
MINUTES OF THE FSA BOARD MEETING HELD ON 20 SEPTEMBER 2017 AT HILTON HOTEL, BELFAST FROM 08:45-12:20hrs

Present:

Heather Hancock, Chair; Laura Sandys, Deputy Chair; David Brooks; Ram Gidoomal; Rosie Glazebrook; Stewart Houston; Ruth Hussey; Colm McKenna; Mary Quicke; Paul Williams.

Officials attending:

Rod Ainsworth - Director of Regulatory and Legal Strategy
Simon Dawson - Head of Operations Assurance (for paper FSA 17/09/05)
Martin Evans - Acting Chief Operating Officer
Jason Feeney - Chief Executive Officer
Chris Hitchen - Director of Finance and Performance
Maria Jennings - Director of Northern Ireland and Organisational Development
Rebecca Lamb – Head of EU Exit (for paper FSA 17/09/04)
Richard McLean - Acting Director of Strategy
Julie Pierce - Director of Openness, Data and Digital
Guy Poppy - Chief Scientific Adviser
Nina Purcell - Director of Wales and Regulatory Delivery Division
Michael Wight - Head of Food Policy
Julia Williams - Animal Welfare and Delivery Assurance Lead (for paper FSA 17/09/05)

WELCOME AND ANNOUNCEMENTS

1. The Chair welcomed everyone in the room and online to the meeting. She was particularly delighted to welcome two new Board Members; Laura Sandys, Deputy Chair; and Mary Quicke. A third new Board Member, Stuart Reid was unable to attend and sent his apologies. The Chair gave further apologies from Director of Policy, Steve Wearne, and welcomed Michael Wight, as Head of Food Policy, in his place. The Chair reminded Board Members to declare any conflicts of interest prior to each discussion.
2. There were no items for Any Other Business.

MINUTES OF MEETING HELD ON 21 JUNE 2017 (FSA 17/09/01)

3. There were no amendments to the minutes and these were agreed as an accurate record of the 21 June 2017 Board meeting.

ACTIONS ARISING (FSA 17/09/02)

4. Rosie Glazebrook highlighted the ‘consumer interest in food systems’ matter arising categorised as ‘on-going’ and wondered if a more precise classification could be given. The Chief Executive Officer (CEO) noted that this term did not mean that the item had not been actioned but that it would be a feature of future papers as they are presented to the Board, reflecting the necessary consumer insight that the Board require.

CHAIR'S REPORT (ORAL REPORT)

5. The Chair said a full list of the engagements she had undertaken since the June 2017 Board meeting was available on the FSA's website.

6. The Chair stated that she had provided support to the CEO and his team addressing the contamination of eggs from other European countries with Fipronil. This included media appearances articulating the low level of risk to public health in the United Kingdom and the proportionate steps being taken by the FSA to maintain public confidence in the safety of food. The Chair was particularly impressed by the speed at which the FSA team responded to the incident over the summer. This was led by the CEO with Martin Evans and Richard Hoskin, and the work was undertaken in association with the Department for the Environment, Food and Rural Affairs (Defra). The CEO will be attending a meeting with Ministers and officials at a European level later this month (in Brussels) where he will be reporting back on the specific operation of the EU systems and processes.

7. The Chair said there will be a statement produced on behalf of the Board welcoming Defra's consultation on the mandatory introduction of CCTV in slaughterhouses across England. Heather underlined the point that the Board called for this a year ago and she was pleased that this was now being progressed. She also welcomed the Local Government Association's support of the Food Rating Hygiene System (FRHS) to be displayed as mandatory in England.

8. The Chair met the Secretary of State for Environment, Food & Rural Affairs, Michael Gove, and the Minister of State for Agriculture, Fisheries and Food, George Eustice, and discussed FSA advice on preparing to Exit the EU, Fipronil in eggs, our work in slaughterhouses and progressing the Ministerial group on the National Food Crime Unit (NFCU).

9. Last week, the Chair attended a seminar hosted by the Secretary of State for International Trade, Liam Fox, on the development of a future International Trade framework to realise consumer benefits, including low prices and greater choice.

10. In the coming week the Chair stated she will be meeting the Public Health Minister in Wales for a general update meeting. The point was made by the Chair that at present there are no Ministers in Northern Ireland to liaise with.

11. The Chair commented that she had had a productive visit in August to North Wales with the National Farmers Union (NFU), and was impressed by the innovative ways in which they were acting to reduce the use of antibiotics in the food chain to manage their stock.

12. The Chair informed the audience that in April 2016 joint correspondence from her and the Chair of Food Standards Scotland (FSS) was sent to the ten biggest retailers encouraging them to openly publish their own test results on *Campylobacter* in chicken, and the raw datasets on which the results were based. The Chair was pleased to announce that with the support of the British Retail Consortium (BRC), the

top nine retailers have committed to publish their Campylobacter results on their own websites, and the BRC will publish their anonymised raw data. Iceland was the only retailer who declined this request. It is expected that these results will be published in the first half of next month. Both she and the Chair of FSS have written to the nine retailers thanking them for their cooperation, and urging them to remain focussed on reducing Campylobacter in raw chicken.

13. The Chair also reported that the Board enjoyed meeting members of the Northern Ireland Food Advisory Committee yesterday evening.

CHIEF EXECUTIVE'S REPORT (FSA 17/09/03)

14. The CEO touched on the Ministerial meeting that he will be attending next Tuesday in Brussels on the recent Fipronil incident, and was interested in learning about the origin of the outbreak. He commented that this was probably the largest incident that the FSA has managed since the horsemeat incident in 2013. He gave special praise not only to his own team but to the communications team especially in the first two weeks of the incident. This was an especially demanding period for the communications team as they were dealing with two other significant media issues at the same time; the launch of the Defra initiative around slaughterhouses and Hepatitis E in Pork.

15. The CEO drew attention (in his report) to the issue around raw cow's drinking milk, noting the increase in incidents of Campylobacter with increased public consumption. He commented that an internal review has been launched to examine the FSA's procedures, policies and operational delivery in terms of this product. It is envisaged that the findings will be ready for the Board to review at the March 2018 Board meeting.

16. The CEO also highlighted to Board Members the Global Alliance (GA) on Food Crime and that the UK is one of the main protagonists with participation from Australia, New Zealand, Canada and America.

17. Lastly, in his closing remarks the CEO discussed this years' annual pay award to FSA staff which will be a 1% across the board pay increase. The pay award was successfully processed through the August payroll. The CEO stated that we are looking to develop a new performance and appraisal system to be introduced for 2018-19.

18. A Board Member asked the Chair about the fortification of flour with Folic Acid and its economic impact, including whether it would be possible to model the specific cost-benefit demonstrated by the initiative. The CEO agreed that it was possible to undertake this modelling. He mentioned that currently there is a joint initiative undertaken by Northern Ireland and Scotland on this matter.

19. The FSA Director for Northern Ireland & Organisational Development commented that it was certainly possible to do this in advance of pulling together draft regulation. There would be a full impact assessment at that stage and it would be easy to do the required modelling.

20. A further question from a Board Member related to raw cow's drinking milk, licensing, inspections of farms and the black market. The CEO replied that farms are required to go through an approval process and to be licensed to sell the product. There are more intensive inspection regimes for premises selling raw cow's drinking milk. With regards to the black market, the CEO stated that the FSA tend to rely mostly on intelligence within that community.

21. The Acting Chief Operating Officer (COO), Martin Evans, added that there are three different inspection periods ten years, two years and six months respectively, with six months for raw cow's drinking milk. The Acting COO emphasised that there are only certain avenues where their milk can be redirected for sale, and we use intelligence to ascertain if producers are redirecting their milk to anywhere other than the dairy it was initially intended to go to. We work closely with Red Tractor (who audit these premises on an 18 month basis) and the FSA visit on three separate occasions. FSA and Red Tractor both share data, hence, the FSA are confident that we would detect anything untoward. The Acting COO added that there are 40 dairy hygiene inspectors whose visits are unannounced, and a number of Red Tractor inspectors who carry out 'announced' inspections.

22. A Board Member questioned if there were a significant increase in the number of farms coming on stream to sell raw cow's drinking milk. The Acting COO concurred that there has been a significant increase in numbers; the total has increased to 175 to date, including six in Northern Ireland.

23. In response to a question about the better use of social science, the CEO confirmed that there will be a new head of Social Science at FSA whose role it will be to ensure we get value from our investment in this area. The CEO also indicated that we will be working more collaboratively with the science committee to ensure we commission the right type of research to support the priorities and direction of the business.

24. Professor Guy Poppy, the FSA Chief Scientific Adviser (CSA), added that the amount of social science we do in the organisation is varied and sited in different parts of the organisation. For instance the consumer insight team were more involved in communications and the social science team focused on behaviour. We need to bring these two groups together and get proper cross-over between the different types of social science we are interested in. He said that the former FSA social science committee would be refreshed. The social science review had helped to identify the skills we require in FSA, such as behavioural economics and risk communication.

25. The CSA anticipated that we would in future have the capability to get social science information to the right people in the organisation quickly, and be a better intelligent customer for what the organisation wants. The Chair stressed how important social science was to the organisation and how it influences everything we do. This was supported by the CEO who made particular reference to risk communication which he believed would be a critical component of the FSA's work going forward.

26. With regards to a question about chicken contamination, the Head of Food Policy outlined that the team are working closely with industry on a voluntary basis to reduce contamination. For larger producers and retailers, although it has been challenging, they have been able to facilitate significant improvements throughout with some large capital investment in some cases. A previous field campaign carried out by FSA operations staff had encouraged practices that would not necessarily require capital expenditure, particularly in smaller slaughterhouses. The campaign had been successful and raised awareness within the slaughterhouse industry.

27. Nevertheless, the performance of the smaller slaughterhouses needed to be improved. A pilot had been undertaken with some of the smaller establishments focusing on improving processes rather than financial investment. Additionally, the European Commission had introduced process hygiene criteria for poultry that sets declining levels of contamination that all slaughterhouses would need to meet. The Head of Food Policy was confident that the larger establishments in the UK would be able to reach the Commission's requirements but it would be more challenging for smaller establishments. There is work underway to consider how such establishments might be encouraged or supported to meet the criteria.

28. In response to a question from a Board Member, The Head of Food Policy stated that a report on the progress of second-tier slaughterhouses would be produced for the Board in the spring of 2018. He reiterated that although lots of good work has been done in this area, Campylobacter had not gone away and all FBOs needed to keep a firm handle on it.

29. A question was asked from a Board Member about the increasing trend of the consumption of raw drinking milk. He questioned whether the previous risk assessment is still appropriate and whether we need to look again at guidance and policies. The CEO made assurances that it would feature in the forthcoming report.

30. Replying to a question about our relationships with Local Authorities (LAs), the CEO agreed that with the development of the Regulating our Future (RoF) programme, the FSA is changing the relationships it has with Local Authorities. He pointed out that we are moving to a position that as the central Competent Authority we need to be clear about the standards that we expect from LAs. The FSA has systems in place that provide us with the assurance we need the performance of LAs individually, and relative to each other, but at the same time the FSA plays a supportive role by encouraging the sharing of best practice, and by facilitating cooperation between LAs.

EU EXIT (FSA 17/09/04)

31. The Chair invited the Director of Regulatory and Legal Strategy and the European Union (EU) Exit Manager, to present the paper to the Board for consideration.

32. Before proceedings began, the Chair wanted to put on record how impressed she was with the exceptional amount of work and progress the team has made in

responding to the set of issues that need addressing given the UK's intention to exit the EU.

33. The Chair explained the point that the paper being discussed is not about the UK negotiating position on exiting the EU as that is a matter for Ministers. She clarified that this is a paper about planning and preparing for a range of scenarios that may occur upon exit from the EU.

34. The Chair noted that that the Board had had an informal briefing on the consequences of EU Exit (in relation to food) in June. A note of that meeting will be published on the FSA website alongside the minutes of this meeting.

35. The Director of Regulatory and Legal Strategy began by saying that the paper presented is solely the FSA's viewpoint. He also wanted to thank other government departments and officials who assisted in the production of the document.

36. He mentioned the huge amount of work that his team are doing in coordinating this work, which is complicated, demanding and difficult. However, the FSA's statutory objective of protecting consumer interests in relation to food, enables us to stay focussed.

37. Before opening up the discussion to Board Members, the Chair made it clear that the outcome of this discussion will form the basis of our advice to Ministers.

38. A Board Member, before commencing her remarks, declared her interest as Chair of the Parliamentary Review in to Health and Social Care in Wales. She asked the Director of Regulatory and Legal Strategy if he could elaborate on the development of the regulatory framework moving forward.

39. The Director of Regulatory and Legal Strategy acknowledged that this is the most challenging aspect because the powers are devolved to the three administrations. Returning powers from the EU is politically very sensitive. However Director of Regulatory and Legal Strategy was confident that at local official level arrangements can be made to enable work to be discharged effectively. He commented that at this localised level there has always been an extremely close collaboration that he envisages will continue in the future.

40. Commenting, a Board Member felt the most salient issue is about relationships, partnerships and ways of working together rather than decisions on where powers lie. He sought reassurance that the FSA is actively looking at this issue beyond our remit of England, Wales and Northern Ireland.

41. The Chair observed that whatever arrangements Ministers choose, it should be made clear that it is not in the consumer interest to have an internal border across England, Wales, Northern Ireland (and indeed Scotland) on food standards and safety management. Thus we need a consistent and cohesive solution in the interests of consumers.

42. A Board Member asked what happens if there is a future food contamination incident – e.g. another Fipronil incident, after March 2019. She queried who would deal with this, and how this would be handled without the devolved administrations feeling side-lined.

43. The Deputy Chair stated that the FSA should be focusing on commonality, principles and outcomes. We should be developing a collective system through collaboration and much greater levels of cross border cooperation. With products moving across borders, the idea that we could have inconsistencies would not be serving consumer trust in food.

44. The Director of Regulatory and Legal Strategy stressed that our partners in FSS share the same commitment in retaining consumer trust. It was more an issue of timing, the FSA are able to discuss these issues whereas the FSS are simply not in that position at present. He was confident we would be in the position to discuss the way in which we are collaborating in good time.

45. Addressing the Board member's point, the Director of Regulatory and Legal Strategy insisted that we would find a way to manage any contamination incident, and any Local Authority, consumer or business would know who to contact. We would be focussed, as we always are, in protecting consumers.

46. The Chair noted that if there were another Fipronil incident, the concern would be that we could respond to it in three different ways, and create uncertainty and discontinuity. This would not be in the interest of either consumer or business.

47. A Board Member expressed the view that, from a food perspective, the model we have works well. It is tried and tested, and we need to work as advocates of maintaining as much of what we have today as we go forward.

48. Replying to a question on the increased risk of food crime and the development of the NFCU, the CEO indicated that the risk to the future of this unit on exiting the EU has indeed been highlighted. He stated that our plans and our request to Treasury are for additional funding in order to move the NFCU to its second stage. The Board decided in November 2016 to move the NFCU to the second stage but only if it had the necessary funding to support expansion. The CEO noted that EU exit accelerates that requirement.

49. A Board Member raised the importance of maintaining relationships with others, especially with regards to surveillance which has a big impact on food safety. He cited the case of Fipronil where much of the intelligence and information came from Holland and Belgium.

50. Director of Regulatory and Legal Strategy responded that we are presently remodelling and improving our approach to surveillance. We will be more reliant on surveillance when we are not part of a wider community. He stressed that we are focussing on every aspect of our regulation and making sure that it is fit for purpose and that it will work as we exit the EU in March 2019, including planning our approach to surveillance and food crime.

51. The Chair underscored the message that there needs to be a much wider range of functions that need to happen in food safety and standards and those need to be in place from day one. Not doing so would be a potential risk to public health.

52. A Board Member asked if there were any risk to the independence of FSA decision making if some of the decisions on what actions are to be taken have Ministerial oversight.

53. The Director of Regulatory and Legal Strategy made clear that the role of the FSA is to be independent and being prepared to express an independent view. This will not change and is a key feature of what we do. However, there will be some decisions that are innately political and beyond our remit and where our role would be to offer advice. Equally there will be more decisions taken in working groups on technical matters. It would make no sense for that situation to change.

54. The Chair endorsed the Director of Regulatory and Legal Strategy's view by citing that between 70 or 80 decisions on food standards issues are taken every month. A vast majority are of a technical nature. In a small number of issues like, for example, Genetically Modified (GM) crops, it is not the role of the FSA to decide on the UK's position. However it is within the remit of the FSA role to decide on more technical aspects of food safety.

55. On the issue of our future relationships with pan-European organisations and bodies the Director of Regulatory and Legal Strategy said that our relationships with such organisations will very much depend on the outcome of EU exit negotiations.

56. The CSA stated that the FSA makes enormous and significant contributions to many Pan-European bodies. He informed the Board that Jo Johnson, Minister of State for Universities, Science, Research and Innovation has reaffirmed the UK will continue to participate in the Horizon 2020 funding programme. In addition, the Government's Chief Scientific Adviser has spent time gathering information around National Reference Labs (NRLs) and infrastructure which the UK is reliant upon in terms of being able to be a world leader in research.

57. The Chair added that we have already commissioned advice from the Science Council on our future science capacity and capability which will encompass our reach into the European Food Safety Authority (EFSA). The Chair reiterated that whatever the EU Exit arrangements, it is imperative we have science capability and capacity.

58. A Board Member flagged two concerns, the first being port capacity; without the appropriate port capacity there could be a serious risk to consumer safety. The other danger is the reduction in numbers of EU workers in the labour force. If EU workers are less available in the future an under resourced industry or business will feel under stress and that may lead to risks to consumer safety.

59. The Chair took the opportunity to share informal feedback from the Food and Drink Federation (FDF). She pointed out their reinforcement of the importance of a

future relationship with EFSA. Another FDF priority was the issue of ports, which the FDF feel is critical.

60. Clarification was given to a Board Member with regards to the FSA undertaking international engagements now, and after 2019. The CEO stated that nothing will change until after March 2019 and we will still carry out engagements as before. The CEO confirmed that the FSA is increasing its international effort and engagement beyond the EU, for example the FSA is doing work with the Global Food Safety Institute (GFSI), with CODEX and engaging directly with like-minded countries on areas such as Food Crime.

61. The Chair explained that we undertake these activities as our own entity as an individual member state and not necessarily under the EU flag. The CEO added that the work with the GFSI is in tandem with FSS, as is some of the international engagement we undertake. The Director of Regulatory and Legal Strategy confirmed that international engagement has happened and both we and other member states continue to do that. We do that whilst remaining part of the EU, and never act contrary to the position of the EU.

62. On a question voiced by a Board Member on resources and capacity building, the Director of Regulatory and Legal Strategy said that in this area there is joint working by individuals who are running the FSA programme of work and the Director of Finance and Performance's team. We are costing our efforts from here to 2019 and beyond. We have had an increase in funding from the Treasury in the first half of this year and we have in the last two weeks made a detailed submission to the Treasury indicating our requirements for the rest of this year and through to 2019. The Director of Regulatory and Legal Strategy made clear that in order to do our job effectively we require a significant increase in FSA capacity.

63. The Chair raised again the issue of port controls and the concern that the FDF and its members have on the matter. The worry is the possible delay in the ports of entry and the FDF are pressing for early and swift progress in this area. The Chair said this subject had featured in this morning's Today Programme.

64. The CSA made the Board aware of cutting edge technology which may assist in port controls. He spoke about 'Block Chain' technology and the tracking of ships which might be a significant technological innovation in terms of enabling rapid entry and unloading. At present he's in conversation with people developing this technology.

65. A Board Member underlined the importance of the timeliness of decision making. The lead in time to whatever the new system looks like and that on day one it has to be a fully functional system that clearly works.

66. Touching on IT systems, the Director of Openness, Data and Digital said many of the systems in use we do not own. Thus if IT needs to be replaced or enhanced it may fall outside our responsibility. Therefore we need to work with colleagues in other departments to ensure those systems would be fit for our purposes. She assured the Board that these conversations are already being had.

67. The Chair discussed the importance of the workforce and that to a large extent we are dependent on vets and meat hygiene inspectors coming from other EU states. She reassured the Board that this issue has been flagged and that she was confident that we would find solutions.

68. A Board Member asked if there was a skills shortage and what do we need to do to encourage the training of vets within the UK? The CEO replied that we are engaged with organisations like the British Veterinary Association (BVA) and other interested bodies to see what can be done to increase domestic capacity. We are looking internationally in the short term but we have a medium term ambition to increase domestic numbers of UK vets. The Acting COO added that a year ago we started to organise workshops with all the vet colleges in the country to explain what meat hygiene work is all about and ignite students' interest in it.

69. In response to the Board Member's question about the full extent of the labour shortage and do we have a plan B if it gets worse, the CEO said that we are clear on the numbers and the scale of the problem. With our conversations with the BVA and others they're looking to recruit more internationally and get to a stage of mutual accreditation, which would mean a more free flow of vets.

70. The CEO cautioned that with all these contentious issues such as labour force and ports that as a Board we continue to remain agile in terms of our solution development. We should not be tied into a particular solution that may not suit the outcome that may not come for another three to six months.

71. The Chair summarised the significant key points of the EU Exit discussion:

- From day one we believe it is important that there is a safe and effective unified system which encompasses a robust regulatory regime to maintain consumer confidence, to protect public health and the consequence of that for trade in food to also operate smoothly within and outside our borders. That regime needs to encompass risk assessment and risk management.

- We have said that consumer interests and food businesses are both better served by a future system that respects devolution arrangements but minimises the risk of divergence of consumer confidence.

- We talked through a range of specific and operational delivery components and potential solutions so that we can achieve those ambitions and we discussed a workable mechanism that can be brought forward.

- Preserving the independence of risk assessments and balancing such a large volume of them is both a technical and high profile issue where broader political and public concerns arise. We recognise here that Ministerial oversight and engagement is right and proper.

- Following from this will be a series of critical decisions about the need to strengthen the NFCU which includes investing in it. We already have a Board position that we cannot strengthen that unit without having the resources to do it. The heightened emphasis that exiting the EU gives to the NFCU also heightens the importance of it being properly resourced.

- The importance of import and export controls and processes being adequately thought through, planned for and resourced.

- Science capacity and capability will remain critical. We hope that this will encompass some access to EFSA. However we will need to have our own science capability and capacity to meet our risk assessment obligation.
- The value of notification systems and the complexity of replicating them.
- The importance of recognising the labour and workforce implications both in terms of our own workforce but also about the wider risks that the food sector is talking about and the consequences that those risks may create for food safety and proper implementation of controls
 - What we are looking for is certainty and confidence about our role as soon as possible so that we can better plan for and deliver solutions and secure the resources necessary to do it and manage the risks that are inherent in this.
 - In conclusion, we welcome the level of collaboration and mutual working that already exists and which has been reinforced throughout the discussion between ourselves, FSS and all the Ministerial departments that we engage with in the three countries that we serve. Also with the FSA of Ireland and the wider international picture which our CEO has painted and which we recognise is really important in terms of delivering the right system for the future.

ANNUAL REVIEW OF STANDING ORDERS & TERMS OF REFERENCE (FSA 17/09/08)

72. The Chair stated that the paper had been updated last year and hence no material changes this year. However the Chair wanted to flag that there will be significant consequences as regarding the FSA's scope, role and how we operate will inevitably change with exiting the EU. The Chair invited comments on the ToR paper.

73. A Board Member referred to the risk register and felt that given the issues we have were there any thoughts of the Board being involved in the full risk register. The Chair replied that there is annual Board session reviewing risk and setting the framework for the year. The next review will be in January.

74. Another Board Member raised two issues. One was to have a forward Board agenda, which will schedule when issues are to be discussed.

ACTION – FSA Private Office

75. The second was the concern that spending £80-100K a year in Live Group broadcast is not worthwhile. He questioned whether there were other ways to deliver the commitment to openness and transparency in a more cost effective manner.

76. A Board Member said that he would not like us to step away from the broadcast. He valued the opportunity for anyone to look in and gain overview of how we work. However, he did agree that considering a more cost effective way of doing this was worthwhile.

77. The Deputy Chair argued that we should be looking to encourage more people to view the stream and highlighted that maybe the communication around the output could be amplified. The Deputy Chair added that the FSA is a unique department that

doesn't have ministerial accountability in the same way as other departments and the broadcast was part of the FSA's Commitment to transparency.

78. A Board Member concurred with the previous speaker and stated that he was not impressed with the low numbers of people who view online. He argued that there must be other ways to make this more cost effective from an IT point of view.

79. The Chair made it known that she would be extremely reluctant to step away from something that has been an embedded way of operating for a number of years in the FSA. In addition, she felt it could send out the wrong signal to our fundamental commitment to openness and transparency. However she was in agreement that more efficiency with the same outcome needed to be achieved.

80. The Director of Openness, Data and Digital said that from a communications point of view this is only one part how we engage around the Board. Much goes out on social media and we are encouraging those conversations to happen before, during and after every Board meeting. From a technology point of view, we had looked previously to see whether there was a cheaper but equivalent way of achieving the broadcast without success; however the recent drop in technology prices may offer a good opportunity to revisit this.

81. The Director of Finance and Performance stated that technology costs have reduced significantly. He suggested that this, along with all other prioritisation decisions, should be discussed as part of the budget.

82. A Board Member agreed with the Director of Finance and Performance about examining budgeting process and costs. He felt a move away from broadcasting the event could be misconstrued. He suggested recording the event and making it available for those who want to see it.

83. Another Board Member mentioned that timing is against us. We are going to work out a new direction for the agency and that would be the right and appropriate time to revisit this issue. He expected the Executive Team to constantly look at value for money which he is sure they are doing.

84. On an unrelated matter, the Board Member highlighted an inaccuracy in the ToR paper. The Department of Health and Social Services no longer exists and has not existed since 2016. It should read either the Department of Health or Minister of Health.

85. In summary, the Chair said we need to continue the drive in efficiency in the way in which our current ambition is delivered. How we achieve our objectives of evidencing our transparency and being fully accessible will form part of the new Communications Director's strategy. Plus the normal value for money drive carries on. We will make those amendments to the ToR.

ACTION – FSA Private Office

86. The Chair received consensus from the Board on the two action points on the review of standards of regulatory bodies. On a related issue the Chair stated that the Science Committee recommended updating the policy of managing interests. That work is currently underway and a consultation is about to begin. The Chair suggested that in order to have a consistent and coherent approach the Audit and Risk Assurance Committee (ARAC) should look into this.

ACTION - Audit and Risk Assurance Committee

ANIMAL WELFARE UPDATE (FSA 17/09/05)

87. The Chair invited the Acting Chief Operating Officer (COO), along with the Head of Operations Assurance and the Animal Welfare and Delivery Assurance Lead to introduce their paper.

88. The Acting COO highlighted four issues contained in the paper. Firstly, the progress made around Deter, Prevent, Detect and Enforce especially around the Chronos work that we have introduced. Secondly, the collaborative work we have done with the poultry industry. Thirdly, the Defra consultation on CCTV and slaughterhouses and finally, the funding implications in respect of what we deliver around animal welfare.

89. The Head of Operations Assurance said he was proud of the progress made on delivering improvements to animal welfare standards since the last Board update in September 2016. He said that we have strengthened the governance, improved reporting and maintained the profile of animal welfare. In addition we have strengthened engagements with our contractors. The issue of animal welfare is now regularly and routinely discussed at senior management level and in joint industry meetings.

90. The Head of Operations Assurance added that we have brought online the new animal welfare reporting system Chronos. This has brought benefits in terms of providing more granular data. We have used that in our work with the poultry industry to understand the reasons for non-compliance and agreed actions to drive improvements. We are working closely with industry which has been valuable in terms of feeding into the FSA response to the Defra consultation on CCTV. He cautioned that despite progress we are not complacent and there a number of other initiatives that we would like to take forward subject to funding.

91. The Animal Welfare and Delivery Assurance Lead, in her opening remarks, referred to poultry as a high volume industry with over 950 million chickens slaughtered annually. Inevitably, this suggests that we expect to see a higher than average proportion of welfare non-compliance. It was recognised that the majority of welfare non-compliance occurs on farm and on transport. From the data produced some of the welfare issues identified specifically related to crates and we have worked closely with the poultry industry representative and a large poultry company and looked at the crate system that they use in transporting chickens. As a result we developed the Crate Rag status system. We are looking for suppliers to take damaged crates out of their system. Once a crate has been damaged it is marked as amber and once confirmed as damaged it needs to be taken out of the system. The system was

rolled out in the poultry industry earlier this year. We will scrutinise the findings when we have a year's worth of data to review.

92. The Animal Welfare and Delivery Assurance Lead mentioned that with Chronos it is now possible to capture not only details of the haulier but also the driver's details and their vehicle. We have been sharing this data with Animal and Plant Health, Trading Standards and Local Authorities. We have introduced, as part of cross agency working, a one health welfare system, which is a triage system. We find information from Chronos and share with those other agencies. Although the trial is in its early days we are already seeing referrals of investigations of hauliers from the Local Authorities and triggering of vets visits to farms. Again we are waiting for nine to 12 months of data so that we start the analysis.

93. On the on-going welfare action plan, the Animal Welfare and Delivery Assurance Lead said the FSA is hoping to develop Chronos 2 so that the data we get is consistent and that there are areas of enforcement that we want to bring in to the system to increase join up. We also want to continue with the voluntary CCTV protocol that we are working on with industry. We intend to take that to a conclusion and roll out voluntarily with industry pending the outcome of the Defra CCTV consultation.

94. The Animal Welfare and Delivery Assurance Lead went on discuss other protocols that the industry is keen to work with us on. These included sheep and cattle lameness with regard to food transport, as both are big issues in the welfare world.

95. The Chair gave special thanks to the Acting COO and his team in presenting the evidence and data to the Board in such an accessible fashion.

96. Responding to a question from a Board Member about CCTV not being cost neutral the Acting COO agreed that CCTV should be seen as supplementary to animal welfare. However he noted that there is a cost involved with regards to what we want to do going forward - to work with businesses and better utilise CCTV.

97. The Chair asked that we reflect the costs of implementation in the FSA response to the Defra consultation on mandatory CCTV. She confirmed the FSA support for mandatory CCTV but not at nil cost, particularly as the current levels of funding transfer for delivery of animal welfare policy do not meet the full cost of delivery.

98. The Animal Welfare and Delivery Assurance Lead provided assurance that this would be captured and also updated on the ongoing negotiations with Defra on the funding of delivery of animal welfare policies as reflected in the FSA/Defra Service Level Agreement (SLA).

99. A Board Member stressed the point that animal welfare is the Food Business Operator's responsibility, and CCTV was a useful management tool in meeting that responsibility.

100. The Head of Operations Assurance agreed and confirmed that as a consequence of some of the covert footage taken over the past 18 months, FSA had produced good practice guidance on a number of issues.

101. A Board Member said that it was useful to have a welfare steering group with Defra involvement. He also thought that that it was crucial to get an understanding of the costs involved. He congratulated the team in the real progress made in Animal Welfare as it is a genuine concern for consumers as well as the Board.

102. A Board Member made reference to the consumer interest highlighted in the paper. She wanted to know how we could harness this information for the public. It is something that the Board and the communication team could look into for the future.

103. A Board Member supported the use of CCTV but cautioned that we also need to be careful of the abuse of CCTV. He highlighted examples at the UK Border Agency where abuse of inmates and refugees was widespread even though CCTV was installed in every prison and detention centre.

104. In response to the Deputy Chair's question on legislation, the Head of Operations Assurance replied that the timing was driven by the fact that there had been a manifesto commitment. On the Deputy Chair's second point about wider cost implications, he intimated that this would be definitely flagged up with Defra but ultimately it will be up to Defra to calculate the wider industry cost impact.

105. The Animal Welfare and Delivery Assurance Lead mentioned that there will be an additional cost for us to ensure CCTV is fit for purpose. The Director of Openness, Data and Digital also said that we are solely funding Chronos. Anymore continued development with IT systems will come out of the FSA budget and thus needs to be accounted for.

106. A Board Member was encouraged that we are collecting information and by the work happening with poultry groups. He added that it would be good to see some more clarity over the detailed action plan and targets from the poultry groups to see what they can deliver.

107. The CEO noted that he was pleased to see an increasing focus on prevention to compliment the work undertaken so far on enforcement. He argued that prevention is where the better solution lies for the FSA, for industry and not least for the animals. Preventing animals suffering in the first place is the right answer. He added that it was really encouraging to see that we are moving to this next phase of animal welfare protection.

108. A Board Member, on the issue of sheep and cow lameness stated that the cattle health and welfare council and the sheep health and welfare council recognise this as a problem. The way they are going to address this is detailed in the annual reports from both those organisations. He will send links to members.

ACTION – Board Member

109. On the matter of animal welfare the CSA made the point that CCTV is another way of collecting lots of data which do not have much value until you know how to use that data and act upon them. The CSA stated that we do need to think about the

whole pyramid in terms of the streaming of the data at the bottom, and what it is we are doing at the top.

110. The Acting COO drew attention to the importance of collaboration and partnerships highlighted in the paper with industry and various stakeholders. He discussed the increased, regular engagement with Defra. He also mentioned the great work that his meat inspectors were doing making unannounced visits to premises. He said that we want to build on what we are doing, take on board all the points discussed and come back and update the Board on the progress and where we have taken the whole process.

111. In summary the Chair welcomed the progress and continual improvement that has been made. The drive towards prevention was particularly welcomed by the Board. It was pleasing to see the early results from Chronos. For some time the Board had wanted better and more data and for the data to be put to productive use. The Chair added that the proposal for the CCTV can be included in the response to Defra and that the Board remains committed to its view that this is a useful additional management tool and will help give the consumer assurance about animal welfare. However it cannot be cost neutral and we cannot make an open ended commitment whatever is decided at consultation unless it's in agreement with the FSA.

112. The Chair stressed the importance of putting more information in the public domain which will give the public more assurance about the progress being made in this area.

113. The Chair concluded that she will be meeting the Public Health Minister in Wales next week to discuss their position on mandatory CCTV. The department in Northern Ireland have full control in this area.

ANNUAL REPORT FROM THE NORTHERN IRELAND FOOD ADVISORY COMMITTEE (NIFAC) CHAIR (17/09/06)

114. The Chair invited the NIFAC Chair to present the paper. No declarations of interest were forthcoming.

115. The NIFAC Chair explained that NIFAC had a clear focus on consumer interest and stakeholder engagement. Additionally, developing important relations with academia, industry, consumers and especially with government as we need to keep and maintain front and centre the importance of food and food safety.

116. Over the year highlights have been the stakeholder engagement which included holding NIFAC strategy meetings at stakeholder premises.

117. The NIFAC Chair noted that we have a good committee which has been strengthened recently. Personnel from the committee have come from a range of backgrounds including consumer affairs, behavioural science, agricultural food industry, agricultural food journalism, public health and members of the Ulster Farmers Union. The NIFAC Chair was pleased with the eclectic mix on the committee as they can bring perspective from a range of areas

118. The NIFAC Chair stated that a competition was run in April even though there have been no Ministers for much of this year. It was successful with five suitable candidates. Two have already joined in August and a third member will join in April 2018.

FSA IN NORTHERN IRELAND: DIRECTOR'S UPDATE (17/09/07)

119. The Chair invited the Director of Northern Ireland and Organisational Development to present her report.

120. The Director of Northern Ireland and Organisational Development outlined that her team has moved swiftly to prioritise work to align with the Board's renewed focus for the organisation to be an excellent accountable modern regulator. She said with relation to exiting the EU we have worked hard over the summer to speak to colleagues in the executive office and a number of government departments in Northern Ireland to ensure that food related matters are front and centre of any conversations. She added that thinking is being developed on how regulation and enforcement should be modernised and that programmes have again been re-examined by the Local Authorities over the summer and we will continue to work with our key partners on this.

121. The Director of Northern Ireland and Organisational Development expressed thanks to the NIFAC Chair in helping to officially launch our Eating Well Choosing Better (EWCB) programme in June, she highlighted that dietary health work is important to us and we are making a huge contribution across the public sector to keep people healthy.

122. The Director of Northern Ireland and Organisational Development stressed that with a small number of staff and limited resources we do not do anything by ourselves. Thus as highlighted in the paper we work closely with a lot of key partners especially Department of Agriculture, Environment and Rural Affairs (DAERA) and the district councils.

123. In conclusion the Director of Northern Ireland and Organisational Development highlighted that her Food Crime Liaison Officer had made a significant mark in his first year working closely with his colleagues in the Food Crime Unit and building strong relationships locally with other enforcement bodies.

124. The Chair noted that she had over the summer personally seen the relationships that the Director of Northern Ireland and Organisational Development had been developing at a very senior level across the wide spectrum of government in Northern Ireland.

125. A Board Member noted the different approaches that the Northern Irish and Welsh Directors bring to the Board as a strength and added that this helped the Board to focus on issues from a different perspective.

126. Responding to a question about the evaluation of the Calorie Wise scheme, the Director of Northern Ireland and Organisational Development replied that we wanted to make sure that there are lots of businesses displaying before we then go to consumers and have that conversation with consumers. The next phase is coming with a consumer campaign and then consumer insight on how the public use the information on calories.

127. The Chair and Board agreed to the principles laid out in the Director of Northern Ireland and Organisational Development's paper about the way our work is guided in Northern Ireland.

2016-17 ANNUAL REPORT FROM THE CHAIR OF THE AUDIT AND RISK ASSURANCE COMMITTEE (ARAC) & ORAL REPORT FROM 19 SEPTEMBER 2017 ARAC MEETING (FSA 17/09/09)

128. Chair informed the Board that this combined paper to be presented by the Chair of ARAC is the annual report to the Board from last year. The conclusion is to confirm that it discharges the work programme that we agreed with ARAC last year. Once agreed the current Chair will do an oral report of yesterday's meeting. The Chair invited questions about ARAC's work from last year.

129. In response to a question about assurance levels the ARAC Chair mentioned that at present it is 83% satisfactory or better. There are two limited reports and those reports have been revisited fairly quickly to try to get improvement.

130. The Chair noted that an annual work programme report is a helpful, but it was also useful to hear the views of the Committee for greater context.

131. The ARAC Chair indicated that yesterday's ARAC meeting was useful and it was pleasing to see the new Board members attending their first ARAC meeting. He said there were good discussions around a number of issues. We did consider the Risk Register but only one risk was red which was surprising considering where we are not just in the FSA but in the public sector in the UK. Thus we had a productive discussion over some of the others; especially risks in relation to EU exit. He noted that ARAC have encouraged the Executive Management Team (EMT) to examine these risks ahead of their next meeting in December 2017. This will be followed by a full Board discussion on risk management during January's Board Retreat.

132. The Chair of ARAC also reported that after examination yesterday, the internal audit progress report was found satisfactory. However he did note ARAC's desire to look at the internal audit team as a business improvement resource which will need further work. ARAC considered the DG SANTE (EU Directorate General for Health and Food Safety) report and the ARAC Chair noted that ARAC would be keen to be involved in any audit activity not just internal audit activity. We would also want to have a look at some of the DG SANTE audits as well which will allow us to develop best practice and see examples of good and bad practice.

133. ARAC also spent time considering ARAC self-assessment which was carried out by three of the Board Members on ARAC. The ARAC Chair said it brought through

some definite training needs for all members and that the plan is to work with the National Audit Office (NAO) and others to enhance the necessary training that's going to be required.

134. There was an update on the power outage in Aviation House in April. The ARAC Chair said they were given verbal assurance in June and yesterday, given written assurance. With regards to the London Office move to Clive House it is still on schedule for early next year. ARAC also considered the Evolve IT project and where we were on that which is critical to the businesses. We have asked the EMT for a written update to be presented at the next ARAC meeting in December.

135. The Chair enquired about the engagement of internal audit in the RoF programme and wondered whether that connection had been made. The Director of Wales and Local Delivery confirmed that she was confident that the project was on track

REPORTS FROM THE CHAIRS OF THE FOOD ADVISORY COMMITTEES (INFO 17/09/01-02)

136. The Chair of Welsh Food Advisory Committee (WFAC) said the issue of food security appeared strongly in consumer surveys in Wales which is highlighted in the missive. The WFAC Chair was pleased to announce two new members; one from a fisheries background the other from a meat production background. Both Members joined the WFAC in September.

137. The WFAC Chair reported that Committee Members visited shows in the summer. WFAC are now reviewing and improving this programme for next year. WFAC had reflected on raw drinking milk, given the outbreak in Wales, and also on less-than thoroughly cooked burgers. The WFAC Chair noted the Director of Wales and Local Delivery's earlier comment and was pleased that further correspondence will be forthcoming.

138. In reply to a question about how effective the shows were the WFAC Chair said that engaging families generated very positive feedback as had engagement by using professional means of communicating and drawing interest. The Committee Members received an interesting range of views and knowledge from the public. The WFAC Chair said that there was an even split between people who know us and others who did not know a lot about the issues or the existence of the FSA. Thus there were a lot of lessons learned and WFAC will pull the information together and think about how to maximise engagement opportunities and also how to prioritise them. The WFAC Chair concluded that WFAC has talked about how to reach people who don't go to the shows and now needed to think what other events might be happening where food can be brought in to part of somebody else's event.

139. The Deputy Chair made a general point about the reputation of the FSA and how much we are respected and trusted by the public. She said as we move forward to the next stage we need to look at the texture of who we are which may become important as in terms of trust, reputation and how we are perceived.

140. The Chair thought that it would be for the new Director of Communications to consider these implications articulated by the Deputy Chair.

141. The NIFAC Chair noted that there was little to contribute which had not been covered earlier in the meeting. The NIFAC Chair said that NIFAC held their open meeting at the Fishermen's Cooperative in Toome, County Antrim. They gave the CEO the opportunity to address attendees before the formal meeting started and there was a good presentation from an official at our Belfast office on Shellfish Official controls.

142. The NIFAC Chair said the Shellfish Official Controls presentation was interesting in relation to EU exit, as the mussel beds in the lochs lay between both borders thus would they be British or European mussels? The NIFAC Chair considered that this maybe a food and regulatory interest as in where the mussels are and where they landed. He indicated that our good relationship that we enjoy with FSA Ireland will be extremely important as we go forward. The Chair said that this would be a good example to test how good any future system is going to be.

143. A Board Member said that the Veterinary Medicines Directorate are to discuss the next antimicrobial resistance five year plan. He will be involved and a future Board meeting may want to have the opportunity to discuss the plan when it is developed. The Chair stated that it is in our Board agenda as an update for the spring meeting.

ANY OTHER BUSINESS

144. There were no items for Any Other Business.

DATE OF NEXT MEETING

145. The next meeting of the FSA Board will take place on Wednesday 6th December 2017 at Aviation House, London.

**MINUTES OF THE FSA BUSINESS COMMITTEE MEETING HELD ON 20
SEPTEMBER 2017 IN HILTON HOTEL, BELFAST FROM 11:25 to 13:00hrs**

Present:

Heather Hancock, Chair
Laura Sandys, Deputy Chair
David Brooks
Ram Gidoomal
Rosie Glazebrook
Stewart Houston
Ruth Hussey
Colm McKenna
Mary Quicke
Paul Williams
Jason Feeney, Chief Executive Officer
Rod Ainsworth, Director of Legal and Regulatory Strategy
Martin Evans, Acting Chief Operating Officer
Chris Hitchen, Director of Finance and Performance
Maria Jennings, Director FSA Northern Ireland and Organisational Development
Richard McLean, Acting Director of Strategy
Julie Pierce, Director of Openness, Data and Digital
Guy Poppy, Chief Scientific Adviser
Nina Purcell, Director FSA Wales and Regulatory Delivery
Michael Wight, Head of Food Safety Policy

In attendance:

Simon Dawson, Head of Operations Assurance
Kathryn Baker, Head of Consumer Protection
Noel Sykes, Head of Openness
Denise Fitzsimons, Head of Programme and Project Delivery

Apologies:

Steve Wearne, Director of Policy and Stuart Reid, Board Member.

WELCOME AND ANNOUNCEMENTS

1. The Chair welcomed everyone to the meeting and noted apologies from the Director of Policy and Stuart Reid.

**MINUTES OF BUSINESS COMMITTEE MEETING HELD ON 21 JUNE 2017 (FSA
17/09/07)**

2. There were no amendments to the minutes and these were accepted as an accurate record of the 21 June 2017 Business Committee meeting.

ACTIONS ARISING (FSA 17/09/11)

3. There were no comments on the Actions Arising.

PERFORMANCE AND RESOURCES REPORT Q1 (FSA 17/09/12)

4. Before inviting the Acting Director of Strategy to present the paper, the Chair gave a brief summary of the background and history of the paper including the work that had already been undertaken. The Chair recognised that this was still very much work in progress.

5. The Acting Director of Strategy said that the FSA is at its highest level in terms of trust and public perception. This underpins some of the FSA's other work in engaging with consumers and helping them to protect themselves from food safety risks. He also outlined how the FSA is managing itself as an organisation in terms of change, people and money.

6. The Acting Director of Strategy stressed that the report is more concise and focused; having fewer but the right KPIs to enable the Board to see whether the FSA is delivering the strategy and the level of positive impact this may be having on the external food system for the benefit of consumers. He identified a link to a lower level of performance reporting which EMT are now doing on a monthly basis; scrutinising the next level of indicators.

7. The Acting Director of Strategy noted that there are still areas to develop with regards to business confidence. This is something the FSA will begin tracking. The focus in this report is compliance, consumers and whether the FSA is being managed effectively.

8. The Chair hoped that having the right set of measures in place will enable the Board to focus on the right questions which will drive performance.

9. The Acting Director of Strategy intimated that the next stage is to work with the Board in defining what an acceptable level of performance looks like in each of these areas and to also consider what excellent performance looks like.

10. In response to the Chair's comments about comparable benchmarking with OGDs and other institutions, the Acting Director of Strategy said that between now and Christmas the FSA will be asking for every measure internally to be looking at benchmarking, at the levels of acceptable performance and this definition of excellence. Once this has been completed it will be brought to the Board.

ACTION - Director of Strategy

11. The Director FSA Northern Ireland and Organisational Development in reply to questions on Our Ways of Working (OWOW) and disability said that on OWOW the FSA have identified and are tracking a set of questions on the civil service survey which have bearing on our OWOW programme. The FSA is also running bespoke staff surveys to find out employees reaction to OWOW. An assisted scheme has been provided in relation to disability, where applicants come through for interview but are appointed on merit. She welcomed any suggestions from the Board on how to improve diversity and disability within FSA.

12. A Board Member voiced his concern that the way the FSA targets improvement potentially expresses some of these things the wrong way around. He cited meat FOB compliance, as the FSA expresses that it is 97.6 satisfactory or above. He said from a Board perspective the interesting factor is the non-compliance businesses where improvement or urgent improvement is necessary.

13. In reply the Acting Director of Strategy said that we have recognised this and that the report is endeavouring to also look at areas below satisfactory. He said he was happy to work with operational colleagues in this area of meat compliance.

14. The Director of Legal and Regulatory Strategy warned about drawing the wrong conclusions regarding compliance and audit reports carried out on food operators. There is not necessarily a direct correlation between the audit reports and overall levels of compliance in the way that some media outlets and others are asserting.

15. The Chair stated that it was helpful to have that clarification and something to bear in mind as regards to how people access and use information.

16. It was noted in the report that awareness is much higher in the older age groups and less so in the younger age categories. Targeting those groups would be something that the incoming Communications Director would need to address.

17. A Board Member asked for an update on the progress made under corporate priorities which are highlighted in amber and red. She said it would be worth having a footnote in future reports giving information of what's happening for clarification.

18. The Director FSA Wales and Regulatory Delivery said the operational change programme is underway in terms of wanting to be clearer on what our proposition is. The FSA is now considering the end destination plan and also noted that the FSA is looking for more clarity on where it intends to take meat.

19. The Chair noted that the FSA has an internal group looking at this and a report is expected from them at the December meeting.

20. The Head of Food Safety Policy said that lots of work has been done on surveillance. He will come back to the Board on this particular aspect contained in the report, but we are pressing ahead with the work on surveillance. The Chief Scientific Adviser (CSA) gave an explanation as to why there had been a delay in the process but confirmed it is now underway.

21. In response to a Board Member's question about the reduction in science investment, the Chief Executive Officer (CEO) said a conscious decision was taken to enable funding of one-off costs associated with exiting Aviation House. The Executive Management Team has discussed where we would like to see science expenditure once we get into next year's planning.

22. The CEO added that the CSA and his team have put an awful lot of work into getting better value out of the investment. The absolute and percentage figures may be going down but we are getting significantly better value as spend is more targeted

and focused. The CSA assured the Board that we are now in a position and space to apply science in order to have as much optimal impact as possible.

23. The Chair gave notice that she wanted to rearrange the agenda and have paper FSA 17/09/14 be the next report discussed. The Chair said that she wanted to ensure that colleagues from Food Standards Scotland (FSS) have time to join online when the paper on The Food Withdrawal and Recall system is discussed.

ANNUAL REPORT: FREEDOM OF INFORMATION REQUESTS, COMPLAINTS AND INTERNAL WHISTLEBLOWING CASES (FSA 17/09/14)

24. The Chair invited the Head of Openness to present this paper to the Board.

25. The Head of Openness reminded the Board that in all three areas individuals have access to external redress if the FSA have not handled cases appropriately. He said this report shows that we have minimal referral to external organisations and that in itself is a reflection of positive performance.

26. The Head of Openness said the FSA has continued to return a high level of performance in terms of response times to FoI requests with performance ranging between 90% and 100%. In terms of complaints the figures show we have had significant success in trying to address complaints at the earliest opportunity. There has been considerable reduction in the number of complaints to his or the CEO's office. We have completed some good work in the area of internal whistleblowing (WB) and in particular improving awareness. However we recognise that further work in building confidence amongst staff is required and we will be taking that forward.

27. In reply to questions about getting these key messages across to existing staff and policy and processes, the Head of Openness said that over the last two years we have run an awareness campaign but he recognised that we need to craft localised campaigns particularly addressing this issue around confidence in our handling of WB cases. In terms of policy and process we have recognised that in our induction we could do more work in highlighting the WB provisions in the organisation. However it is reassuring that the data are telling us that there is a high level of awareness of the policy and what to do if you have a concern.

28. The Director FSA Northern Ireland and Organisational Development added that we have a staff group where individuals are drawn from across the organisation. We bring these policies to the staff group and let them discuss them and then take them back and disseminate the information to their teams.

29. Answering a question regarding complaints having an impact on how we run or offer services, the Head of Openness said that from reviewing formal cases there are no recurring topics and thus it is not easy to identify a corporate-level action or response. He added that this is one of the reasons why we want to broaden our look at complaints as an organisation because we are hopeful that this would yield valuable intelligence from which to learn.

30. The Chair concluded that we are satisfied with the high level of performance and would like to see this sustained. We are complying with our legal obligations and

welcoming the improved resolution of complaint cases at an earlier stage. She noted the progress on WB and the priorities identified for next year.

REVIEW OF THE FOOD WITHDRAWAL AND RECALL SYSTEM IN THE UK FOOD RETAIL SECTOR (FSA 17/09/13)

31. The Chair invited the Head of Operations Assurance and the Head of Consumer Protection, to deliver this report. The Chair said that FSS will be joining on-line as this is a joint piece of work. As soon as this paper has been discussed the FSS will consider the paper at their own Board meeting.

32. The Head of Operations Assurance said for the first time we have completed a systematic and comprehensive piece of research into the recalls and withdrawal system. We are now embarking on the delivery phase and turning these recommendations into confirmed tangible deliverables that would improve the system.

33. The Head of Consumer Protection said that the Board was informed last year that the Executive was to launch this project to identify improvements to bolster the system. After concluding the research phase of the project four key areas have been identified where we believe improvement will strengthen the system. The work has involved working collaboratively with a range of stakeholders who have formed an external Stakeholder Reference Group (SRG). This is a joint venture with FSS and both FSS and SRG have been fully engaged in the process.

34. The Head of Consumer Protection set out the four outcomes to be achieved. First is a withdrawal and recall system that is based on a clear set of rules and responsibilities. Second, the information that the consumer gets about recalls is consistent and accessible. Third is to make sure that the public is aware of the recall process; this is critical as if people don't actively seek it out or are not aware of the actions to take the whole system falls down. Finally, and most importantly, is trying to establish feedback loops to us and industry which allow us to make sure that we are trying to tackle incidences before they happen and we have proper prevention mechanisms in place. She hoped the work would be delivered in time for our exit from the EU.

35. Although welcoming the more streamlined process to recalls, a Board Member warned that we are shouting into a void when it comes to recalls because 14% of people checking websites and 8% of people aware of allergy alerts is frighteningly low. He said to move that dial is incredibly expensive in order to change people's behaviour.

36. A Board Member said historical data as well as examples of best practice could be used in order to improve the number of recalls and that we have to ensure that those recalls which do happen are appropriately messaged and kept to a minimum particularly on allergens. He added that one thing that we should be mindful of is that if recalls are very expensive for business this could put consumers at risk.

37. The Chair shared the view that trying to get the consumer interested was challenging and added that the focus should be on prevention and this should be an additional principal that we include in the outcomes we are trying to achieve.

38. In response to a question from a Board Member about comparable sector learning, the Head of Operations Assurance stated that they have done some extensive learning from reviews of recalls of the white goods sector.

39. The Head of Operations Assurance added on reflection that they will ensure when developing the success criteria that we build in both the points about consistency and also looking for the overall success measure as a reduction in product recalls into the success criteria for the programme overall and then track that against each of the recommendations.

40. The Head of Consumer Protection responded that we are seen by others as a leading light in consumer product recalls because we provide a coordinating function which does not exist in the white goods sector and a website to push out messages from one key place.

41. In answering a Board Member's concern about the low percentage of consumers being aware of recalls, the Head of Consumer Protection said we are taking forward in the second work stream issues that would allow consumers to get information about recalls more proactively. With industry holding data on consumer buying patterns we can do more in getting the messages directly to people without them doing too much themselves.

42. With regards to prevention the Head of Consumer Protection said it would be the work stream that will continue on while the rest are quite time bound. However, we need to establish in the first instance proper analysis to get to the bottom of what are causing these issues. We need to collect that information, analyse it and that would form the basis of any prevention campaign that we would deliver with our stakeholders jointly.

43. A Board Member said the team need to think about the success measures and be clear how to assess the impact of this work to ensure that it is focused. She added that as the success criteria are developed, it is essential to be clear how far this needs to improve, for example, is there a gold standard the FSA is aiming for, or is it a continual improvement journey or a mixture of both?

44. A Board Member supported the comments previously made about the risk of businesses not declaring defective products because of the cost of each recall. His other concern was to do with surveillance and intelligence. He wanted to find out how good our intelligence networks are; especially identifying issues at the prevention stage.

45. The Director of Openness, Data and Digital cited a few examples of what has been taken forward. She said the first is the new incident interface that is being built, tested and going live soon. That is the interface between businesses when they wish to raise an incident with us and wish to report it. The second is getting better information to businesses so that they understand their responsibilities, especially

SMEs. This will be done via our new website which will be in place by the end of the financial year. Lastly, she stated that we are talking to industry about data sharing, if they can more easily share information then that's another blocker that you have removed and noted that we are in discussion with a number of organisations encouraging them to do that.

46. To the question of whether there were more incidents or merely more reporting of incidents the Head of Consumer Protection said it was a bit of both. We have developed a relationship with industry to ensure that we get the information we need. Industry does know their responsibility to inform us whenever food is placed on the market that is unsafe. We have seen an increase in the number of allergy issues but this may be due to the new legislative policy requirement in 2016.

47. The CEO said that we are making it easier for people to understand what their responsibilities are in food businesses and when they report an incident it should be seamless and efficient. At the other end we have incidences of major international businesses who have not actioned an incident in a way that meets their responsibilities or fallen short of our expectations and we have brought them in to present and explain to us the process that they went through and to remind them of their responsibilities.

48. In responding to a question about comparable bench marking with other nations in food, the Head of Consumer Protection said there was no direct comparison as countries report information slightly differently. Thus it's quite difficult to compare like with like.

49. The Acting Chief Operating Officer said that with new policy changes comes greater awareness and thus incidents go up. He cited the allergy information on packs as an illustration. There is a quick rise before everybody gets familiar with the legislative landscape and then you tend to see a dip.

50. Referring to earlier comments from a Board Member about businesses not declaring defective products because of recall costs the Head of Operations Assurance said that the suggested feedback loop will enable FBOs to be able to share their details of lessons learned so that we share that learning for the greater good. In relation to the question on how we get industry to share data which may be commercial in confidence, will the FSA provide that form of security and safety so that information can be shared more widely?

51. The Head of Consumer Protection said that one of the key things that industry were frank on was the fact there is not that sharing of information within industry for a variety of reasons. However, it is an area that they want to address and were keen to do so.

52. The Chair confirmed that those outcomes are the ones we want to see and stated the importance of seeing the levels of reduction in recalls as a primary ambition. In addition the Chair noted the need for consistency and properly bench marking success measures to be brought into the delivery plan.

**CHIEF EXECUTIVE'S PROGRESS UPDATE – CHANGE PORTFOLIO (FSA
17/09/15)**

53. Before giving the floor to the Acting Director of Strategy and the Head of Programme and Project Delivery to deliver their presentation, the CEO said the purpose of this slot is to give Board Members, as part of their assurance responsibilities, an insight into how we are managing change within the FSA.

54. The Acting Director of Strategy opened the presentation by summarising the scale of the change being undertaken by the FSA. He touched upon all the major change programmes within the organisation and made the point about how we manage those changes being part of our role as an excellent and accountable regulator.

55. The Acting Director of Strategy said the first key area is strategic direction making sure that we are delivering the right thing, so we need to ensure we have a top down tier steer and direction for the projects and programmes. He explained the detailed mechanism of that process and that the emphasis was making sure, from outcomes to objectives, that we have clarity of direction and are doing the right things. The second area where improvements have been made is resources, thus not only having finance but the right personnel in place to delivery things we want and the third element is leadership; for the major programmes you have a named Director in charge which means that right from the top you have that visibility of who is accountable for that project.

56. The Acting Director of Strategy concluded that we are we are trying to simplify the process of decision making and not to overcomplicate it; we can't have people negotiating unnecessary steps of governance, when trying to deliver a project or programme. He said we have stripped away the number of decision-making bodies and an example of that approach is the RoF programme.

57. The Head of Programme and Project Delivery gave a summary of where we are with all the major change programmes within FSA. All of them were on track. She said the only slight concern was the Surveillance Programme where there was difficulty getting a programme manager that had capability to deliver what we wanted. Presently, we have a consultant in post but we need to ensure we build and grow our own capability so that those expert skills are transferred to our staff.

58. The Head of Programme and Project Delivery said that for the first time with RoF we have invited the Infrastructure and Projects Authority (IPA) to do an assurance review as we would like the views of external experts to give us guidance or support to ensure that we are on track., She noted that we should not be afraid to ask others for their views and learn from other parts of government.

59. Referring to the slides the Head of Projects and Programme Delivery said we have to make sure that the strategic direction and implementation is coming from the top and that everything is aligned to the corporate business plan. She added that this needs to filter through to the entire organisation so when it comes to delivery it has traction so we not delivering something that the business is not ready for.

60. The Head of Programme and Project Delivery outlined her three objectives: assurance, support and capability. She said the assurance means that programmes will be delivered successfully or you will be told why they are not. She noted that when it comes to investment you need to be confident that they are going to deliver a return, thus working with finance ensuring we are clear about the costs of the programme and the benefits to be delivered to make it worthwhile. She acknowledged the importance of having systems in place to measure these programmes.

61. When it comes to support, the Head of Programme and Project Delivery said that it is important that you have good quality programme managers to assist delivery. There is a governance framework in place to ensure that the programme managers are not overburdened with process and are talking to the right people and making the right decisions.

62. The Head of Programme and Project Delivery added that the struggle for the FSA is attracting quality programme managers, which is going to be a challenge for the organisation, hence we need to build and grow with the people that we have and make sure they are fit for purpose for the FSA. She concluded that we want sufficient level of tools and techniques and processes to assist and help them deliver programmes rather than a tick box exercise. This is something we are working on to deliver the vision to be an excellent and accountable modern regulator.

63. The Chair intimated from the Board's perspective that this was very encouraging in terms of what Board Members have wanted to hear. The Chair applauded the cohesiveness of the EMT for driving this change forward.

64. The CEO said that we are working hard to build change resilience within the organisation and to create a culture where change is seen as normal and welcome. We are creating an environment where there is an expectation of change and change is the only constant in the business. The CEO added that as part of this we need build capability and put the structure and governance in place to enable us to have confidence in our ability to be able to deliver change successfully. Also that we need to be clear about where accountability sits at all levels which is important for both the Executive and the Board.

65. The CEO concluded that we should set expectations of ourselves to be professional and expect ourselves to deliver change well. We should not accept the fact that few within our organisation think we deliver change well. Much of the presentation from The Acting Director of Strategy and the Head of Programme and Project Delivery is about is how we going to be more professional and therefore more successful in our delivery of change.

ANY OTHER BUSINESS

66. The Chair said there were no items for consideration under Any Other Business and concluded the open session of the Business Committee.

DATE OF NEXT MEETING

67. The next meeting of the open Business Committee will take place on Wednesday 6 December 2017 in London.

BOARD Q+A

The Board received two questions at the September Board meeting that were answered in correspondence due to their complexity. The questions and answers are noted below.

Question 1:

To date there has been no engagement from the FSA with Local Authority Regulators (including Port Health) regarding the possible impact of Brexit on the food industry and its regulation. What arrangements will be put in place to rectify this and ensure that, if there is not a soft Brexit, there will be arrangements in place that can guarantee there is a supply of food for the country and that food will be safe?

Answer:

The FSA is committed to engaging Local Authorities and Port Health Authorities to ensure we have a full understanding of relevant issues and concerns relating to our exit from the EU. The FSA welcomes their input and fully appreciates the need to involve these stakeholders in our planning.

From 2016, the FSA has held round table events with both groups, and our imports team has been working closely with Port Health Authorities. We will continue to strengthen our engagement with them as the EU Exit process continues to ensure we factor stakeholder points and comments into our EU Exit planning.

Question 2:

After Brexit, how will the FSA control the influx of GMOs into the food chain?

Answer:

The UK Government is committed to maintaining food safety standards and the systems which underpin them to ensure that food imported into the UK meets all relevant regulatory requirements. The Government's approach is based on the principle that food safety regulation should be science-based, and that products passing a robust, independent, safety assessment should have fair and unhindered market access, with consumer choice supported by accurate labelling. EU GM legislation, to which the UK is currently subject, is designed to ensure just that, and this legislation will be repatriated into UK law at the point of EU exit, thereby maintaining the status quo. After EU exit, any proposed changes to UK food safety legislation will continue to be informed by rigorous risk assessment and the legislation itself subject to the relevant Parliamentary processes.