep infection rates low.
7. We have told staff unable to work from home how they can access voluntary rapid COVID-19 testing (more commonly known as 'rapid flow testing'). A home-testing arrangement remains our preference, on which we are in discussions with the Department of Health and Social Care (DHSC). But while that is not available, rapid testing can be accessed via community testing sites, Civil Service-approved testing sites and through food business operators who have signed up to a DHSC-sponsored testing initiative. Rapid testing is an evolving picture and no one solution currently offers a single route to access for all FSA staff and contractors.
8. We continue to engage with FBOs about workplace ventilation, having written to all of them under the signature of Colin Sullivan in February, and the HSE are being kept up to date on developments. Following the Government's recent announcement in England, extending the group of individuals who are advised to shield, we continue to review the impact this has on the FSA. Thus far, the additional numbers have been minimal (less than 5), and we do not foresee this increasing significantly as the FSA had, on a proactive and precautionary basis, already extended the number of those eligible to shield.
9. In the months since the onset of the COVID-19 pandemic, **Field Operations** have managed to maintain a 100% service and there have been no service failures in terms of deployment of Official Veterinarians and Meat Hygiene Inspectors to deliver official control activity at FSA approved establishments.
10. A shortage of vets due to increased demand and restrictions on overseas recruitment means that we have some concerns around our **veterinary capacity**, which impacts on our ability to maintain 100% service delivery. We are engaging with Defra officials, the CVO and the RCVS on potential solutions. We are also working with our Service Delivery Partner to ensure appropriate contingency arrangements are in place to avoid disruption to delivery of Official Controls.
11. As you know, Service Delivery Partner (Eville & Jones) was re-appointed from April 2020. The tender to appoint a Service Delivery Partner was run in accordance with the Public Contracts Regulations and in line with the Cabinet Office Spend Controls Process, with appropriate levels of due diligence completed prior to the contract being awarded. The FSA's Operations Transformation Programme (OTP) has been developed to review our future

requirements in this area, looking particularly at the services we procure and whether there are opportunities for alternative solutions.

12. The delivery of the **veterinary audit programme** has resumed, and audit frequency is increasing month on month. The implementation of remote and semi-remote audits has been successful with a very positive feedback from both industry and FSA staff. Efforts are being made to increase the percentage of audits undertaken remotely and semi remotely.
13. On **finance**, the FSA is forecasting a £5m Resource Departmental Expenditure Limit (RDEL) underspend in the current financial year ending 31 March 2021. While the FSA had additional operational COVID-19 costs to ensure a supply of safe meat of £1m, and successfully applied to budget exchange £2.0m from 20/21 to 21/22, COVID-19 restricted aspects of our work programme. This was primarily in Science research and development £5m and our change programmes £3m, including £1m on EU Exit. Some delays were in part generated by the impact of COVID-19 on our partners, including Science institutions and Local Authorities.
14. Following agreement with HMT on our funding for 21/22, the FSA is presenting its proposed priorities and budget to the Business Committee in a separate paper. This reflects the FSA's £2m budget exchange, the additional £3m of funding ring-fenced for EU exit, and the change to budget all RDEL as 'Admin' expenditure.
15. Following the Board's more open appetite for risk on resources, the FSA is initially over-allocating spend of £0.4m for the 21/22 budget as set out in the March Business Committee paper. Also, the FSA now has a better understanding of our spend profile in research and in recruitment and has therefore budgeted an extra £2m in 21/22, anticipating this profile. We will monitor our forecast throughout the year and respond to any financial risks materialising which are currently not built into the budget.
16. For information, the FSA submitted two bids into HM Treasury '**Shared Outcomes Fund**', a fund designed to support pilot approaches to innovative ways of working across the public sector. The FSA led a bid, with support from Food Standards Scotland, Defra, DHSC and the Biotechnology and Biological Sciences Research Council (BBSRC), to secure funding for a Genomic Sequencing pilot aiming to improve genomic surveillance across the food chain. If granted, this will have significant benefits in tracing foodborne pathogens, in particular those with anti-microbial resistance. The second bid, which the FSA supported, was led by the Cabinet Office to deliver the Open Ecosystem Federation, a pilot project to support sharing biosecurity related intelligence in real time. We expect to hear back from HM Treasury on these bids in April.
17. The FSA is already making plans for its Spending Review 2021 (SR21) submission, though currently the budgeting period and timetable have not yet been confirmed by HMT.

18. On **recruitment**, the Senior Civil Service 2 (SCS2) Director Strategy, Legal, Governance and Communications (SLGC) closed on 2 March 2021, with 62 applications received. Justin Everard has been appointed as the temporary backfill for Stephen Pollock (Director of Communications) who is currently covering the SCS2 role.
19. Recruitment volumes remain high. For campaigns closing between 1 January 2021 and 7 February 2021, there were 37 campaigns in total, for 59 roles. This included 14 external campaigns for 35 roles, 15 internal campaigns for 16 roles, and 8 cross-government campaigns for 8 roles. Across all roles we received a total of 546 applications.
20. On **prosecutions and litigation**, case progression continues to be slow as the courts seek to process the backlog of cases that has increased during the pandemic. Sentencing has taken place in two FSA cases since the last update.
21. Firstly, on 7 December 2020, a conviction was secured in the food hygiene prosecution of KTM Meats Limited for the use of dirty trays at their meat cutting plant in Kent. The company pleaded guilty to the offence at Medway Magistrates Court and was fined £2,680 and ordered to pay £6,489 in prosecution costs.
22. Secondly, at Poole Magistrates Court on 3 February 2021, in a prosecution brought by the Crown Prosecution Service following an FSA referral, two plant staff at an abattoir in Dorset pleaded guilty to an animal welfare offence committed during the slaughter of a large bull that was not properly restrained. Fines totalling £366 were issued by the Court.
23. The FSA is a designated body under the Regulation of Investigatory Powers Act 2000 (RIPA). During December 2020, the **Investigatory Powers Commissioner's Office (IPCO)** undertook a remote desk-top inspection. The recent inspection report commented on the progress made (since the last inspection in 2017) and the professionalism of the staff, and also noted the introduction of clear Standard Operating Procedures and a bespoke IT platform for the authorisation of RIPA-related activities and authorisations. IPCO indicated that a physical inspection is planned for later in 2021 and concluded that 'this has been a positive inspection, with an acknowledgment that significant developments have been made to put in place processes and procedures to enable covert investigations to be undertaken'.
24. As a result of positive engagement with the Home Office over many months the FSA has secured its position on the **Covert Human Intelligence Sources (Criminal Conduct) Bill** which should have received Royal Assent at the beginning of March. The FSA is one of only a small number of departments and government agencies outside of police, law enforcement and the security services to retain its place on the Bill following scrutiny by Parliament. The legislation, once enacted, will provide a robust authorisation and oversight framework to allow the FSA, with the appropriate justification and correct approvals, to permit the use of authorised covert human intelligence sources (where lawful, proportionate and necessary) in its efforts to tackle food crime.

For example, should a whistle-blower contact the FSA and explain that their role within a company is to pack and label goods they know to be falsely represented, or, if a delivery driver is knowingly supplying misrepresented food on behalf of his employer and thereby deceiving the customer, both are committing a minor role in a more substantive fraud offence. This legislation allows the National Food Crime Unit (NFCU) to lawfully authorise their continued conduct and to assist in evidence gathering for the fraud offence.

25. The NFCU has continued its work to disrupt the supply of the **2,4-dinitrophenol (DNP)**, which has been linked to deaths in the UK over recent years. Working with the Food Safety Authority of Ireland (FSAI) and partners including An Garda Siochana (Roi police) they have executed operational activity targeting an online DNP seller based in Roi. Specifically, through its proactive scanning of the internet for websites selling DNP for human consumption, the NFCU identified a website which appeared to be operating from the Republic of Ireland. The intelligence was disseminated to FSAI through post-EU Exit international intelligence exchange routes, on receipt of which FSAI confirmed the identity and address of the individual controlling the website and took action to disrupt their online activity. This is the first operational result stemming from NFCU intelligence dissemination to an EU Member State since the end of the Transition Period.
26. We continue to celebrate **diversity and inclusion**, with our Staff Network organising events for Interfaith week in November and LGBT+ history month in February.
27. The FSA in Wales, supported by HR colleagues, has been working with the Wales based charity, Chwarae Teg (Ch-oo-aray T-air-g) on their FairPlay Employer Award, and exploring where the Agency in Wales stands in terms of inclusive growth and delivering gender equality and achieving a balanced workforce. Having submitted evidence of the FSA's Equality and Diversity Strategies, Networks and other supporting material, Chwarae Teg themselves carried out a detailed gender and diversity survey amongst colleagues in the Cardiff office. In each of the 10 areas assessed, the FSA outperformed and has been awarded a Gold FairPlay Employer Award, becoming the only organisation in Wales to be awarded this level.
28. The FSA **reward and recognition scheme** enables us to reward excellent and exceptional one-off achievements relating to work done over a limited time. Between April and 31 January, a total of 1296 cash awards totalling £291,224 have been made to staff up to and including Grade 6.
29. We recently introduced a new **employee benefits platform** which offers staff goods and services at discounted prices from a choice of retailers. This is further enhanced by dental insurance and gym benefits and we are working to bring more benefits online as part of our total reward package.
30. On **wellbeing**, People and Organisational Change (POC) delivered a Working Safely communications campaign in January, including blogs from Maria Jennings, as the new EMT health, safety and wellbeing champion, and

including POC blogs regarding homeworker support and the importance of discussing wellbeing within check-in conversations.

31. The FSA received its results from the 2020 People Survey in December, and we were delighted to see an increase for our Engagement Index score from 67% to 70%. The paper FSA 21-03-12 Review of Staff Engagement 2020/21 refers.