

## ADVISORY COMMITTEE ON CONSUMER ENGAGEMENT

Report by Stephen Humphreys

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### 1 SUMMARY

The Board is asked to reaffirm their commitment to ensuring that consumer views are fully taken into account in all the activities of the FSA.

They are asked to note the achievements of the Advisory Committee on Consumer Engagement (ACCE) and to agree to its closure, as a Non Departmental Public Body is no longer the appropriate mechanism to achieve the objective of consumer engagement.

The Board is asked to seek assurance on the development of consumer engagement through:

- Reviewing an annual report to the Board on consumer engagement and consumer-facing activity and;
- a programme to develop our capability in consumer engagement by closer working with Other Government Departments (OGDs) and regulators to share best practice
- ensuring that future capability reviews, including activity planned for Spring 2014, includes consideration of consumer engagement.

### 2 INTRODUCTION

- 2.1 The Advisory Committee on Consumer Engagement (ACCE) currently provides the Board with assurance that policy is being developed with consumer engagement as an integral part of the process.
- 2.2 ACCE was established in 2007 in parallel with the development of the FSA's consumer engagement strategy. ACCE was given the role of ensuring that consumer engagement practice was embedded into the FSA's work and reporting to the Board on how this was being achieved. ACCE is currently composed of three members and two specialist Advisers. ACCE was established as a Non Departmental Public Body (NDPB).

### 3 STRATEGIC AIMS

- 3.1 Consumer engagement activity relates to all our strategic aims and is a core element in support of the principle of putting the consumer first.

## 4 EVIDENCE

- 4.1 Members of ACCE were consulted on these proposals and their views have been considered. The majority view was that ACCE had delivered what it set out to do in ensuring consumer engagement was embedded into the FSA's policy development processes. There was also recognition that the FSA had matured into an organisation where external assurance on consumer engagement was no longer essential. There was a minority view that the ability to challenge the Executive's approach to consumer engagement was still important.

## 5 DISCUSSION

### Background

- 5.1 Prior to the establishment of ACCE, the Consumer Committee provided the FSA with a consumer perspective on policy issues from 2000-2006. The Consumer Committee was composed of an equal mix of consumer stakeholder organisations and individual consumers.
- 5.2 In 2007 the Committee was replaced with new mechanisms for ensuring that consumer engagement was at the centre of policy development (for example through the Citizens Forums) and with ACCE to provide the Board with assurance on consumer engagement activity.
- 5.3 Other developments have been implemented to ensure that the FSA is listening to the consumer perspective in the development of policy. A Consumer Advisory Panel (CAP) was established in 2011 to bring together the 14 lay/consumer members of the FSA's Scientific Advisory Committees. CAP members are able to provide informed consumer views on some of the technical and often complex policy issues discussed.
- 5.4 We have also developed an online Consumer Panel. This allows the FSA to consult and quickly establish consumer views on a specific subject, enabling a more targeted approach to be taken. For example, the online panel was a cost-effective and rapid tool to reach parents of children aged 5-16 who used a childminder that provided food.

### New Approach to Assurance

- 5.5 The first Annual Report by the ACCE in 2008 demonstrated that there was a "patchy knowledge and application of engagement approaches"<sup>1</sup> and in some policy branches consumer engagement had not been considered as new policy was being developed. Reasons for this were identified by the ACCE and recommendations made to rectify this, which have been implemented.

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<sup>1</sup> ACCE Annual Report 2008

- 5.6 The extent to which this has changed was demonstrated in the 2012 Annual Report which stated “following the cultural shift that we have observed over the four years of our existence as an advisory group – noticing how consumer engagement has become embedded within the Agency and observing Policy Teams taking ownership for their own engagement programmes – we have seen this continuing during the past year”.<sup>2</sup> (See annex A for a more detailed description of how consumer engagement activity is carried out)

### **Consumer Engagement Annual Report**

- 5.7 The FSA is now in a position where external assurance on consumer engagement is no longer essential. However, it is important that the Board retains scrutiny of how consumer engagement is approached and carried out in the development of policy. The proposed approach is to replace the ACCE’s Annual Report with an Annual Report from the Director of Communications on Consumer Engagement.
- 5.8 The Consumer Engagement Annual report would be far more than a recital of recent consumer engagement activity. Its aim would be to give a frank assessment of our performance on consumer engagement, acknowledging weaknesses as well as celebrating successes.
- 5.9 For example, we need to remain alert to where issues relate to vulnerable consumers or minority groups and ensure that appropriate activity is undertaken; we have not always given this enough focus in the past.
- 5.10 We would provide an assessment of progress against delivery of previous recommendations from ACCE to ensure consistency. The report would also seek to draw out for discussion broader strategic issues around consumer engagement. For example we should regularly assess how we are using evidence from consumer engagement activity and balancing it against other evidence, such as science or stakeholder feedback.
- 5.11 The Annual Report would also explore the effectiveness of our engagement programmes in the devolved countries. Engagement carried out in devolved countries is often more targeted to specific consumer groups through community gateway organisations. This is an important aspect of the FSA’s consumer facing activity that should be included in the overall assessment of the FSA’s consumer engagement work.
- 5.12 In addition it is proposed that our capacity and capability in consumer engagement is explicitly looked at as part of the next FSA capability review, to give additional external assurance.

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<sup>2</sup> ACCE Annual Report 2012

## **Sharing Across Government / Regulators**

5.13 Part of ACCE's role is to provide insight on best practice so it is vital to maintain our strength in this area. To address this we propose building a network with other regulators/OGDs with active consumer engagement work. This network will be used to share good practice and learn how other organisations are engaging and using insights from their engagement to shape policy or other aspects of their work. Feedback from our external network would also be incorporated into the Annual Report.

## **6 IMPACT**

6.1 The proposed changes will demonstrate that consumer engagement is embedded and an integral part of how the FSA develops policy.

## **7 CONSULTATION**

7.1 These proposals have been discussed with the ACCE including their former Chair and new Board Member Liz Breckenridge.

## **8 LEGAL IMPLICATIONS**

8.1 Closing the ACCE would remove it from the FSA's list of NDPBs.

## **9 RESOURCE IMPLICATIONS**

9.1 ACCE currently accounts for approximately 30 days per annum of the Consumer Engagement team's time and a budget of around £8,000.

## **10 RISK IMPLICATIONS**

10.1 There are no risk implications from this decision.

## **11 DEVOLUTION IMPLICATIONS**

11.1 There are no devolution implications in this proposal.

## **12 CONCLUSION AND RECOMMENDATIONS**

12.1 This new approach will strengthen the role of consumer engagement in the FSA and will continue to provide the required assurance to the Board

**12.2 The Board is asked to agree to:**

The Board is asked to agree to replace the Advisory Committee on Consumer Engagement (ACCE) with:

- An annual report from the Director of Communications to the Board on consumer engagement and consumer-facing activity and;
- A programme to develop our capability in consumer engagement by closer working with Other Government Departments (OGDs) and regulators to share best practice.

## ANNEXE A

### CONSUMER ENGAGEMENT OVERVIEW

As policy is developed a consumer engagement plan is produced to provide insight into the consumer perspective on the policy issue. The engagement plan will typically involve a mix of methodologies and the scope of the engagement will be adapted to meet the specific needs of the policy requirement. The assumption is that engagement will be UK wide unless there is a specific policy reason for restricting it to England or a devolved country.

**Citizens Forums** are the main mechanism for direct engagement with consumers across the UK. Forums can either be a longer deliberative process where more information is required and consumers need time to think more widely about the issues. For other policy issues a shorter one-session discussion is used e.g. changes to BSE testing.

Locations are chosen to ensure ethnic diversity and consumers with non-English cultures are included. This involves selecting locations with rich ethnic diversity e.g. Birmingham, Bradford, Leicester and London. On some policy issues the closeness to agriculture or farming has made a difference to how consumers view particular challenges. Recent examples of this include Processed Animal Protein (PAP), EU Proposals on BSE Regulation and Consumer Attitudes to Raw Drinking Milk. Therefore ensuring consumers from areas that are more rurally located and not just cities or large towns has ensured the engagement does not become one dimensional.

**The Online Panel** has also been used to provide a more quantitative picture of consumer views but is also a mechanism that allows a qualitative element to be included. A representative sample of the UK population or nationally representative for a specific country is used. Another facility of the online panel that has been used is a tool that identifies which part of a message, statement or label is most helpful or potentially confusing. This has been used with labelling on Raw Drinking Milk, where there are different labelling requirements in Wales to England and Northern Ireland.

The online panel is a mechanism that has been used to quickly establish consumer views and attitudes. Prior to the launch of Food Safety Week 2012, the Online Panel was used to establish consumer thoughts about food pricing over the last three years.