

FSAW 18/11/04
For discussion

Incident management post EU exit

Executive Summary

1. The attached paper, due to be considered by the Board on 5 December 2018, details the work of the Incidents and Resilience Unit (IRU) to strengthen the FSA's resilience, capability and capacity, so that we may maintain and continue to improve upon the UK's high standards of incident handling post EU Exit.
2. Philip Randles, will present this paper to the Committee.
3. Members are invited to:
 - **consider** the Board paper
 - **consider** any advice the WFAC wishes the Board to consider as part of its deliberations.

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Incident management post EU exit

Report by Philip Randles, Acting Head of Incidents & Resilience Unit

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1. Summary

- 1.1. This paper details the work of the Incidents and Resilience Unit (IRU) to strengthen the FSA's resilience, capability and capacity, so that we may maintain and continue to improve upon the UK's high standards of incident handling post EU Exit.
- 1.2. **The Board are asked to discuss and endorse the direction of travel of the IRU's EU Exit preparations.**

2. Introduction

- 2.1. The FSA's Incident and Resilience teams across England, Wales and Northern Ireland manage and coordinate the Agency's response to food incidents ensuring that food[#] not in compliance with safety legislation is removed from the market. In doing so, we work closely with local authorities whose enforcement responsibilities are laid out in the Food Law Code of Practice¹ which was last updated in March 2017. The FSA's Incident Management Plan² outlines the plans and procedures for meeting our responsibilities in response to non-routine food-related incidents. To ensure consistency across the UK, similar arrangements are maintained by Food Standards Scotland (FSS)³.
- 2.2. In total the FSA and Food Standards Scotland (FSS) were notified of and investigated 2326 food, feed and environmental contamination incidents of varying complexity in the UK during 2017/18. A priority for the IRU is to continue performing the 'day job' exceptionally well as we approach EU Exit and beyond. To ensure that we can maintain and improve upon the high standards of food safety and consumer protection in the UK, the FSA is strengthening and developing the incident management processes that it employs. This is essential in ensuring that the UK's incident response capability is as effective after day one of EU Exit as it is now.

3. Post European Union (EU) exit

- 3.1. Leaving the EU does not change the FSA's top priority which is to ensure that UK food remains safe and what it says it is. From day one, the FSA is committed to having in place a robust system for detecting and responding to problems in the food chain. To maintain the UK's high-standards of food safety, we must continue to take a risk-based, proportionate approach to handling incidents. Simply, we need to have capacity and capability to detect and respond to any foodborne contamination or outbreak incident that occurs in the UK so that we protect consumers.
- 3.2. However, some systems, for example, the Rapid Alert System for Food and Feed (RASFF), may not be available to UK after EU Exit. This system currently enables the management and communication of food safety risks, providing early alerts of health or food contamination issues across the EU. It allows the UK to respond quickly to serious risks to public health relating to food and animal feed and we regularly provide updates to member states through this system. Not having full access to RASFF would mean that the FSA would not have sight of all the data that it currently sees which in turn may affect timely communications. Hence, we are aiming to secure full access to the RASFF network as we believe it would be mutually beneficial for the UK and EU to continue this vital data-sharing on food safety.
- 3.3. We are retaining our existing processes for incident response with current provisions for risk assessment and risk management advice during incidents being maintained. Building upon this proven approach, we are further developing our incident handling and communication procedures to meet future needs. This will provide us with the capability that is required for incident response post EU Exit and counter any loss of full access to RASFF that we might incur. Annex A outlines these improvements which fall into two principal areas namely enhanced stakeholder engagement and improved receipt and management capability.
- 3.4. The first area of improvement relates to enhanced engagement and collaboration with key stakeholders. The IRU is working to foster strong relationships with the competent food safety authorities across Europe and worldwide to develop a mutually supportive approach to information sharing. We are implementing an enhanced programme of bilateral engagement and surveillance which focuses upon exchange of information on risks to the food chain. This targeted engagement is actively progressing and is focused upon strengthening relationships with the main trading partners of the UK.
- 3.5. In addition, we have increased our level of engagement with INFOSAN (the International Food Safety Authorities Network), managed jointly by the FAO and

the WHO of the United Nations. This provides the UK with extensive 'reach' and a framework for communicating food safety issues with countries across the world. We are also working with our domestic partners such as industry and other Government Departments including Local and Port Health Authorities to ensure that our joint approach is 'joined up'.

- 3.6. The second area of improvement relates to our receipt and management processes so that we can improve our detection capability for potential incidents. This enables us to monitor selected data sources to identify signals indicative of potential food safety risks to the UK which may require mitigation. The enhanced process includes the introduction of an IT based information handling system which enables us to validate, triage and prioritise potential incidents that might affect the UK. Going forward we anticipate that this will be further supported by the FSA's ongoing surveillance programme.
- 3.7. The IRU has completed the development stages of these improvements and is now implementing the enhanced processes in preparation for EU Exit with staff recruited to support the new functions, in post and operational from January 2019 onwards.

4. Resilience

- 4.1. As we approach the UK's exit from the EU, the FSA continue to build and embed lessons learnt from exercising and drilling as well as from reviews of the incidents we are involved with. For example, we coordinated an exercise in mid-September to gain a better understanding of how future food-borne illness outbreak and incident response arrangements will work following the UK's exit from the EU. It was an excellent example of partnership working across Government Departments and Agencies including PHE, PHW, DHSC, APHA and Defra allowing each department to assess its own EU Exit preparedness and to identify areas where we might work better together.
- 4.2. To support the enhanced incident handling and communication processes that we are introducing, we are also implementing a programme of change management. This is ongoing and will provide for training against updated standard operating procedures and an intense exercise and drilling programme. The new processes will be implemented by January 2019 to coincide with our recruitment programme and will undergo further user acceptance testing in preparation for EU exit.
- 4.3. As part of the FSA's Efficacy of Recalls project and to support the UK's exit from the EU, we will be publishing updated competent authority guidance on incident response in early 2019. This is to ensure that all parties involved in the

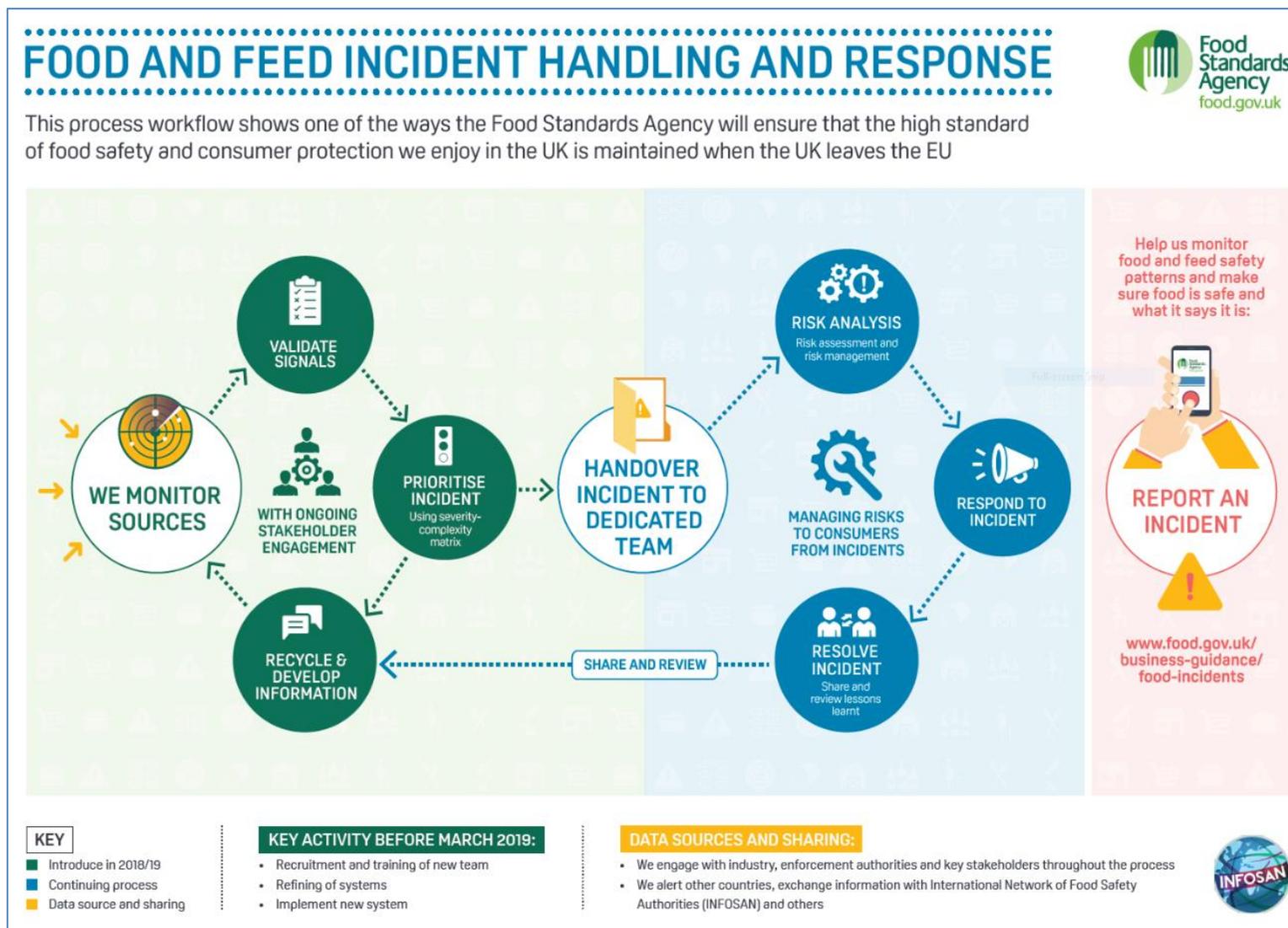
food supply chain know their responsibilities and have access to tools that assist them to effectively and efficiently withdraw and recall unsafe food from the market. It will include agreed definitions of terminology, information on the legal requirements, roles and responsibilities of all players within the UK food recall and withdrawal system and actions to be carried out by food business operators. It aims to clarify and standardise procedures in identifying and removing unsafe and, where necessary, other non-compliant food from the food chain. The guidance also provides information on what is considered best practice for the development of traceability systems and management of food recalls or withdrawals.

- 4.4. Work continues to develop and implement root cause analysis as part of the FSA's incident prevention plan. When food has been recalled from the market, the food business concerned is now requested to undertake a root cause assessment to determine the reason(s) that the recall occurred and to identify suitable local corrective actions to mitigate reoccurrence. An eLearning course is being developed to support food businesses and local authorities in this analysis. The results of these assessments are then being forwarded to the FSA for collation and further analysis to enable long-term preventative measures to be identified. This analysis will further inform our incident handling systems post EU exit and will be used to generate Best Practice case studies to be published from March 2019 on the FSA website for reference by food businesses.

5. Conclusion

- 5.1. The FSA are improving the capacity and capability of the Incidents and Resilience Unit to maintain the UK's high-standards of food safety post EU exit and will continue to do so by consolidating and continuously improving our operation to be the best organisation that we can.
- 5.2. **The Board are asked to discuss and endorse the direction of travel of the IRU's EU Exit preparations.**

Annex A; Schematic showing Incident Management Processes Post- EU Exit



Glossary

APHA	Animal and Plant Health Agency
Day One	UK's first day outside the EU (29 th March 2019)
Defra	Department for Environment, Food & Rural Affairs
DHSC	Departmental of Health and Social Care
EFSA	European Food Safety Authority
FAO	Food and Agriculture Organisation of the United Nations
FBO	Food Business Operator
IMCG	Incident Management & Co-ordination Group – The purpose of the IMCG is to manage and co-ordinate the response at a tactical level for non-routine incidents.
INFOSAN	International Food Safety Authorities Network
IRU	Incident & Resilience Unit of the Food Standards Agency (FSA)
PHE	Public Health England
PHW	Public Health Wales
RASFF	Rapid Alert System for Food and Feed
RCA	Root Cause Analysis – performed following an incident to identify the 'root cause' (a factor is considered a root cause if removal thereof from the problem-fault sequence prevents the final undesirable outcome).
SIOG	Strategic Incident Oversight Group – the objective of the Group is to set strategy and have oversight of incidents classified as Severe and above – the SIOG strategy will be passed to the IMCG for implementation and any requirements for update reports will be set.
WHO	World Health Organisation of the United Nation

References

1 Food Law Code of Practice:

<https://www.food.gov.uk/about-us/food-and-feed-codes-of-practice>

2 FSA Incident Management Plan (accessible via):

<https://www.food.gov.uk/business-guidance/food-incidents>

3 FSS Incident Management Plan

http://www.foodstandards.gov.scot/downloads/Food_Standards_Scotland_-_Non-routine_Incident_Management_Plan_-_May_2015.pdf