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**MINUTES OF THE FSA BOARD MEETING HELD ON 25 MARCH 2015 AT  
AVIATION HOUSE, LONDON FROM 09:00-12:30**

**Present:**

Tim Bennett, Chair; Jim Wildgoose; Jim Smart; Heather Peck; Ram Gidoomal; Paul Wiles; Roland Salmon; Liz Breckenridge

**Officials attending:**

Catherine Brown, FSA Chief Executive  
Jason Feeney, FSA Chief Operating Officer  
Steve Wearne, FSA Director of Policy  
Professor Guy Poppy, FSA Chief Scientific Adviser (CSA)  
Richard McLean, FSA Head of Planning, Performance and Change  
Angela Towers, Programme Manager for FSA Strategy 2015-20  
Patrick Miller, FSA Chief Scientific Adviser Team  
John Barnes, FSA Head of Local Delivery  
Catriona Stewart, FSA Head, Compliance & Enforcement Strategy Team,  
Local Delivery Division  
Rebecca Merritt, FSA Head of Private Office

**WELCOME AND ANNOUNCEMENTS**

1. The Chair welcomed everyone to the meeting and gave apologies for Jeff Halliwell and Henrietta Campbell, Deputy Chair. The Chair thanked Jim Wildgoose for acting as Deputy Chair in Etta's absence.
2. The Chair reminded all Board members to declare any relevant conflicts of interest before discussions.
3. The Chair noted changes to the Civil Service Code as an item for discussion under Any Other Business.

**MINUTES OF MEETING HELD ON 28 JANUARY 2015 (FSA 15/03/01)**

4. The Chair agreed with a Board member that the conclusion of the discussion on **BURGERS SERVED RARE IN FOOD SERVICE OUTLETS – AN APPLICATION OF THE FRAMEWORK FOR OUR APPROACH TO “RISKY” FOODS (FSA 15/01/05)** should be amended to include the agreement to continue to gather evidence to enable the Board to decide if the level of risk from businesses with a robust, tested, Hazard Analysis and Critical Control Points (HACCP) plan in place which demonstrated a 4 log reduction in bacterial load was acceptable.

5. Subject to this amendment, the minutes were otherwise accepted as an accurate record of the 28 January 2015 meeting.

**ACTION: Board Secretariat**

**ACTIONS ARISING (FSA 15/03/02)**

6. The Chair asked Steve Wearne to provide the Board with an update on the action *28 January 2015 – 15/01/05 Burgers Served Rare in Food Service Outlets “Keep the Board updated on progress in getting the advice out to LAs as quickly as possible and on progress with the further modelling work.”*
7. Steve said the Chief Executive’s written report to this meeting made brief reference to the work undertaken since the January meeting, and he was now able to provide further detail on how that work had been progressed.
8. The Board had agreed proposals made in the paper in January for further work and had concluded that, in the interim,
  - a. acknowledging that local authorities were looking to the FSA to take a lead in this area, we should advise them to focus enforcement efforts on those businesses selling burgers other than well done which lacked a food safety management plan which (i) demonstrated the achievement of a 4-log reduction in bacterial load on challenge testing and (ii) drew customers’ attention to the risks of eating burgers other than well done, and in particular the risks to vulnerable consumers; and
  - b. renewing advice from the FSA to consumers not to eat burgers other than well done.
9. Steve said we had published advice to local authorities on 19 March through a letter to Heads of Environmental Health Services and Directors of Trading Standards. In summary, this proposed an approach to enforcement in which:
  - the onus was on those food business operators who chose to serve burgers other than well done to demonstrate that their procedures were appropriate – for example:
    - where “sear and shave” approaches were used, we would expect the effectiveness of the approach to have been validated and procedures to be safe and hygienic;
    - or where controls achieved less than a 6 log reduction in bacterial load the approach had been validated and was used in combination with effective messaging at the point of sale about risks, particularly to vulnerable consumers

- enforcement action should be considered where there were clear breaches in legislation, such as the absence or poor implementation of food safety management procedures.
10. We had met with the Better Regulation Delivery Office (BRDO) on 10 March to discuss the role that Primary Authorities could play to help businesses with multiple outlets comply with requirements and develop acceptable validated systems. The BRDO were identifying local authorities who would be willing to take on this role.
  11. We had met with representatives from the section of the catering industry which were involved in the service of rare burgers, including major chains and their consultants, on 5 March. In exploring options for point of sale messaging, industry representatives would prefer warnings similar to those in the FDA Food Code in the United States, which highlighted that there was increased risk involved when consuming raw and lightly cooked meat and other products of animal origin. Such an approach might then be applied more widely than to burgers served other than well done. Industry representatives suggested a timeframe of 90 days from agreement of the basis for the wording for incorporation into menus and other materials
  12. Steve said we would explore further what messaging would be most effective through consumer insight research. We were scoping work that would provide robust information on consumer attitudes to rare burgers and advice in restaurant premises; and robust quantitative and more in depth information about rare burger consumers. The evidence base would be strengthened by real data from businesses, and we hoped that at least one of the major chains in this sector would work with us on the impact of point of sale information.

**ACTION: Director of Policy**

13. Given the imminence of the restricted period in advance of the UK General Election, fieldwork is scheduled to commence in late May.
14. We had published a web story on 17 March, reminding consumers about safe preparation of burgers in the home, and included the wording in the weekly mail out to the Board on Thursday 18 March.
15. Steve said the report on thermodynamic modelling of the cooking of burgers had been completed by RIVM in the Netherlands and was currently being reviewed by microbiological risk assessors internally and by two members of the Advisory Committee on Microbiological Safety of Food (ACMSF). This, together with the QRA modelling being done by Animal & Plant Health Agency (APHA) would then

enable us to ask specific risk assessment questions of ACMSF in order to inform further Board discussion and decision-making.

16. The Chair recognised the significant work already done and concluded that a paper to support a decision by the Board on the acceptability of rare burgers and appropriate controls would come back to the Board for decision as soon as possible after completion of the work programme that Steve Wearne had outlined.

### **CHAIR'S REPORT**

17. The Chair advised the Board of the list that had been published of the many useful engagements he had attended since the last Board meeting. He drew particular attention to the meeting he and the Chief Executive had had with the new President of the Food and Drink Federation (FDF), Dame Fiona Kendrick; the discussion had been wide-ranging and linked to the FSA Strategy.
18. On 25 February the Chair, the Chief Executive and Steve Wearne had given two hours of evidence to the Environment, Food and Rural Affairs (EFRA) Committee on the last five years and the next five years of the FSA; the discussion had included animal welfare in abattoirs and the Food Crime Unit.
19. The Chair said this was the last FSA Board meeting for Board members Jim Wildgoose and Liz Breckenridge and he wanted to thank them for their invaluable contributions to the Board over the last few years. He said the Board would miss the skill sets they brought, and the Board would miss them as colleagues; the Chair would express the Board's thanks in writing.
20. Vesting day for Food Standards Scotland (FSS) was 1 April and the last meeting of the Scottish Food Advisory Committee (SFAC) had taken place on 17 March; the Chair would also write to SFAC members on the Board's behalf to express their thanks for all the advice SFAC had given the Board over the years.

**ACTION: Chair**

### **CHIEF EXECUTIVE'S REPORT (FSA 15/03/03)**

21. Catherine Brown said she wanted to thank Geoff Ogle, Director of FSA Scotland, and all the FSA staff in the Scottish office for having made us proud to have worked with them over the years and said that as Food Standards Scotland, we looked forward to working closely going forward.
22. Catherine said she wanted to give the Board updates on two areas in her written report: Amendments to Annex V of the TSE Regulations and Animal Welfare.

23. After her report had been written, Catherine said the Commission had moved to a vote on its proposal at the standing committee meeting held on 17 March and achieved a qualified majority in favour. The UK, France and Germany had not supported the proposal. The impact of the new regulation would be to bring EU Regulations on intra-community trade into line with the World Organization for Animal Health (OIE) requirements on third countries. Once adopted, the Specified Risk Material (SRM) from bovine animals over 12 months old would only include the skull, the brain and the spinal cord for countries with negligible risk status. The UK did not have negligible BSE risk status and would not be eligible to apply for this until 2018 at the earliest.
24. Given the concerns expressed by the Advisory Committee on Dangerous Pathogens (ACDP) Transmissible Spongiform Encephalopathies (TSE) Risk Management Sub-group, the UK had tried to influence discussions by proposing a precautionary approach that would allow the continued exclusion of other higher risk tissues from the food chain. We were disappointed that despite the lack of supporting evidence, especially with the atypical BSE sampling studies yet to be completed, the Commission continued to pursue a vote in the face of our concerns.
25. We would have preferred to see more robust science and evidence to support the proposal. However, the primary controls that remained in place relating to removal of specified risk material and the feed ban, combined with continuing surveillance and secondary controls do much to control risk. The Board would continue to receive regular updates on these key measures for consumer protection.
26. Roland Salmon declared an interest as the acting Chair of the ACDP and Chair of its TSE Sub-group. The Chair said that given the nature of the discussion there was no reason to exclude Roland from the discussion. Roland said, given the tenor of the discussions that had taken place, that the ACDP would not welcome this vote. The existing arrangements were working so there was no need to change them particularly with the atypical BSE sampling studies yet to be completed. Current modelling suggested that, with the current surveillance regime in cattle, if there were to be a recurrence of problems with BSE in cattle, it could be eight years before we identified the first case and 16 years before we identified three cases during which time a lot of beef from cattle with BSE would potentially have entered the food chain.
27. Roland said this suggested a need to change the surveillance strategy in cattle which would require work to be done to develop tests for BSE that could detect the problem early, in peripheral tissues, rather than, as currently, examining the brain. This required research funding which might come equally from either the

Department of Health (DH) or the Department for the Environment, Food and Rural Affairs (Defra); both Departments to which the ACDP reported.

28. In discussion the Board asked how UK consumers would know whether they were buying beef from the UK or from an EU country with negligible risk status; which EU countries had negligible risk status; what a country had to do to get negligible risk status; if that status could be withdrawn; and how frequently a country's status was reviewed.
29. Catherine agreed to provide the Board with a briefing note on the wider impact of the vote which would also address the points raised during the Board's discussion.

**ACTION: Director of Policy**

30. The Chair concluded that it was important to reassure consumers that there remained in place strict controls which had done much to control the risk of BSE; these were the removal of specified risk material, the feed ban and disease surveillance. The Board had previously stated the importance of the feed ban and disease surveillance. They now became more important as the SRM rules had been revised in the European Union.
31. Regarding Animal Welfare, Catherine said following the two recent incidents in slaughterhouses, in addition to the immediate action taken in the slaughterhouses involved, we had also undertaken a programme of unannounced visits to every slaughterhouse across the UK. We deployed our new independent audit team to carry out the visits to reinforce our message to industry and our own people how seriously we took such breaches of standards in animal welfare.
32. Catherine expressed thanks to the team who had carried out the visits and reported that all premises which we had felt might be at higher risk of non-compliance had been visited, and as of Friday 20 March, 287 inspections had been completed in total, with reports started for a further 15. Only 20 inspections were still to be carried out.
33. No immediate issues or significant animal welfare concerns had been found to date. From the completed inspections, there were some businesses which needed to make improvements to their controls and record keeping. There were areas for improvement identified for the Official Veterinary (OV)/FSA teams at six of the plants and follow up action was being organised at individual plants with management supervision.

34. With the bulk of inspections now complete, we were analysing the intelligence we had gained and considering how to use that as part of a wider review to be undertaken with industry representatives, contractors and Defra.
35. Catherine said an analysis of the issues from our work would inform a paper on our overall approach to animal welfare which was on the agenda for the June Board meeting and would allow the Board to engage strategically with the issue.
36. The Board welcomed a Board discussion on the effectiveness of animal welfare controls at the time of slaughter as soon as possible. The Board anticipated discussion on how our staff in slaughterhouses use intelligence and assess the culture of control; a review of how our staff maintain the lowest level of tolerance of abuse; the effectiveness of how we carry out the regulatory controls on behalf of Defra and in Wales; and identification of areas for improvement.
37. Catherine said in relation to the wider issue of culture, it went beyond animal welfare, and as part of the Regulatory Strategy, we were looking at developing an evidence-based diagnostic to enable us to take a view on culture across FBOs to inform our approach to checking and controlling.
38. During discussion it was confirmed that the change in sentencing powers to remove the £5 000 limit on the maximum fine that can be imposed by magistrates for a single offence referred to in Catherine's written report would apply to breaches of standards in animal welfare. Catherine said that, where there were grounds to do so, prosecution would be sought not only against the individuals involved in the breaches of animal welfare standards but also the businesses.
39. Catherine confirmed that whistleblowing did take place within the meat industry as well as the food industry more widely, and as part of our work on improving openness and accessibility, we were looking at how people could report concerns to the Agency.
40. Catherine paid tribute to the contribution Eville and Jones, our contractors had made in getting the message across very clearly that we would withdraw the health mark and prevent premises operating if we found such breaches of animal welfare.
41. The Chair said it was vital that we had the Board discussion on animal welfare in June. It was the responsibility of Food Business Operators to ensure compliance with legal standards in animal welfare. He praised FSA staff working in abattoirs who had a difficult job and said we needed to look at ways to make their jobs easier for example with CCTV or other technology. Catherine said more than 50% of slaughterhouses had CCTV but not all of them gave the FSA access to the

recordings and we had to look at the circumstances in which CCTV could have the greatest value.

42. The Chair said he would invite the Chair of the Farm Animal Welfare Committee to the Board discussion in June.

**ACTION: Chair**

43. With regards to the Campylobacter Campaign, Catherine agreed with the Board that more retailers needed to follow the example set by M&S and publish their own results showing the impact of their efforts in reducing campylobacter in poultry.
44. Steve Wearne said that we believed the publication of the retail survey results by retailer had had impact and we were now having routine and open bilateral discussions with retailers with the aim of holding them to account for actions that would achieve the target on reducing campylobacter in poultry by the end of 2015.
45. Steve also confirmed that a lot of consideration was already being given as to how to present the data collected during a second year of retail surveillance, which would include samples from Aldi and Lidl in addition to the retailers for which we are already announcing results routinely. Regardless of how we present the results of our own testing, we wanted to move towards retailers publishing their own data to demonstrate to consumers the effectiveness of the methods they had employed to reduce campylobacter on poultry.
46. Steve said the success of M&S and their supplier, the 2 Sisters Food Group, showed that we did know what would reduce campylobacter in poultry and industry throughout the supply chain needed to now apply that knowledge at production scale to the benefit of consumers.
47. The ACT (Acting on Campylobacter Together) Board was due to meet for the second time in April and the Chair Richard MacDonald was keen to drive it beyond the sharing of general information to that of specific technical information.
48. The Chair of the Welsh Food Advisory Committee (WFAC) said that a member had noted that sachets of sauce in packets of ready to cook chicken at major retailers are still found in the packet and next to the chicken posing a campylobacter risk. It was regrettable that no change in packaging seemed to have occurred. Catherine said this would be raised with the ACT Board.

49. Further brief comments were made on the Food Information for Consumers (FIC) Regulations in the UK, the Cumin and Paprika Incident, FHRS and the Triennial Review of the FSA's Scientific Advisory Committees, which was welcomed.

**FOOD STANDARDS AGENCY STRATEGIC PLAN 2015-2020 (FSA 15/03/04)**

50. The Chair welcomed Richard McLean and Angela Towers to the table and invited Catherine Brown to present the paper.
51. Catherine thanked all those who had input into the development of the Strategic Plan including those who had attended a good stakeholder event at the end of February, and particularly Angela who had worked on the Strategy from the beginning.
52. Feedback from the stakeholder event had been a high degree of acceptance and enthusiasm, particularly from consumers, for us to take this agenda forward. However, there had also been recognition that it was a very ambitious programme which would require us to work closely with others to make it effective.
53. The Strategic Plan was structured into three parts:
- First a reminder of the Strategy itself - our mission - food we can trust, and our purpose and pledge to put consumers first; these things constituted the “why” of the Strategic Plan.
  - Then in the middle section “how” we intended to act – using evidence, legislative and non-legislative interventions, openness (including but going beyond transparency), engaging and empowering consumers, focusing more on our people and supporting them, and leveraging impact from small resources. These approaches should remain consistent year to year throughout the period covered by the Plan.
  - And in the final section “key activities”. These are “what” we would do to take the programme forward, especially in the first couple of years make the biggest contribution to our strategic outcomes.

Catherine said working out what mix of things we could best do to take forward the Strategy was not an exact science. We had based our proposals on the science we had at our disposal at this time which told us, for example, that campylobacter was the food safety issue with the biggest impact on public health, and listeria was the next biggest. There were gaps in the science which also informed the plan, for example our commitment to review the evidence on Anti-Microbiological Resistance (AMR) in the food chain.

In identifying the key activities for the next two or three years we also needed to consider how we could effectively deploy our human resources, while sustaining the mix of skills and experience that we need to maintain.

54. We had been informed by all the discussions the Board and others had had over the last 18 months on: our approach to regulation and the importance of aligning incentives; the importance of communicating enforcement and carrying it out; the importance of horizon scanning post-horsemeat; and data science amongst other issues.
55. Catherine said, on balance, the Executive believed this was the best combination of initiatives to optimise our progress. However, the Executive might not have got it right, and new issues might arise along the way, so checking it would be an ongoing process. This was why the way in which the Executive and the Board would work together to review the Strategic Plan and adjust it in light of progress and environmental factors was crucial.
56. We intended to review the Strategic Plan annually with the Board to inform the annual high-level Business Plan and high level-budget setting. And we would also report performance quarterly through the new reporting framework at the Business Committee which would enable us to collectively review progress.
57. Catherine said the list of initiatives in the Strategic Plan was not intended to be comprehensive - they were not the only things we would be doing, but rather only the “key activities”. Our work on chemicals, on intolerance in adults, on official food and feed controls, and on other basic aspects of business as usual would carry on. All our people would be constantly considering how their efforts best contributed to delivering consumer benefits and food we can trust.
58. We were carrying out a value for money review at the moment that would help us work out how we could do these things more efficiently and effectively to free up our resource to put it where it could make the biggest difference towards our strategic outcomes.
59. So this was by its nature a first draft of a Strategic Plan. Nevertheless, Catherine recommended it to the Board as a basis to show leadership in working with others to deliver Food We Can Trust.
60. In response to questions from the Board, Catherine said the Executive acknowledged the ambitiousness of the Plan but believed there would be more downside than upside to not putting markers in a number of areas of benefit to consumers in the first year.

61. Catherine clarified that under “Aligning Incentives for businesses to ensure consumer interests are protected – implementing the regulatory strategy” Animal Welfare was definitely included. Catherine also agreed that outcome measures would continue to be developed to enable a review of the progress of the Plan in delivering the Strategy.
62. On behalf of the Northern Ireland Food Advisory Committee (NIFAC), and in his personal opinion also, the Chair said that *E coli* O157 should be given greater emphasis in the Plan. Catherine said the key activities in the Plan were based on the current scientific evidence as to where the greatest harm to public health came from. Notwithstanding that we would continue to work on wider issues as part of business as usual.
63. The Chair also reported that NIFAC did not feel that the theme of consumer engagement was coming across strongly enough in the Strategic Plan and that more needed to be done to bring consumers’ voices into our documents and discussions.
64. During further discussion on the need for increased consumer engagement, Catherine said more work was planned on progressing openness which went beyond understanding the consumer to making ourselves and the food industry accessible to them to influence, to bringing about behavioural change, and gathering data from citizen science. She agreed though that our material needed to more fully reflect consumer perspectives.
65. The Chair of WFAC said the Committee welcomed the commitment to develop Strategic Plans for Wales and Northern Ireland. Catherine agreed that, as identified by WFAC, food poverty in Wales, and other parts of the UK, would be relevant in attaining the “best food future possible”. Catherine also agreed that there was scope in Wales and elsewhere to do more on empowering young consumers in schools.
66. The Chair concluded that as time passed it would be increasingly important to remind everyone of the Strategy. He said it was also important to remember that just because something was not stated in the Plan did not mean it was not being done. The Chair noted the importance of a consumer engagement strategic discussion and the desire of the Board to bring it forward within the Plan if possible. With those two additional observations he said the Board agreed with the recommendations as outlined in the paper.

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**FUTURE STRATEGY FOR FSA SCIENCE (FSA 15/03/05)**

67. The Chair welcomed Patrick Miller to the table and invited Professor Guy Poppy to introduce the paper.
68. Guy said the FSA Strategy set ambitious goals in order to support the achievement of “food we can trust” and established three consumer rights:
- The right to be protected from unacceptable levels of risk
  - The right to make choices knowing the facts
  - The right to the best food future possible
69. The FSA had a good record as a science- and evidence-based organisation but to meet the challenges of the Strategy we would have to raise our game even further. This paper presented the framework for the Science, Evidence and Information (SEI) Strategy which showed how we would do this. We would come back to the Board later in the year with details of the Delivery Plan.
70. At a well-attended stakeholder meeting with representatives from across academia and the scientific community the previous week, the focus on science at the core of the FSA Strategy had been welcomed and there was great appetite to get to the details of the Delivery Plan for the SEI Strategy.
71. Guy said considering the ambition set by the FSA Strategy, our vision for our science was:
- to focus on risks where we could have the biggest impact on consumers’ interests
  - to be innovative and ahead of the curve, despite resource pressures
  - to be well-connected across disciplines within the Agency to gain added value and new insights
  - to work in partnership with other organisations to deliver or communicate science; and
  - to ensure we had the right skills within the FSA and across the scientific community
72. Guy said we had developed a framework for the SEI Strategy that reflected this vision by applying two lenses: the “what” and the “how”.
73. The “what” identified the areas of science we would need to develop and apply, and four themes emerged from analysis of those areas:

- Understanding risks and how to rank them so we could target our work on effective consumer protection
- Big Data, which meant gaining access to data from a range of organisations which might not otherwise have shared it in order to identify Big Signals i.e. new risks
- Understanding food businesses, as well as consumers, and harnessing their power to support behaviour change
- Learning from what works (and, importantly, what doesn't) to deliver science with impact and roll it out successfully

74. The “how” was the way we developed and conducted our science, and we had identified four themes for our work in this area:

- Maintaining and building the science skills and capabilities we needed
- Assuring the quality of our science and evidence and its application so it had value for us and legitimacy for others
- Communicating science for effective use by others; of which the new Chief Scientific Adviser's Quarterly Report was an example
- Building strategic science partnerships to deliver ambitious objectives

75. Patrick Miller then thanked all of those who had input into the development of the SEI Strategy and who were contributing to the development of the Delivery Plan.

76. The Board welcomed the focus in the SEI Strategy on how science was produced and linked with wider FSA work in order to deliver the FSA Strategy. The Board also welcomed the articulation of a SEI Strategy as a means by which to judge how well science was contributing to the delivery of the Strategy.

77. Guy confirmed that he was working closely with the Chief Operating Officer to optimise where resources went, and to identify where new technologies (for example the use of mini mass spectrometers for early or rapid detection of contamination) could deliver more effective and efficient operations in future to ensure that science supported and improved operations within the Agency.

78. Guy said the FSA was working on building skills and capabilities in the wider scientific community; for example we had recently agreed to co-fund three PHD students at Sheffield, Leeds and York Universities looking at big data and social media; and we were also talking to funding councils about funding fellowships on the use of Big Data to improve health by focusing their development of applications on food issues.

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79. Guy agreed with the Board that it was a challenge to get industry to share data and a safe third party place for the data such as a University was often key as was being explicit on the benefits to industry of sharing their data.
  80. Guy said the SEI Strategy included a paragraph entitled “Protection from risk”, because in the first instance scientific work could unpick what the major risks were, and secondly because scientific assessment of risk could make a contribution to risk management and mitigation.
  81. Patrick added that there were two strands to the way science, evidence and information contributed to risk management in the FSA. The first was in the traditional, core business of the Agency which was using science to understand what the nature of the risks and the impact on risk of the options for controls might be; and the second was in connecting science with the wider work of the Agency so that we also applied evidence and analysis effectively to inform our consideration of the other aspects relevant to risk management and operations (including cost, consumer perspectives, feasibility and so on), and in communicating these decisions how science could be used, for example, to help in policy making or communications.
  82. Guy thanked Patrick for all of his hard work in developing the SEI Strategy.
  83. The Chair concluded that the FSA had always sought to communicate with consumers on a science and evidence basis, rather than a political one, and although we might have to do more non-political campaigning to deliver the new Strategy, it would be important to remain committed to the science and evidence base; particularly given the speed with which social media could confuse and misrepresent the evidence base. The Chair confirmed that the Board agreed with the framework for the SEI Strategy as outlined in the paper and thanked Guy, Patrick and the FSA science team for all their hard work.

**FOOD HYGIENE RATING SCHEME (FHRS) – UPDATE AND NEXT STEPS (FSA 15/03/06)**

84. The Chair welcomed Catriona Stewart and John Barnes to the table and invited Jason Feeney to introduce the paper.
85. Jason thanked Catriona and John and the team for all their hard work on developing the scheme. He said the Food Hygiene Ratings Scheme (FHRS) clearly linked to the FSA Strategy 2015-2020 as it underpinned delivery of the consumers’ ‘right to make choices knowing the facts’.

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86. FHRS was a flagship policy and it was timely that this paper should come to the Board now as: FHRS had been on a statutory footing to provide for mandatory display of ratings at food premises in Wales for a year; Northern Ireland was set to follow suit with draft legislation introducing mandatory display currently being considered by the Northern Ireland Assembly; the FSA strategy 2015-2020 highlighted that pressing the case to extend mandatory display to England was a priority; and responsibility for the Food Hygiene Information Scheme (FHIS) in Scotland would pass to Food Standards Scotland from 1 April so it was timely to agree ongoing support and liaison arrangements.
  87. A major evaluation exercise to explore the impact of FHRS had been published and a report had also been presented to the National Assembly for Wales on the first year of operation of the statutory scheme.
  88. Jason thanked local authorities, all except one of which fully co-operated with the scheme, and said without such commitment from local authorities FHRS would not work.
  89. There was more to do on increasing consumer awareness and usage of the scheme, and on increasing businesses' display of their ratings which consumers said was their preferred method of accessing the information.
  90. Jason said the credibility of the scheme rested on its integrity, consistency, and the frequency of inspections and as we considered the potential need to deliver the scheme via different delivery models we would have to ensure that we protected that integrity, consistency, and credibility.
  91. The Board welcomed the paper which they said was thorough and informative. The Board suggested undertaking a comparison of approaches to the scheme by local authorities to gather evidence for the impact assessment which would be necessary to progress mandation in England. Jason agreed and said we could also compare methods of delivery of the scheme by local authorities as this was now beginning to vary as well.
  92. Jason confirmed for the Board that we were committed to pursuing mandation in England and that we would have to look at what that would look like; re-inspection and charging would clearly be factors that would have to be taken into account when doing so.
  93. A Board member said five years ago we would not have imagined having achieved such success with the scheme; to have consistent press coverage and for only one local authority in England, Rutland, not to be participating in it. FHRS

was now a valuable brand and as such had to be treated like one; we needed to act swiftly and maintain consumer demand for it and local authority buy-in.

94. Both the Chair and Catherine agreed that the great success of FHRS was a reminder that when we showed ambition, such as with the Strategy, we could achieve significant results.
95. A Board member said that although mandatory display in Wales had been a considerable success, there were still costs to local authorities in running the scheme. However, we needed to ensure we had local authority buy-in for opening the scheme up to third party accreditation. There was caution, not only among local authorities in Wales, regarding governance of third party accreditation.
96. Jason agreed that in considering governance of third party accreditation, we would have to maintain the integrity of the inspections so as not to damage trust in the scheme and its brand value.
97. Catherine said technical leads from commercial enterprises were keen for us to use the FHRS brand for more of our work as that brand expansion gave them more influence with their marketing departments; we would look at using a transparent and numerated score in areas beyond food hygiene such as in our work on allergens.
98. Catriona agreed with the Board that we would look to link the ratings with other organisations where consumers already looked for information about where to eat.
99. Jason agreed with the Board that the tension between a decrease in the frequency of inspections for premises with good ratings and a decrease in confidence among consumers in levels of compliance by businesses was an important issue going forward; the targeting of businesses at the lower end of the spectrum as part of a more risk-based regime was necessary to consumer protection but all businesses needed to be regularly inspected to protect the credibility of the scheme.
100. John Barnes said some food businesses were improving their hygiene and compliance because they had invested in third party inspections. Businesses were comparing their third party reports and ratings with those produced by local authorities. As part of the Regulatory Strategy and as we moved to supporting local authorities to focus on the poorest performing businesses, we needed to look at how we secured ratings from third parties that we could trust to protect the scheme.

101. The Chair concluded that the Board fully supported mandatory display of FHRS rating in England. He said consistency between ratings was important and the fact that businesses were using ratings in performance management was a positive development of the scheme that we had not foreseen. The Chair thanked all those in the FSA involved in developing the scheme and local authorities for participating in the scheme. The Chair confirmed that the Board agreed with all the recommendations in the paper.

### **FSA AUDIT AND RISK ASSURANCE COMMITTEE – ORAL REPORT**

102. The Chair invited Paul Wiles, Chair of the FSA Audit and Risk Assurance Committee (ARAC) to present his oral report to the Board.
103. Paul said ARAC had met the previous day and discussed some results of internal audit reports and the preliminary results of the ongoing NAO audit. This was in preparation for publication of the Annual Accounts later this year and the ancillary documents that accompanied the Accounts.
104. They also discussed the first draft of a new Governance Map which was the high level version of how the Committee could provide assurance to the Board. The map covered the main elements of risk and audit across the organisation and so once it had been developed further it would be shared with the Board for their information.
105. ARAC had also discussed future internal audit plans and progress to date on the current internal audit plan.
106. Finally, the Committee recognised the need to re-examine how it provided re-assurance to the Board as the model of compliance used under the new Strategy shifted from one essentially dependent on official controls to one using both controls that the FSA operated and controls that third parties operated.
107. Steve Wearne had attended the Committee meeting for the discussion on the changing model of compliance and said that increasingly internal audits of the delivery of official controls would only provide part of the evidence of the success of our policies for public health protection.
108. There was a commitment in the Civil Service Reform Plan to develop policy audits and the FSA would be starting its own programme this year. This would enable us to look at the entire policy process from the generation of options through to delivery and would begin to give us a broader appreciation of the effectiveness of a range of interventions in the delivery of our policy objectives rather than just concentrating on official controls.

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**ANNUAL SUCCESSION AND DEVELOPMENT COMMITTEE REPORT (FSA  
15/03/07)**

109. The Chair invited Liz Breckenridge, Chair of the FSA Succession and Development Committee, to present the Committee's report for 2014/15 to the Board.
110. Liz thanked the Board Secretary, Rebecca Merritt, and the Board Secretariat team for creating an effective Board induction programme, which was really more of a continual development plan, for Board members who had joined most recently. It was a comprehensive programme giving an overview of all the work of the Agency which included worthwhile visits to organisations outside the Agency such as local authorities.
111. The Committee would encourage the Agency to continue to develop the induction programme as such investment of time and effort had given the new Board members a good oversight of the food industry and had allowed for more informed debate at Board meetings; the Committee envisaged the induction programme continuing in this way.
112. A Board member said the induction programme had been extremely helpful and undertaking the visits had been very valuable. Looking forward, given the loss of two Board members due to the establishment of Food Standards Scotland, there was the potential for the recruitment of new Board members. The Board member suggested therefore that it would be useful to look at development of the Board in a team sense and specifically interaction with the broader Executive team to review how well we worked together as a team challenging and developing issues for the FSA.
113. The Chair said it was on the forward plan for the Chair to undertake a Board Effectiveness Review later this year and that a further team development event was also planned. He had been awaiting the appointment of a permanent Chair, however we would now commit to doing the Review in the autumn.
114. The Chair said we would look to build on the work the Succession and Development Committee had done on undertaking a skills audit of Board members and go out to recruit new Board members through the public appointments process in the autumn with the aim of having them in place for spring 2016.
115. The Chair thanked Liz for the report and for having chaired the Committee. He said it was important to have a Board Committee that undertook a skills audit of Board members and to have an effective induction programme for Board members.

116. Finally, the Chair said he had previously asked Jeff Halliwell to take over as Chair of the Committee and would write to Jeff to confirm that appointment as of 1 April 2015.

**ACTION: Chair**

**REPORTS FROM THE CHAIRS OF THE FOOD ADVISORY COMMITTEES (INFO 15/03/01–03)**

117. There were no comments on the report from the Chair of NIFAC.
118. There were no comments on the report from the Chair of SFAC.
119. Roland Salmon, Chair of WFAC, reported WFAC member, Dr Norma Barry, had been appointed to the Welsh Food and Drink Industry Board which was part of the Welsh Government Food and Drink Action Plan. The Board was focused on economic growth but Dr Barry's appointment would help to ensure that food safety and authenticity remained on the agenda.

**DATES FOR FSA BOARD MEETINGS IN 2016 – ORAL REPORT**

120. The Chair announced that the dates for the 2016 FSA Board meetings had been agreed by all the Board members and would be published on food.gov following the meeting.

**ACTION: Board Secretariat**

**ANY OTHER BUSINESS**

121. The Chair advised that he had been notified of one item of Any Other Business, namely changes to the Civil Service Code.
122. A Board member said he had read in the press that the Civil Service Code had introduced restrictions on Civil Servants talking to journalists and was framed on the context of Civil Servants requiring Ministerial approval. Given the FSA's need to engage with the public and its status as a non-Ministerial Public Body, he was seeking clarification on how these changes to the Code would operate in practice in the FSA.
123. Catherine Brown re-assured the Board that there was clear provision in the guidance for non-Ministerial Public Bodies to have the appropriate lead person, in our case the Chair, to work with the Executive team to identify the right spokespeople for media work. There was also provision for delegating authority.

124. We would be looking to appoint a significant cohort of roles and individuals from across the Agency to do media work as well as giving key players in the Communications team delegated authority to bring in expertise from across the Agency to inform our media work. Catherine said we would comply with the guidance and do so in a way that enabled us to maintain our open and transparent approach.

**ACTION: Chief Executive**

125. As it was their last Board meeting, Jim Wildgoose and Liz Breckenridge thanked their SFAC colleagues, Catherine and the Executive team, and the Chair and the Board for all their support and wished Geoff Ogle and Food Standards Scotland staff well for the future.

126. The Chair thanked Jim and Liz for their contributions as Board members, particularly economics advice and consumer advocacy respectively and on behalf of the Board wished Geoff Ogle well in his role as the new Chief Executive of Food Standards Scotland.

127. The Chair advised that there was no other business to report and closed the Board Meeting.

#### **DATE OF NEXT MEETING**

128. The next meeting of the FSA Board would take place on Wednesday 3 June 2015 in Aviation House, London.

**MINUTES OF THE FSA BUSINESS COMMITTEE MEETING HELD ON 25 MARCH  
2015 IN AVIATION HOUSE, LONDON FROM 13:35 – 14:30**

**Present:**

Tim Bennett, Chair  
Rod Ainsworth, Director of Legal and Regulatory Strategy  
Liz Breckenridge  
Catherine Brown, Chief Executive  
Lynne Bywater, Director of Human Resources  
Jason Feeney, Chief Operating Officer  
Ram Gidoomal  
Chris Hitchen, Director of Finance and Strategic Planning  
Stephen Humphreys, Director of Communications  
Maria Jennings, Director FSA Northern Ireland  
Geoff Ogle, Director FSA Scotland  
Heather Peck  
Nina Purcell, Director FSA Wales  
Roland Salmon  
Jim Smart  
Steve Wearne, Director of Policy  
Jim Wildgoose  
Paul Wiles

**Apologies:**

Henrietta Campbell, Deputy Chair  
Jeff Halliwell

**In attendance:**

Richard McLean, Head of Planning, Performance and Change  
Rebecca Merritt, Head of Private Office  
Liz Olney, Head of Operations Assurance  
Michelle Patel, Head of Marketing, Communication and Consumer Insight

**WELCOME AND ANNOUNCEMENTS**

1. The Chair welcomed everyone to the meeting.
2. The Chair reminded everyone to declare any relevant conflicts of interest before discussions.

**MINUTES OF BUSINESS COMMITTEE MEETING HELD ON 28 JANUARY 2015  
(FSA 15/03/08)**

3. There were no amendments to the minutes and these were accepted as an accurate record of the 28 January 2015 meeting.

**ACTIONS ARISING (FSA 15/03/09)**

4. The actions were noted without comment.

**RESOURCE AND PERFORMANCE UPDATE – MARCH 2015 (FSA 15/03/10)**

5. The Chair welcomed Richard McLean to the table to present the paper.
6. Richard said this was the second report to the Business Committee in the new format, which we were developing for reporting performance against delivery of the new Strategic Plan as agreed at the Board meeting earlier that day.
7. To recap, there were three levels of reporting, Level 1 measurements/indicators were attached to outcomes to which the FSA could contribute but over which we did not have control; the outcomes were being developed and this report included more outcomes than last quarter's report and this trend would continue. At Level 2 were indicators linked to strategic work for which the FSA had sole responsibility. And at Level 3 indicators were focused on key internal measures of FSA efficiency and effectiveness.
8. Richard drew attention to slide 2 which showed what had changed since the previous quarter and the trend, for example the outcome "consumers can make informed choices about what to eat" had an upward trend. In most cases, the charts/tables/graphs had been updated to include Q3 data. There was still work to be done in the Report on how the work of the Portfolio Board was reported.
9. Stephen Humphreys drew attention to slides 6, 7 and 8 which gave information on consumers in the context of the Strategic Plan and included data drawn from Food and You data. The data in slide 6 gave an indication of consumer awareness of the FSA, consumer trust in the FSA, and the FSA's reputation. Slide 7 focused on public knowledge of the food hygiene rating scheme (FHRS). Slide 8 included another indicator of consumer awareness of the scheme; it then reported the percentage of consumers who reported believing/accepting the FSA's messages; and contained indicators relating to consumer behaviour in relation to FHRS and in relation to food hygiene standards. We plan to include further measures/indicators relating to the outcome "consumers can make informed choices about what to eat" during 2015.

**ACTION: Director of Communications**

10. The Chair then invited committee members to comment and ask questions.
11. Chris Hitchen explained that the key driver for underspend in the Westminster spend was AME (Annually Managed Expenditure) over which the FSA had no control; this was the budget agreed with Treasury to cover pension schemes of ex-local authority staff who had joined the FSA. Chris said in future we would focus the report on DEL (Departmental Expenditure Limits).
12. In response to a question about the increase in accidents with injury in Q3, Lynne Bywater said work was underway to further analyse this data but being busier over Christmas might explain it. Lynne said we were also looking at the increase in bullying and harassment which might relate to the roll out of further awareness training in operations.
13. In discussion on wine controls, Steve Wearne confirmed that they were not part of official controls rather they were part of the EU Common Agricultural Policy (CAP). Catherine said in terms of where wine controls fit in our strategic aims, it came under the review of European regulations to ensure they were risk based, proportionate and focused on delivering consumer benefits. Catherine agreed to provide the Committee with information on a one-off basis in the next report on how much wine inspection cost and where it fit within the FSA budget allocation.

**ACTION: Richard McLean**

14. In response to questions about the quality of the new data on consumer and public awareness of the FSA, Stephen Humphreys agreed that further analysis of the data was required before conclusions could be drawn from it, and Catherine agreed to provide the Committee with information on a one-off basis in the next report on where the data came from.

**ACTION: Richard McLean**

15. Liz Olney explained that the significant variation between the four countries of the UK in terms of meat food business operator compliance with regulations was due to the transition between the old and new system of audit arrangements in FSA approved meat establishments within the UK. A paper giving an update on the review of the audit arrangements was due to go to the June Board meeting.
16. In conclusion the Chair said the Business Committee had noted the contents of the Report.

**FSA BUDGET AND PRIORITIES 2015/16 (FSA 15/03/11)**

17. The Chair invited Chris Hitchen to present this paper.
18. Chris said this was the first budget for the period covered by the new Strategy and the themes from the Strategy were reflected in the budget: increased expenditure on science and evidence; ongoing investment in IT; and an increase in expenditure on consumer protection for example on tackling food crime.
19. Chris said we were mindful of the upcoming Spending Review and were undertaking a value for money review and looking to reduce spending for example in corporate services.
20. Now that we had a new Strategic Plan, we were developing a medium-term financial plan, which would cover the 3 years to March 2018.
21. A Board member asked how we knew that an increase of £1.7m for Science and Evidence was the right amount. Steve Wearne said he was pleased we had established a strategic science fund within the science and evidence spend which there had not been the previous year and that after this year, depending on how much research we could secure, we would be able to refine the figure going forward.
22. The Chair said while we were hitting internal sustainability targets on water etc, our bigger challenge in terms of the Strategy was to develop sustainable policy making in relation to food and food regulation.
23. In answer to a question Catherine said that if the FSA budget were to decrease after the General Election, given that we would be further along in our value for money review and have more data, the proportions of money as allocated in this paper to the various corporate priorities would not necessarily remain the same.
24. The Chair concluded by saying that this budget was important for delivery of the Strategy and that the Business Committee agreed the FSA's high-level budget for 2015/16 as outlined in the paper, while recognising the likelihood of some movement which would be regularly reported on.

**PERFORMANCE UPDATE ON OPERATIONAL ACTIVITY Q3 2014/15 (FSA 15/03/12)**

25. The Chair invited Jason Feeney and Liz Olney to present this paper.

26. Jason said we had now decided to stay with this format for reporting on Q4 of 2014/15 and would change to including operational activity information in the resource and performance paper for Q1 of 2015/16.
27. Liz Olney said that this report covered up to December 2014 which was the end of Q3 for 2014/15. At the January Business Committee we had only done a handful of audits under the new audit arrangements for FSA approved meat establishments across the UK. We had now done 300 or so and were gathering a wealth of information from them.
28. Liz also drew attention in the report to the inclusion of information for the first time on animal welfare; and our latest reporting from audits of local authorities across the UK.
29. The Board welcomed the inclusion of the information on animal welfare and asked for information on animals not stunned at slaughter. Liz said this was not data that the FSA currently collected. Catherine assured the Board that the bigger issue of transparency would be looked at during the wider discussion the Board were due to have on animal welfare in June.
30. During discussion on the new audit arrangements for FSA approved meat establishments across the UK, Liz explained that the number of slaughterhouses categorised as “improvement necessary” or “urgent improvement necessary” was not a representative breakdown due to the transition between the old and new system of audit arrangements.
31. Liz said we were getting better at collecting and using data to take action quickly against premises that were not performing well. A paper giving an update on the review of the audit arrangements was due to go to the June Board meeting.
32. The Chair concluded by saying the Business Committee had noted the information in the paper and that as discussed we were getting tougher on those businesses which were consistently not complying; the richer the data we were able to collect the quicker we could get at taking effective action against non-compliant businesses.

#### **FSA’S APPROACH TO DIVERSITY (FSA 15/03/13)**

33. The Chair welcomed Michelle Patel to the table and invited Lynne Bywater to introduce this paper.

34. Lynne said this was an annual update on progress on our work on diversity. In 2014 the Chief Executive had commissioned a strategic review of diversity focusing on both the importance of embracing diversity in attracting, developing and retaining an excellent workforce; and in enabling the FSA to deliver our mission of *food we can trust* effectively for the diverse communities in the UK. Subsequent to this, Michelle had led an internal task force to consider how we might embed a commitment to diversity in the organisation.
35. Michelle said the internal task force was made up of 26 people from across the Agency and explored ideas wider than those included in the external review. Members of the task force had pledged and had begun to deliver some quick wins. In relation to actions in the longer term, we were exploring a number of proposals such as: working to embed our clear vision of diversity as a campaign within the FSA; acknowledging the skills required for change as part of the HR plan; and role modelling.
36. We were also focusing on how we could reflect our diverse audiences better in how we engaged with consumers. We had been conducting focused analysis of our social science data, Food and You, to identify groups where attitudes and behaviours were different to others. This would produce a segmentation of consumer attitudes to food to inform our communications activity and our policies giving us a more nuanced picture of how to reach different groups in the UK.
37. While we were basing our analysis in what the data told us about diverse attitudes and practices, it had also identified that we needed to take a different approach to certain demographic groups and to certain ethnic communities. For example, our data showed in particular that people from black and Asian backgrounds were likely to report different practices in how they handled and prepared food and we were investigating the drivers behind this further.
38. Lynne said the next steps were for the diversity working group, led by Catherine, to establish KPIs, and look at our approach to diversity in recruitment and training.
39. Board members commended the work that had been done and emphasised that questions that probed understanding of diversity at interview when recruiting were crucial to breaking the mould of an organisation's make-up; the Chair confirmed that diversity was covered during the recruitment process for Board members.
40. In answer to a question Lynne confirmed that we did look at diversity by function and location across the Agency.
41. Regarding numbers of ethnic minority staff members across the UK, Michelle said it was relative, so there was an over-representation in Belfast and an under-

representation London. We had good representation of ethnic minorities at lower, but not higher, grades in London. We needed to take a wider view and engage with Civil Service wide diversity programmes because the FSA was too small an organisation to sustain and promote such programmes itself.

42. Catherine agreed that we could learn from bringing in wider communities and this had read-across for the work we were doing on openness. We were not looking to recruit people who looked different only to have them work in the same way, rather we were looking to encourage and empower our new and existing staff to bring their own diversity to work; this tied in with the work we were doing on the way we work.
43. Lynne thanked Michelle and the task force for their work and for coming up with far reaching recommendations that went beyond the strategic review.
44. The Chair concluded by saying that the Business Committee had welcomed and supported the approach and noted the information in the report.

#### **ANY OTHER BUSINESS**

45. There was no other business and the Chair closed the Business Committee meeting.

#### **DATE OF NEXT MEETING**

46. The next meeting of the Business Committee would take place on Wednesday 3 June 2015 in Aviation House, London.