**Scottish Food Enforcement Liaison Committee minute**Friday 15 April 2016: 10:00 for 10:30  
Venue: Malmaison, 44 Whitehall Crescent, Dundee, DD1 4AY Tel 01382 339 715

**Members present**

William Hamilton (Chair) Scottish Food Enforcement Liaison Committee, Chair

Catherine Ferro (Secretariat) Food Standards Scotland, Secretariat

Joanne Smith (Temp Secretariat) Food Standards Scotland, Secretariat

Lindsay Matthew (LMa) Convention of Scottish Local Authorities & Vice Chair

Douglas Scott (DS) Scottish Federation of Meat Traders Association

Joe Harkin (JH) West of Scotland Food Liaison Group

Jane Couper (JC) Food Standards Sub-Committee Chair

Lorna Murray (LM) Food Standards Scotland Enforcement Delivery

Craig Easson (CE) East of Scotland Food Liaison Group

Paul Bradley (PB) Honorary Secretary

Andy Morrison (AM) Food Safety Sub-Committee Chair

Martin Keeley (MK) Royal Environment Health Institute of Scotland

Derek Oliver (DO) Society of Chief Officers of Environmental Health in Scotland

Bryan Campbell (BC) Food Standards Scotland Enforcement Delivery

Christine Fraser (CFr) Institute of Food Science and Technology

Bill Adamson (BA) Food Standards Scotland Regulatory Policy

1. **Chairman’s welcome and apologies for absence**

The Chair opened the meeting by welcoming the Committee, speakers and guests to this April 2016 Scottish Food Enforcement Liaison Committee (SFELC) meeting in Dundee. He commented on the new faces, and changes of personnel, at the meeting.

He introduced and welcomed; Joanne Smith FSS, temporary Secretariat to minute the meeting; Martin Keeley, REHIS; Andy Morrison, Food Safety Sub-Committee Chair; Derek Oliver, Society of Chief Officers of Environmental Health in Scotland representative; Christine Fraser, IFST Scotland Food & Drink Skills Academy and Bill Adamson Branch Head of Regulatory Policy FSS

Apologies were recorded for; Andrea Carson, North of Scotland Food Liaison Group; Andrea Inchausti, Scottish Retail Consortium; John Armour, Policy Manager – Food Policy & Supply Chain; Ian McWatt, FSS; Craig Smith, Lothian and Borders Food Liaison Group; Jane White, Association of Public Analysts

He then covered the housekeeping arrangements and data protection aspects of tape recording the meeting for minute purposes.

1. **Minutes and matters arising**

The Chair advised that the draft minutes of the last meeting held in Edinburgh on 12 February had been circulated, and proposed that the Committee go through the minutes page by page, first for accuracy (A) and then matters arising (MA).

No matters arising.

1. **Actions outstanding**

The Secretariat ran through the outstanding actions (all 2015 were completed);

* Request for items for work plan
* UKFSS Report – completed version to be circulated (Secretariat)
* FSS Audit Review – Commission decision to be circulated (Secretariat)
* FLG “Roadshows” – to reinvigorate (Society / FSS / SFELC representatives)
* SFELC FSS website – discuss a review (Chair / Honorary Secretary / FSS)

**4. Presentations & Current Items**

Chair then introduced Bill Adamson to present the paper Food Standards Scotland Regulatory Strategy

**4.1 Food Standards Scotland Regulatory Strategy**

* Bill ran through the paper and PowerPoint presentation (hard copies of both were given to all present) and invited questions and discussion from those present. The FSS Board has agreed the document, keen to get ideas and engagement with key stakeholders before refining the document prior to formal consultation.
* DO – currently writing up a new Service Charter he’s found that although it comes down to semantics in a lot of sense, the principles: proportionality, consistency, accountability, transparency and consistency, when you look at the Food Code of Practice, the food law enforcement policy of LA, those principles are slightly different as in graduated, reasonable, proportionate, risk based and consistent so would it be a case of writing those principles into existing ones, or do they now need to be separate?
* BA – Right to a certain extent, for the most part there aren’t any great conflicts between the 5 x principles, if there was one proportionality and consistency, need to drive down what this means, consistency means consistency of approach. Proper policy development using the tool available drives us to look at the political, environmental, social, technical and legal environment in which we’re working, which is different dependent on where you are in the country, and can differ from Local Authority to Local Authority.
* WH – SEPA model is very good, a very good visual representation, and fits with Annex 5
* WH – what is the projected timescale of the project? BA – there is a high level commitment to this project, with it going to the Board early May. A project plan is being mapped out, there is a need to follow a strategic approach to ensure that there is cohesive guidance in place before launch
* WH – issuing Fixed Penalty Notices and paying licence fees will prove unpopular with FBO’s, they will need reassuring that their businesses will flourish if rogue traders are pushed out, for compliant businesses charging will be minimal
* DS – the worry is that the more legislation that businesses have to comply with the more confused and therefore non-compliant they become, and the more financially penalised they are then the less money they have to improve compliance, it’s a vicious circle. BA – acknowledged that there will be many challenges going forward but that support would be provided such as training events to help FBO’s understand the changes. BC is also working on reviewing the Code of Practice
* LMa – education will be the key however he raised concerns about where the money to provide this would come from
* WH – SFELC will be the main driver and resource for passing on info to LA’s. Self-regulation might free up some resources
* BA – the aim is to ensure that we get the model correct at the start, ie by building capacity at a central and local level
* MK – consistent approach required, for non-compliant FBO’s there must come a time when public health is the main issue and interventions must be made
* BA – set agenda right from the start and support FBO’s to get them off to the right start
* CFr – where would the FHIS scheme come in? Should businesses have to display ‘Improvement Required’ notice?
* BA – there will be another tool to provide info to consumers, however this will require aligning with FHIS. Following a survey consumers at present aren’t really aware of the scheme, this needs work
* **Action**: All Committee members to send ideas / comments on FSS Regulatory Strategy either to Bill.Adamson@fss.scot &/or Steve.Hardie@fss.scot.
* **Action**: Secretariat to invite relevant SG persons to future meetings with regulatory strategy agenda item.

**4.2 MEMEX Intelligence: access for Local Authorities Environmental Health Staff**

* Derek Oliver presented a short summary about MEMEX, this is the electronic database for recording intelligence on a national level, currently hosted by COSLA and used by Trading Standards Officers throughout Scotland. He then invited questions and discussion from those present.
  + It was asked to what level information would be getting entered into MEMEX and also who would have access
  + It is envisaged that all LA officers would have access and that they could use the system to record any information that they think relevant, thus being able to share and view intelligence in order to enhance operational activity, effectiveness and efficiency
  + All agreed that the use of the system is a positive step and that it will hopefully encourage officers to input all intelligence
  + LMa – is there is a timescale to the system going live?
  + LM – not yet as training in the use of the system will be required
  + SFELC endorsed the use of MEMEX
  + **Action**: Secretariat to circulate detail / timing of Memex training for LA enforcement officers.

1. **Intelligence gathering – safe spaces**
   * **Action**: All Committee to determine clarification / reason this item on agenda.
2. **Resources Working Group Update**

* PB updated the Committee on the updates from RWG. He mentioned;
* Resourcing and co-ordinating SFELC response to: Risky Foods Guidance – 2 documents will be tabled at the next meeting in June; Annexe 5 Review, of which BC gave an explanation and overview and also the Regulatory Strategy, presented earlier by BA.
* The Sampling & Surveillance Working Group is currently without a Chair. **Action**: to find a Chair
* FSS website - inconsistent information from SFELC available on it, it needs to be more of a ‘knowledge hub’ that all members can access. **Action**: website requires updating – WH to arrange a teleconference with LM and Secretariat

1. **Committee work plan**

* Suggestions still required for a Work plan, ideas and speakers, for 2016
* 2 x suggestions given: someone from FSS Comms Department, and a speaker has been recommended should we wish to set up a Knowledge Hub

1. **Food Standards Scotland update**

* A Risky Foods Workshop has been arranged for 11 May, invites have gone out to all 32 Local Authorities. The agenda has still to be set however there should be opportunity for good debate on the day
* Review of the local authority implementation strategy for cross contamination guidance has now taken place. The participation was very good 28 LA’s took part in the study. The overall consensus (95%) indicated that the approach had worked, resulting in improved relationships between LA Officers and FBOs, increasing FBOs knowledge and learning and increasing confidence when it came to them confiding and liaising with LA Officers. The final finding will be presented at a future SFELC meeting
* DS asked whether the cross contamination guidance is different to the rest of the UK. LM advised that we are all now using the same version (there had been recent revisions) but that this study related to Scotland only.
* LA Resource Questionnaire – LM is looking to have this sent out shortly

**Exception Reporting**

1. **Sub- Committees**
   * Chair advised that exception reporting is still appropriate, however greater visibility needed.
   * AM advised that the Food Safety Sub-Committee had hoped to table guidance on risky foods, however due to holidays there has been a slight delay. The document is almost good to go and will be available at the Risky Foods Workshop on 11 May
   * JC advised that the Food Standards Sub-Committee had not met since last time due to issues with membership, hopefully they will meet mid-May
2. **Food Liaison Group**

* PB advised that the Lothian & Borders Liaison Group is due to meet on Thursday 21 April
* AM advised that Billy and Lorna’s visit to the North Liaison Group had reinvigorated it
* JH advised that a visit to the West of Scotland Liaison Group had been well received
* CE advised that as of next meeting Helen Henderson would be Chair

**Information papers**

1. **Review of action points**

The Secretariat ran through the action points raised throughout this meeting:

* Workplan items – to discuss and get ideas for future themes and speakers (ALL)
* Ideas on Regulatory Policy – invite Steve Hardie and Bill Adamson to future SFELC meetings
* Timescale / training on MEMEX (CF)
* Future SFELC meetings – Minutes from Liaison Groups to be available
* Distribute Risky Foods paper prior to 11 May (AM)
* Speak with Chairs of Liaison Groups in advance of future SFELC meetings by TC (WH)

1. **AOCB**

* Members unable to attend meetings should notify their apologies to the Secretariat, or send a Deputy, in advance of the meeting.

Chair thanked everybody for their contributions at this meeting, noted the next meeting will be on Friday 3 June 2016 in Stirling, and closed the meeting.