

Note of the External Stakeholder Reference Group Meeting held at Aviation House London on 12 December 2017

**Present**

Simon Dawson – Food Standards Agency FSA (Chair)

Delyth Murray-Lines – Food Standards Agency

Elham Mirzahosseinkhan – Food Standards Agency

Kathryn Baker – Food Standards Agency

Ruth Watson – Food Standards Agency

Tracy Bishop – Food Standards Agency

Holly Shaw – Allergy UK

Grace Brocklehurst – Anaphylaxis Campaign

Julie Byers – Association of Convenience Stores

Martin Forsyth – British Frozen Food Federation

David Bolton – British Retail Consortium

Karen O'Connor – Cambridge City Council

Sarah Collard – Coeliac UK

Chris Hunter – Department for Business, Energy and Industrial Strategy

Victoria Griffiths – Department for Business, Energy and Industrial Strategy

James Bielby – Federation of Wholesale Distributors

Kerina Cheesman – Food and Drink Federation

Ron McNaughton – Food Standards Scotland

Sue Powell – Oxfordshire County Council

Diana Axby – Provision Trade Federation

Andrew Morrison – Scottish Food Enforcement Liaison Committee

**Apologies**

Elizabeth Andoh-Kesson – British Retail Consortium

Tony Lewis – Chartered Institute of Environmental Health

Corrine Lowe – Chartered Trading Standards Institute

Kaarin Goodburn – Chilled Foods Association

Norma McGeough – Coeliac UK

Philip Randles – Food Standards Agency

Richard Hoskin – Food Standards Agency

Sian Thomas – Fresh Produce Association

Simon Wright – Gluten Free Industry Association

Andrew Kuyk – Provision Trade Federation

Earl Legister – Southwark Council

Sue Davies – Which?

Andrew Collinson – Wycombe District Council

## **Agenda Item 1 – Welcome and Introduction**

- 1.1 The Chair welcomed the group, highlighting new members, representatives from the Department for Business, Energy and Industrial Strategy (BEIS) and FSA. Individual members were invited to introduce themselves.
- 1.2 Apologies were noted.
- 1.3 The minutes of the last meeting were agreed as a true record, subject to the representative from Coeliac UK being amended to reflect Sarah Collard's attendance.

## **Agenda Item 2 – Update on the Board meeting and project overview**

- 2.1 Kathryn Baker updated the group on the FSA and FSS Board discussions in September, and gave an overview of the project and its progress to date. Her presentation detailed the following:
  - The background to the project, which started in September 2016
  - The project phases and what has been completed, focussing on the four themes arising from the evidence gathering phase.
  - The presentations to and discussions by the FSA and FSS Boards in September 2017. Of particular note, the FSA Board sees a key priority being in the prevention of future incidents, and considered that a key performance indicator (KPI) should be a reduction in the number of recalls taking place. While the FSS Board considers the prevention of future incidents as a key priority, they did not feel this was a suitable KPI.
  - The next phases of the project, (delivery and evaluation), focussing on the delivery phase and associated timelines.
- 2.2 The following points were raised in discussion:
  - There are a number of variables associated with triggering a recall and the group did not feel that a reduction in the number of recalls would be an appropriate key performance indicator to measure the success of the project. Successful delivery and uptake of workstream 1, for example, may result in a rise in recall notifications for a period of time due to greater awareness and understanding of responsibilities by the various parties. Also, the number of incidents and the number of recalls are not directly correlated.
  - It was suggested that a good measure of success could be a decline in the number of 'repeat' incidents or recalls following root cause analysis and the sharing of learnings.

- The importance of appropriate key performance indicators was recognised by the group.
- In working to increase consumer awareness and action with respect to food recalls, there is an opportunity to work collaboratively across Government regarding initiatives on non-food recalls.

### **Agenda Item 3 – Terms of reference and workings of ESRG within the delivery phase**

- 3.1 Ruth Watson introduced the discussion on the ESRG terms of reference and working arrangements. The FSA and FSS proposed that the reference group becomes a steering group, with terms of reference and working arrangements that allow members to be active partners in providing governance to the delivery workstreams as we enter the delivery phase, and that the group is renamed the Recalls Steering Group. Group members were directed to the discussion paper which included the proposed new terms of reference and working arrangements.
- 3.2 The following points were raised in discussion:
- While food recalls are the focus of this project and the associated workstreams, we will share the principles and insights of our work with Other Government Departments (OGDs) to provide opportunities for synergy with other product recall initiatives.
  - A new code of conduct for UK businesses on product recall has been consulted on by BEIS. It would be useful for the outcome of the consultation to be considered by this group at the next meeting.
- 3.3 The proposals were agreed by the group, subject to the following actions being carried through:
- Amend the name of the steering group to the Food Recalls Steering Group.
  - Include the sharing of principles and insights arising from the work into the terms of reference.
  - Include the BEIS consultation on product recall at the next meeting.
- 3.4 The terms of reference will be amended in accordance with the above actions and circulated to the group.

### **Agenda Item 4 – Delivery Workstream 1 – Roles and Responsibilities**

- 4.1 Delyth Murray-Lines outlined the proposals for establishing a working group to support workstream 1. Members discussed the following questions in three groups, and the discussion points raised were as below.
- 4.2 *Is the approach and timeline to delivering the FSA/FSS led workstream 1 right? In particular, are the objectives right?*

- The first meeting of the working group should identify the scope and the format of the guidance.
- The timeframe to embed the implementation of the guidance should be longer than 6 months, ideally a year. This will then provide for more statistically valid data for the evaluation stage.
- Discussion groups had differing views on the timeline for developing/producing the guidance. Some felt that it may be too tight, others felt that it may be possible to achieve in a shorter timeframe.
- It may be possible to reflect on the consultation and publish the guidance in a shorter time frame than the 3 months as indicated in the current timeline.
- Guidance for Local Authorities should ultimately be embedded within the Food Law Code of Practice.
- In terms of producing the guidance:
  - The working group will need to consider how to be clear on what are legislative requirements versus recommended or best practice.
  - The guidance needs to include a one pager or short format that can be used in a crisis – e.g. a flowchart or checklist of key things to do or remember – this is especially important for smaller businesses.
  - The guidance needs to be considerate of the needs of SMEs and needs to include tools to walk them through the process.
  - It would be helpful for the in-progress document to be split up into topics to enable representatives to comment on focussed sections. This would then need to be reflected on once the entire document is collated.
  - It would be useful for the working group to use electronic/digital means to work together and make comments – for example by having a Trello board or other system that allows members to make comments to documents.
- It would be good to use new or innovative approaches to describe and explain the guidance once complete, for example using short YouTube videos etc.

4.3 *Individuals are sought for inclusion on the working group who have hands on experience of incidents and recalls and who can shape the guidance. Who should be on the working group? How do we achieve the right membership?*

- The group should be of a size that is able to accommodate the key sectors involved, but should not be unwieldy.
- Undertaking a 'RACI' (Responsible, Accountable, Consulted, Informed) exercise would be helpful in determining and justifying the group membership.
- Sectors that should be represented include manufacturing, wholesale / distribution and retail.

- The manufacturing and retail sector representation should include big and small businesses.
  - The independent retail sector should be represented on the working group, and the Federation of Small Businesses may be able to offer some useful advice.
  - All four UK nations should be represented in the retail sector, e.g. Tesco/Sainsbury's/Asda/M&S.
  - The Food and Drink Federation and the British Retail Consortium (BRC) may have useful suggestions. Membership from Third Party Assurance schemes such as the BRC will be especially helpful as they already have existing guidance, for example the BRC Global Standards.
  - Enforcement representation on the working group may be best sought from the Chartered Institutes of Trading Standards and Environmental Health and the Food Hygiene Focus Group (and should include representation from Scotland)
  - Oxfordshire County Council operates as Primary Authority to the major supermarkets and could put forward useful suggestions.
  - It may be useful to include the catering sector on the working group, and if so, the British Hospitality Association may be a useful contact organisation.
  - There was some consideration of whether or not consumer / allergy support groups should be represented on this working group, or if their presence would be better placed on workstream 2, which will feed into the overall guidance document.
  - There was some consideration on how best to engage Other Government Departments who have an interest, such as the Medicines and Healthcare Products Regulatory Agency (MHRA).
  - The Association of Convenience Stores conduct a quarterly survey with their members, and one year ago included within that a question about recalls. That data could input into the workstream by providing helpful baseline information.
- 4.2 Members were thanked for their input and the FSA took an action to produce a one-page brief about the project to assist members in identifying individuals to sit on the workstream.
- 4.3 Members were requested to put forward suggestions for working group members by 5<sup>th</sup> January 2018.

## **Agenda Item 5 – Delivery Workstream 2 – Accessible and Consistent Consumer Information**

- 5.1 Kathryn Baker outlined the proposals for establishing two working group to support workstream 2 – the establishment of an FSA/FSS led working group to conduct consumer insight work and produce guidance to form part of the workstream 1 document; and the establishment of an industry-led working group to undertake work to enhance trade to trade notification. Members discussed the following questions in three groups, and the discussion points raised were as below.

## 5.2 Accessible and consistent consumer information

### 5.2.1 *Is the approach and timeline to delivering the FSA/FSS led workstream 2 right? In particular, are the objectives right?*

- There are a number of risks associated with this body of work – for example, the risk of repeating the work already completed by Kantar, and the risk of not getting agreement from all players to using a consistent approach to consumer notification, in particular the point of sale notice (in achieving this we will also need to take account of brand versus retailer own brands).
- The current practices in industry with regard consumer notifications, the differences in them and what drives them need to be better understood.
- Differences across consumers, such as segmentation especially in relation to the most vulnerable group need to be understood to communications to these groups can be improved.
- It would be useful if the research looked at the ways notifications could be segmented (in the same way allergy alerts are), allowing people to sign up to different categories, for example so that non-allergy sufferers don't receive allergy notices.
- Off-the-shelf data from Kantar may be useful concerning information on who buys food from where.
- The suggestion was made that this group should discuss issues further with Google.
- Clarification will be helpful on how this workstream and workstream 5 (Increased Consumer Awareness) fit together.
- The timelines for workstream 1 and workstream 2 should allow for the documents to be consulted on simultaneously as a package.
- Recognising that the timelines are quite challenging, the FSA/FSS was encouraged to consider the possibility of extending past 31<sup>st</sup> March 2019 if doing so would produce more comprehensive outputs.

### 5.2.2 *Who should be on the working group? How do we achieve the right membership?*

- The group should be of a size that is able to accommodate the key sectors involved, but should not be unwieldy.
- Sectors that should be represented include consumer groups and both large and small retailers.
- Industry representatives may need to be from communications / marketing / legal departments.
- The Department for Business, Energy and Industrial Strategy should be represented.
- Third party data owners should be represented.

- Members of this group will need to actively seek views from others in their organisations.

### 5.3 Proposal for an industry led workstream to develop enhanced trade to trade notifications

#### 5.3.1 *Who is best placed to lead the work?*

- A representative from the distribution and wholesale sector would be well placed to lead the work. James Bielby suggested that the Federation of Wholesale Businesses may be able to take on this role.

#### 5.3.2 *Who would need to be involved?*

- The key associations representing all sectors involved – manufacturing, distribution (including cash and carry businesses) and retail – should be involved.
- Consideration should be given on the appropriateness of legal representation and/or representation from the insurance industry.

#### 5.3.3 *Do members agree that this workstream should report progress to ESRG? If so how often?*

- The workstream should report progress to the ESRG, a standing agenda item should be created to allow for this.
- Clarity should be provided on what the scope of this work is. The research findings were considered:
  - Industry would value a mechanism to share information on withdrawal, to check if common suppliers were affecting multiple products
  - It would be helpful to develop ways to get messages to small and independent retailers who may not receive information on withdrawal where a long distribution chain was involved and where traceability may have broken down.
- The workstream should consider what methods are currently in place for the sharing of information, e.g. for non-food safety related issues (food quality / health and safety etc).
- Further consideration is requested on the working arrangements of the working group, for example what role FSA/FSS would have, secretariat arrangements, work plan and time lines.

#### 5.4 Members were thanked for their input and were requested to put forward suggestions for working group members by 5<sup>th</sup> January 2018.

## Agenda Item 6 – Any Other Business

6.1 No other items of business were raised.

## Agenda item 7 – Date and Time of the next Meeting

7.1 Simon Dawson thanked all those present for their contributions.

7.2 The date and time of next meeting were agreed for week commencing 25<sup>th</sup> February 2018, which allows for the two workstreams to be established and begin working in advance of the next meeting of this group.

## Annex 1 – Actions table

No	Action	Responsible	By
1	Amend the name of the steering group to the Food Recalls Steering Group and circulate the agreed terms of reference and working arrangements.	FSA	22/12/2017
2	Include the sharing of principles and insights arising from the work into the terms of reference.	FSA	22/12/2017
3	Include the BEIS consultation on product recall at the next meeting.	FSA	w/c 25/02/2018
4	Produce a one-page brief about the project to assist members in identifying individuals to sit on the workstream.	FSA	22/12/2017
5	Consider how the timelines for workstreams 1 and 2 can allow for simultaneous consultation periods.	FSA	w/c 25/02/2018
6	Forward suggestions for working group members for workstreams 1, 2 and the industry led workstream according to FSA briefing.	ESRG representatives	05/01/2018