

Operational Performance Reporting

1 Purpose of the paper

1.1 This paper provides a six monthly update for the Board on FSS performance delivering key activities and provides additional context in support of the metrics detailed in Annex A.

1.2 The Board is asked to:

- **Consider and comment** on reported performance metrics
- **Note** that measures on Pages 9,10 and 11 related to Veterinary Audits, and Audit Assurance have been impacted by Covid-related capacity issues and the measures are not reflective of the measures that would be reported during a standard six monthly period.

2 Strategic Aims

2.1 This work supports the FSS Strategic Outcome 6 – FSS is efficient and effective.

3 Background

3.1 This paper builds on the Board discussion on performance monitoring and proposed metrics in November 2017. The FSS Board Terms of Reference (ToR) confirm that the Board has overall responsibility for the actions and decisions of FSS, and is ultimately accountable to the Scottish Parliament for policy delivery, compliance with statutory duties and performance against agreed strategic objectives.

4 Discussion

4.1 Following consideration at the November 2017 Board meeting, minor amendments were proposed to the reporting format and content. The reported metrics and presentation thereof continues and the Board are invited to provide feedback .

5 Annex Metrics

5.1 Animal Welfare

5.1.1 A key function of FSS is to ensure that animal welfare is protected by Food Business Operators (FBOs) during slaughter/ killing and associated operations. FBOs have a duty to safeguard animal welfare under the Retained Welfare of Animals at the Time of Killing (WATOK) Regulations 2012 . Animal welfare controls in approved slaughterhouses are delivered by the FSS veterinary and inspection personnel on behalf of Scottish Government (SG), via a Service Level Agreement. FSS also plays an important role in relation to assisting the Animal and Plant Health Agency (APHA) and Local Authorities (LAs) through providing information relating to suspicion of poor animal welfare on farm and/or transport. All cases of welfare breaches attributable to slaughterhouses were responded to with swift and proportionate action by FSS Official Veterinarians and Meat Hygiene Inspectors. All case attributed to on-farm and transport were reported to APHA and LAs as respective competent authorities.

- 5.1.2 The welfare metrics cover the period from vesting day to 31st March 2021 and FSS has continued to refine the reporting procedures. These are to be further improved with the development of the new Operational Delivery IT Solution (ODITS), anticipated to replace the current Operational Workflow System in the second half of 2022.

An FSS performance update and narrative on Animal Welfare can be seen in Annex A: Page 1, accompanied by welfare data showing non-compliance figures in abattoirs, farm and transport over a period of 3 years.

- 5.1.3 Page 1 of Annex A: 'Issues within reporting period', highlights that, overall, there were a total of 162 incidents which include both scores 3 and 4, with 23 (14%) related to abattoirs and 139 (86%) related to farm and/or transport. These types of incidents are discussed at a strategic level by the Scottish Livestock Welfare Group (SLWG) involving all enforcement authorities relevant to animal welfare. At a local level, the APHA and LAs risk assess incidents reported to them and investigate accordingly.

The increase in incidents of animals in late stage pregnancies being transported for slaughter has been previously reported and discussed in the SLWG forum. Actions to raise awareness amongst farmers and hauliers were taken and Trading Standards and APHA staff continue to do so. The total late stage pregnancy incidents for quarters 1 & 2 of 2020-21 was 42, with quarters 3 & 4 dropping to 29, so a significant drop.

The 23 reports linked to abattoirs correlate to a throughput for the period of approximately 20.6 million poultry (2 reports represent a proportion of 0.0000097% of throughput), 233,400 bovines, 169,200 pigs and 660,000 sheep & goats (21 reports represent a proportion of 0.0019% of red meat throughput). The trend for all score 3 incidents has seen a significant reduction compared to The same quarters of previous 2 years, the months of December 2020 and January 2021 seeing the least reported cases.

Abattoir score 3 trend is downward and score 4 is identical in numbers of incidents recorded for 2019-2020 quarters 3 & 4.

Scores 3 linked to on-farm and in-transport referrals have seen a decrease from previous years' quarters 3 & 4.

The trend of score 4 incidents is overall stable, with a peak of 32 reports in March 2021, 31 of which were related to on-farm or in-transport incidents.

Having investigated the cause of the increase, cattle seemed to be the most common species involved followed by pigs, sheep and then poultry. There is no detectable pattern to these incidents which are distributed across the whole of Scotland and again no apparent geographical pattern. Similarly, Conditions detected In the animals were also varied with no distinguishable pattern, the issues reported varied from musculoskeletal, emaciation, blindness and ingrowing of horns.

5.2 Shellfish Sample Compliance

5.2.1 FSS carries out an annual review of all Scotland's shellfish production area classifications using the previous three year data-set, or less if not available, from the production areas to inform classification award decisions for the coming classification year. This process is carried out in accordance with post Brexit guidance. FSS monitors these classified production areas for the presence of marine biotoxin producing phytoplankton in waters and marine biotoxins and E.coli in shellfish flesh.

5.2.2 Changes in the number of classification awards will vary due to the following reasons:

- Changes in levels of E.coli reported throughout the year
- Decisions, taken by harvesters, for example not to continue with the classification
- Insufficient samples submitted to either maintain the same level of classification award i.e. 10 samples required for Class A or a minimum of 8 samples to retain a classification award

5.2.3 Shellfish has experienced different patterns of closures over the past 2 years, this is the norm, and simply reflects environmental factors which impact on Shellfish toxins

5.2.4 During the course of the year, sampling contractors collect monthly *E.coli* samples according to the sampling plan and compliance can be routinely affected by a number of factors including the following:

- Inactive harvesting
- Availability of vessels
- Poor weather and/or
- Logistical issues – performance of carrier

5.2.5 Levels of marine biotoxins in shellfish samples from shellfish production areas determine whether an area should be open or closed for harvesting. Details of shellfish sample compliance showing sample numbers and compliance figures for the past 2 years can be seen in Annex A: Page 10.

5.3 Visible Contamination recorded on carcasses at slaughter

5.3.1 Incidence of visual contamination presented at the final carcass inspection point has been recorded since 2013 and are taken as a proxy measure of hygienic production. Scotland has historically recorded lower contamination levels than other UK countries through an active programme of industry and individual plant engagement and ensuring consistency and accuracy of recording through regular assessment and monitoring of the FSS systems applied. The Board previously noted that the FSS use of a Scottish average by which to measure performance may give the impression of this being an acceptable target. However, plant level management of contamination monitors trends in daily contamination as the primary means of control rather than performance against a Scottish average.

5.3.2 Other EU countries do not record contamination of every carcass, preferring to rely on assurance sampling by the FBO and verification of such during audit. Details on contamination in Scotland can be seen in Annex A: Page 6 Bovine, Ovine and Porcine contamination levels over the last 4 years and Wild Game contamination over the past 2 years can also be seen in Annex A.

5.3.3 As the Board will recall, recording of contamination takes place at the final inspection point before a health mark is applied. As an added assurance we also check a sample of carcasses after post mortem inspection to further ensure that appropriate inspection standards are being applied.

5.4 Veterinary Audit

5.4.1 Veterinary audits of approved meat establishments are part of a suite of official controls carried out by FSS. The audit arrangements apply to all approved meat establishments under veterinary control in Scotland and include:

- Red meat / farmed game slaughterhouses
- Poultry meat slaughterhouses
- Cutting plants
- Wild game handling establishments
- Minced meat, meat preparations and mechanically separated meat plants co-located with slaughterhouses or cutting plants
- Meat product plants co-located with slaughterhouses and cutting plants co-located cold stores

5.4.2 Audits are risk-based as required by Article 18 of Retained Regulation EU 2017/625, and take into account the following:

- Public health risks
- Animal health risks (where appropriate)
- Animal welfare risks (where appropriate)
- Type of process carried out
- Throughput
- FBOs past record of compliance with food law

5.4.3 The aim of veterinary audit is to verify compliance with legal requirements and to ensure adequate FBO standards in relation to public health, animal health and welfare. Sections of the audit are also based on the priorities that have been agreed between FSS and SG as we carry out on a wide range of controls on their behalf. Audit findings aim to provide individual FBOs as well as the relevant competent authority (FSS and SG) with information on areas for correction or improvement as well as providing assurance that performance and compliance is as required.

5.4.4 In addition to the audit of good hygiene practice, the auditor must verify the FBOs continuous compliance with their own procedures for, amongst others, all aspects of animal by-product handling (including Specified Risk Material (SRM) controls for BSE), animal identification, animal health and welfare, etc.

5.4.5 During audit of HACCP-based procedures, the auditor must check that the operator's systems of work and food safety management provide assurance that

meat is free from pathophysiological abnormalities or changes, faecal or other contamination and SRM.

- 5.4.6 In April 2020 FSS Operational Delivery branch made the decision to stop routine OC audits, due to the Covid-19 pandemic and the high risk of virus transmission. This was reviewed regularly through the year and, in January 2021, a new audit methodology was rolled-out: Official Controls Verification (OCV). This was deemed low risk, as the new methodology consisted of remote review of FBO documentation and use of OV evidence for plants with regular FSS attendance, hence the FSS auditor footprint was much lower than the previous system. The OCV system was trialled by FSS and a number of Local Authorities, subsequently being embedded within the approval process in 2018.

The main changes the OCV system brings in for approved establishments are:

- Change from an audit cycle to a standard 12 month inspection cycle for all establishments.
- Resource calculation undertaken for each establishment at the beginning of each cycle.
- Resource planning/allocation using remote documentation review, announced and unannounced inspections.
- Use of only one report per plant throughout the inspection cycle, which will gather up evidence collected from all inspections/ interventions.
- The 4 audit outcomes remain the same (Good, Generally Satisfactory, Improvement Necessary and Urgent Improvement Necessary), but their definition has slightly altered.
- Each inspection/ intervention will have an (intermediate) outcome, with a final audit outcome being awarded at the end of the 12 month cycle.
- Food Businesses will have the opportunity to request additional inspections where they believe they are now fully compliant, however these inspections will be charged at full cost to the business.
- Current charging model for audits and inspections (announced or unannounced) will not be reviewed until early 2022. FSS then anticipate sufficient data to have been gathered to enable a calculation of resource and assessment of impact on charging, with a view to roll-out updated charging for audits from March 2022.
- After every intervention, the FBO will be sent a report, which will include, as a minimum, an outcome (intermediate/ final) and a list of non-compliances.
- For plants with routine FSS presence (SHs and GHEs), the inspectors will also use the Official Veterinarians to inform the final audit outcome.

Audit/ Inspection Cycle Outcome	Tolerance for audit outcome (previous model)	Tolerance for Inspection cycle outcome (current OCV model)
Good	No majors or critical on day of audit or during audit period	No majors or critical (completed or active) during Inspection Cycle
Generally Satisfactory	No more than 2 majors during audit or during audit period rectified promptly No critical during audit period	No more than 2 majors during Inspection Cycle rectified promptly (i.e. completed by the end of the Inspection Cycle) and No critical during Inspection Cycle
Improvement Necessary	3-6 majors during audit or during audit period No critical during audit period	Up to 6 majors during Inspection Cycle rectified promptly, up to 2 majors still active at the end of Inspection Cycle or up to 1 critical during Inspection Cycle, but rectified promptly and completed by the end of the Inspection Cycle
Urgent Improvement Necessary	1 critical or >6 majors during audit or during audit period	1 or more active critical or >6 majors during Inspection Cycle (even if rectified promptly) or >2 majors still active at the end of Inspection Cycle

5.5 Local Authority Audit

- 5.5.1 The power to set standards, monitor and audit the performance of enforcement authorities was conferred on Food Standards Scotland by Sections 3 and 25 of the Food (Scotland) Act 2015 and Regulation 7 of The Official Feed and Food Controls (Scotland) Regulations 2009. Similar functions are also contained within section 7 of The Official Feed and Food Controls (Scotland) Regulations 2009 as amended in 2019 which implement the requirements of Regulation (EU) 2017/625.
- 5.5.2 As a designated competent authority as defined within Schedule 5 of the Official Feed and Food Control (Scotland) Regulations 2009 (Amended), LAs are required to comply with Article 6 of Retained Regulation (EU) 2017/625 (Official Control Regulation). In order to help LAs fulfil this requirement, (as part of our central role as described above) FSS will continue to deliver external audit arrangements in addition to the above.

5.5.3 The Audit programme was suspended at the start of the COVID -19 outbreak as Local Authorities were given a flexibility from complying with the Food Law Code of Practice. The Audit Team has however, been fully involved in developing the Local Authority recovery plan and will play a key role in assuring the delivery of this once it has been implemented.

5.5.4 A questionnaire has been sent to all Local Authorities requesting information on their food law activities carried out during the pandemic. This information will supplement that held on SND and will give a fuller picture of the activity carried out at both individual Local Authority level and in Scotland as a whole.

5.5.5 Audit of FSS Official Control Delivery.

5.6 From April 2020 FSS took in house responsibility for delivering the Competent Authority audit requirement under Retained Regulation (EU) 2017/625 which was previously carried out on our behalf by the Food Standards Agency.

5.5.7 The audit programme for 2020/2021 has been completed.

5.5.8 In addition to a review of the previous audits carried out by FSA. Three audits were completed during the year:

- Post Mortem Inspection (and more detail (Limited Assurance)
- Imported Food (Limited Assurance)
- Enforcement (Reasonable Assurance)

5.5.9 Due to the ongoing Covid – 19 pandemic all audits were virtual audits, with no physical meeting or on site work taking place. Operational Delivery participated constructively throughout and have produced Action Plans that will be monitored by the Auditors to verify that improvements are implemented timeously.

5. The outcome ratings below apply to audits of both Local Authority and FSS Official Control delivery.

Substantial Assurance Controls are robust and well managed	Risk, governance and control procedures are effective in supporting the delivery of any related objectives. Any exposure to potential weakness is low and the materiality of any consequent risk is negligible
Reasonable Assurance Controls are adequate but require improvement	Some improvements are required to enhance the adequacy and effectiveness of procedures. There are weaknesses in the risk, governance and/or control

	procedures in place but not of a significant nature.
Limited Assurance Controls are developing but weak	There are weaknesses in the current risk, governance and/or control procedures that either do, or could, affect the delivery of any related objectives. Exposure to the weaknesses identified is moderate and being mitigated.
Insufficient Assurance Controls are not acceptable and have notable weaknesses	There are significant weaknesses in the current risk, governance and/or control procedures, to the extent that the delivery of objectives is at risk. Exposure to the weaknesses identified is sizeable and requires urgent mitigating action

6 European Union considerations

6.1 None required at this stage.

7 Conclusion and recommendations

7.1 The Board is asked to:

- **Consider and comment on reported performance metrics**

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