

Risk ID	Risk Description	Controls in Place	Current Impact	Current Likelihood	Current Risk Score	Risk Movement	Risk Proximity	Action Planned	Risk Owner
1	There is a risk that FSS could lose the confidence and/or trust of consumers due to adverse reactions from stakeholders to decisions made in the public interest, or negative press and/or media commentary which leads to public doubt about the impartiality or authority of FSS's advice, resulting in reputational damage that impacts our ability to deliver across all of the FSS strategic objectives	<p>Protecting public health and consumers' interests takes precedence in all FSS decision-making. Monitoring awareness of and trust in FSS through biannual 'Food in Scotland' consumer tracking survey which show trust and awareness increasing. Daily media monitoring, including overall sentiment, in place across all channels. CEO, Head of C&M and C&M team continue to develop relationships with key media.</p> <p>Ongoing tracking and monitoring in place, some of which is being used as a key performance measure and reported regularly to the Board. Comms strategy in place which includes targeting key media outlets and developing understanding of FSS's role and remit.</p> <p>New Incident Communications Plan has been developed and exercised, which will be implemented in all future level 2-4 incidents.</p>	3	2	6	Static	APP	<p>Wave 6 of Food in Scotland consumer tracking survey has been undertaken with results showing trust in FSS continues to increase, currently standing at 81% amongst those aware of FSS. Wave 7 will be undertaken in Dec 2018, with results due in September.</p> <p>A separate piece of research was undertaken to assess the impact of the Errington Cheese case specifically on FSS's reputation. The results demonstrated that awareness of the case was twice as likely to increase confidence and trust in FSS than to dent it.</p> <p>'Peacetime' actions to ensure media relations are being developed and nurtured continue.</p> <p>Difficult to gauge likely proximity of this risk given the fast-moving nature of the news agenda and the court of public opinion. However, as FSS has a solid foundation of increasing trust levels amongst the general public, it would take a significant and widely publicised occurrence to impact that.</p>	Katherine Goodwin
2	There is a risk of a lack of clarity within the diet and nutrition landscape due to the differing roles and responsibilities of FSS and other stakeholders, resulting in an inability for FSS to meet the statutory obligations it has been given to deliver Strategic Outcome 3.	<p>FSS Board Papers setting the direction for improving the Scottish diet, publications such as the Situation Report and ongoing activity to raise awareness of FSS's role amongst the public, government, industry, stakeholders and the media have helped to place FSS strategically at the heart of diet and nutrition. FSS's leadership role was flagged by the Minister for Public Health at the Health and Sport Select Committee on Obesity. FSS position in dietary health reiterated through Board discussions. In regular and productive contact with Scottish Government, whose 'Healthier Futures' consultation drew heavily on FSS's evidence base.</p> <p>Updated Situation Report on the Scottish diet published in February 2018, alongside two new reports adding to the evidence base.</p> <p>Two recent meetings with Minister for Health and Sport re. FSS roles and responsibilities around diet, including specific discussion on FSS leading development of the Out of Home Strategy as part of the SG Healthier Futures work.</p>	3	4	12	Static	VDI	<p>Continued work with stakeholders and others, and FSS to lead development of an Out Of Home strategy to support the SG's wide approach, working collaboratively with SG and NHS Health Scotland - aim to launch consultation in autumn 2018. Prepared the way for this with the #NoToUpsizing campaign over summer 2018, and planning to re-run again in March.</p> <p>Work commissioned to update our OOH evidence base with 2018 data - last data from 2015. To reflect fast pace of change in the OOH landscape, particularly around online and home delivery.</p> <p>Out of Home consultation due to launch week commencing 12 November.</p>	Elspeth Macdonald
3	There is a risk that, given the limited scope and ambition of the UK Child Obesity Plan, delivery of outcomes specifically appropriate for Scotland, which require action by industry, may be constrained by either preferences for a UK-wide solution across significant sectors of the food industry, or a preference for the UK Government agenda resulting in compromised or delayed outcomes.	<p>Joint working on specific aspects of the COP is underway. The Public Health England reformulation strategy (in the COP) aligns with the FSS Board recommendations on nutrition. FSS keen to develop a Memorandum of Understanding with PHE to ensure joint working and exchange of information going forward. FSS is also looking at nutrient profiling which underpins advertising to children. However, Committee of Advertising practice (CAP) rules on advertising on non-broadcast media however falls short of FSS views.</p> <p>Continued engagement with PHE on reformulation and plans for action on calorie reduction. No progress with pursuing a topic-specific MoU with PHE, which would be helpful in discussions with industry to clarify those aspects of nutrition policy where it is agreed will be taken forward on a UK basis jointly with PHE. Will continue to pursue MOU on the basis of Brexit as well as ongoing shared interests in nutrition.</p> <p>Quarterly catch-up meetings (FSS/DH/PHE) held during Q1 2018-19. These are useful in terms of sharing high-level information, but less productive in sharing detail. DHSC focus now on Chapter 2 of the Childhood Obesity Action Plan (published 25 June 2018), and both FSS and SG engaged to ensure we can see relevance to plans for Scotland.</p> <p>Making progress on a EU Exit MoU with DHSC on relevant EU legislation, limited progress to broaden this to wider dietary policy issues.</p>	4	3	12	Static	CLO	<p>Keeping in regular contact with PHE and DH re plans and timings for actions and activities outlined in Chapter 2 of the Childhood Obesity Plan. Encouraging more sharing of detail.</p> <p>Ongoing discussions with PHE re. respective thinking on OOH interventions.</p> <p>FDF-Scotland has facilitated an OOH industry stakeholder group, including bringing more technical people to the table - this is proving useful if drilling into some of the practical challenges that of some proposed interventions to reduce calories consumed OOH. Will continue these discussions during OOH consultation, running from mid November to end of February, as well as engagement with other targeted stakeholder groups.</p>	Elspeth Macdonald
4	There is a risk that FSS's budget is reduced in future, or it is insufficient due to new pressures such as Brexit, or wider financial pressures across the Scottish Administration, that results in FSS having to focus solely on statutory requirements and scale back on a number of non-statutory key initiatives needed to achieve our strategic outcomes, and requires the Board to revise or reprioritise the FSS Strategy which may have a detrimental impact on consumers.	<p>Active management of the budget planning for 2018/19, alongside Corporate Plan priorities and other issues materialising throughout the year. Building and maintaining key relationships in SG Finance and with regard to the LA funding streams and access to any Brexit Funding. Exploring alternative mechanisms for work previously funded by FSS. Development and implementation of FSS Financial Management Plan.</p> <p>Wider business planning to be reviewed in terms of how we prioritise our work and match all resources to deliver in a new programme based way. Brexit Consequentials funding secured to specifically fund Brexit related work/resource requirements but this only covers 18/19.</p>	5	4	20	Increasing	APP	<p>Long-term financial plan to the Board approved in principle in Feb 18 and being updated to reflect new assumptions and budget allocation. Now also needs to reflect Audit Scotland recommendation for 5 year plan.</p> <p>2018/19 budget remains £15.3m and FSS recently successful, following a submission to SG requesting additional funding for Brexit related activities, which we anticipate will free up core funding for other work that has been put on hold. Whilst this alleviates short-term pressure in year, funding is only for 18/19 so post-Brexit requirements remains a risk, which has been assessed as increasing in terms proximity to the start of 19/20 financial year, mainly due to the continuation of 1-year budget settlements. The increasing nature of the risk is also based on the increased potential for a no-deal scenario to materialise. Should a negotiated settlement transpire, the risk will remain but be less severe. Discussions will be needed with SG on the beyond-Brexit requirements.</p> <p>As part of move to Programme based approach we anticipate being better able to manage resource to priority and will also be developing a new approach to assessing priority work as part of a longer term plan to embed PPM in FSS. In-year risk assessed as decreasing due to securing consequential funding, however likelihood and impact based on post-Brexit/19-20 risk assessment as per above.</p>	Garry Mournian

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5	There is a risk that FSS fails to protect the reputation of the Scottish food and drink sector from the impact of food fraud due to a lack of information, capability or capacity that enables action to be taken. This could which results in failure to adequately deliver our aspirations of responsible food businesses flourishing and that consumers having confidence that food is authentic.	Launch of FSS Scottish Food Crime hotline in association with Crimestoppers. Roll out of a single intelligence management system across all 32 Scottish Local Authorities and an information sharing agreement with the Food Industry Intelligence Network (FIIN) has supported a good flow of information coming into FSS Scottish Food Crime and Incident Unit (SFCIU). The CLIO incident management system is now being rolled out. This system will improve information management for food incidents and will enable FSS to share intelligence and information with interested parties in a controlled manner as well as providing a single repository for all documentation / communications relating to an incident. CLIO is also being used for intelligence development documents. Members of the EU Food Fraud Network. Additional investigator resource brought in to support increased complex case load and we can anticipate 2 high profile investigations to be reported to the crown in the very near future.	3	2	6	Static	VDI	Further discussions being held with SFELC and Food Fraud Working Group around development of an MOU to agree ways of working in fraud cases between SFCIU and LAs. Work is ongoing in this regard as one LA in particular is presenting challenges with respect to interpretation of the NIM resulting in scenario and workshop development to help secure a Scotland wide agreement. This exercise will hopefully be completed by April 2018. Work is also progressing well with respect to the independent review of incident management processes and report to the board 28/02/2018. Errington review is planned for when the court case is over. Some joint working being done with SF and agree a way forward but if successful will escalate at TSS/SOLACE level. Clearer picture expected by April 2018. Risk proximity considered very distant as there is no evidence currently to suggest that Scottish food and drink sector would be seriouslyadversely impacted by food fraud owing to SFCIU capability or capacity or available intel - SFCIU is now fully resourced. Strategic and Tactical Tasking Group format discussed and agreed in principle - further discussion to be had on membership and how to engage SG, LAs and industry. Matter now in hand and Tactical Tasking bimonthly meeting commences in July. Tactical tasking process now launched and bedding in well. Aiming to ensure appropriate mebership across government as process will require decision makers to be present. Work in progress and aim to have full membership agreed and in place early 2019.	Ian McWatt
6	There is a risk that FSS's statutory role in relation to tackling Scotland's poor diet and improving public health outcomes could conflict with priorities around the economic growth in the food and drink sector.	The potential for tension between diet/health and economic growth is recognised at senior level in Scottish Government. SG Diet and Obesity Strategy and Good Food Nation recognise this potential and work is ongoing to ensure both positive health outcomes and economic growth. Engagement with the SG Strategy Unit and the senior officials' Cross Government food policy group established within SG. FSS recommendations to SG helped inform the SG Diet and Obesity Strategy consultation, and drew heavily on FSS's evidence base. Translated into actions in the Healthier Futures Delivery Plan. Keeping in contact with SG Good Food Nation work, and officials have engaged with SG on what consultation on a GFN Bill might contain.	4	3	12	Static	APP	Keeping engaged with SG re. plans around consultation on Good Food Nation. Working with SG re. their Delivery Plan for Healthier Futures, and also on evidence base to support their work on promotions of HFSS foods - currently out to consultation. Monitor the impact of the SG evidence requirements on to inform the promotions work. FSS supports restricting promotions of HFSS foods (this was one of FSS's recommendations to SG), but need to ensure that FSS resource isn't overstretched such that the OOH development work is impacted.	Elsbeth Macdonald
7	There is a risk that FSS is not sufficiently agile or capable in translating complex evidence-based policy into user-friendly consumer advice, resulting in missed opportunities to make a strategic and positive impact on consumer protection and health.	Communications and marketing strategy in place to support translation of FSS's priorities into consumer-facing information. Continuing to develop consumer-facing and friendly activity and ensure language is accessible. C&M branch continue to work with other branches to adapt policy language to become more consumer-facing, including through new website. Undertaking social media listening work to better understand consumer attitudes, needs and wants via these	2	2	4	Decreasing	VDI	Currently running Say No to Upsizing campaign - founded on insight with target demographic re. messages and approach that has greatest traction. Campaign ran over the summer and is currently being evaluated. Continue to include relevant questions in next waves (Wave 6) of the biannual tracker survey results of which were shared in early September.	Elsbeth Macdonald
8	There is a risk of inconsistent delivery of food and feed official controls due to the resources available not matching the statutory requirements. This lack of sufficient resource could result in environmental health and trading standards services becoming unsustainable as they currently operate, and FSS's ability to ensure consumer protection being undermined.	FSS Operations Directorate maintains very close engagement with all Scottish Local Authorities. In addition to auditing LA delivery, engagement directly with Lead Food Officers through forums such as SFELC and Food Liaison Groups provides good intel as to areas of current or emerging risk. Work is currently underway to improve our access to LA data. Scottish National Database pilot now moving to live phase. Feed model now fully developed and work progressing well with agreeing MOU with the 9 newly appointed Regional Authorities. Development of ANNEX 5 work. Remaining LA's for SND pilot now scheduled to be on board by end of April 2018. Feed consultation launched. New delivery model will be implemented May 2018. Contingency measure with continued LA delivery in place. Discussions also ongoing with SG Finance re transfer of funding. Despite significant engagement and disucssion between legal teams, 1 LA remains outside of SND. Upsate to Food Law Code of Practice includes reference to SND, and intent is for it to be a mandatory requirement when updated Code is ratified by Ministers and published in 2019	4	4	16	Static	APP	Escalation to one LA CEO re SND participation. Meeting between LA Legal and SG Legal to clarify position wrt GDPR and information sharing agreements. Project still expected to have all LAs on board by April 2018. Alternative approach for feed delivery to be presented at Board 28/02/2018. Tender for new supplier(s) of Feed OCs now closed and evaluation process underway. Despite recent slippage with procurement process we are confident that we will have delivery partner(s) in place by April 2019 Risk proximity considered as 'Distant' as current audit outcomes show that in the main, LAs are either currently appropriately resourced in food law related activity or diverting resource from other areas of work. All but one LA (WLC) now on board with SND -- matters now with legal and further action being considered. Very positive results and data coming in from those LAs who have successfully connected.	Ian McWatt
9	There is a risk that key stakeholders fail to recognise the importance of FSS's key regulatory functions to support exports and international trade as a result of the EU referendum outcome. This could result in an inability to secure exports and adversely impact on FSS' reputation and ability to protect consumer interests	Building and maintaining key stakeholder relationships and keeping engaged. Connecting regularly with SG, FSA and Defra, including the SG Food, Drink and Trade team on EU exit, and fully engaged in the Europe and Constitution Programme. During Q2, Chair/CE/DCE have met with the Minister for Public Health and Sport and with Cabinet Secretary for Government Business and Consitutional Relations. Board kept regularly updated, and next paper to the Board scheduled for November 2018. FSS Brexit programme developed and resourced. Discussions continue at many levels with UKG, SG and Wales and NI including on Statutory Instruments to 'fix' EU law, on possible future frameworks and on operational readiness.	4	2	8	Increasing	APP	Further detailed discussions have taken place throughout 2018 on UK Frameworks with UKG, Wales and Northern Ireland and are continuing. Some good progress at officials level, without prejudice to Ministers' views. Aiming to start testing proposals with Ministers during Q3/4. New start appointed to the FSS Brexit Programme to lead on stakeholder engagement. Operational readiness engagement with UKG increasing, including contingency planning. FSS/Safari analytical project on Scottish food imports/exports ongoing. Proximity considered to be approaching as whilst UK not scheduled to leave the EU until 2019, the subject matter in this risk is part of operational readiness preparations.	Elsbeth Macdonald

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10	There is a risk of increased frequency of outbreaks of foodborne illness or other food incidents should there be a failure of controls by food business operators that might reasonably have been detected and prevented through the delivery of official controls. This could result in serious cases of human illness and other risks to public health, loss of confidence in the food supply chain and loss of trust in regulatory bodies.	<p>Ongoing training for FSS and LA partners in Level 4 HACCP as well as engagement by FSS at Food Liaison Group level and through SFELC is actively supporting the maintenance of food safety skills by regulatory / enforcement personnel. Enforcement Delivery Branch actively engages with and provides support to Local Authorities principally through Working Group activity but also through provision of guidance materials and Enforcement letters to LA Lead Food Officers.. FSS LA audit has also been recalibrated to ensure greater alignment with the legal obligations placed on LAs in terms of food official controls. Detailed Guidance to LA's on Official control activity at Approved Establishments has been completed and a pilot to test the approach commenced in September 2017. Use of CLIO system.</p> <p>A bespoke training course has been developed for FSS and this will be delivered via 3 courses during this financial year . Other activities include FSS pilot of a new Annex 5, development of a new compliance model as part of our Regulatory strategy, development of a specialist officer network across all Scottish LAs as well as ongoing work re. unpasteurised cheese production. There is also ongoing dialogue through SFELC and the food safety sub group and LA Food Liaison groups to ensure risks to the consumer are identified, action prioritised and review, where necessary, of operational guidance. This further ties into development work around Annexe 5 and ensuring FSS has access to up to date information through the development of the Scottish National Database. Agreed recruitment of additional personnel in Enforcement Delivery branch to progress roll out of Annexe 5 but also, crucially the review of the Food Law Code of Practice. Timescale for implementation now compressed and will see project outturn in 2019 instead of 2021.</p>	5	3	15	Static	APP	<p>FSS audits of LAs now focus on capability and capacity and 6 are scheduled for 2018. Information gathering exercise now undertaken annually via LA questionnaire ensures LAs selected for audit are donne so on a risk basis.</p> <p>Scottish National Database progressing well and expected to be fully deployed by April 2019.This date for full implementation has had to be extended due to one LA refusing to sign up over concerns around GDPR and use of personal data. As mentioned in Risk 8, updates to FLCoP will address this and expectation is full uptake by April 2019. meantime, manual upload of data is having to be provided by the LA in question. This will allow 'real-time' access to LA information management systems and OC & premises data and will help to inform FSS confidence in LA capability and capacity to deliver OCs effectively going forward.</p> <p>HACCP Verification course pilot completed by end of February 2018 and evaluation exercise will follow. Intention is to roll out this course to compliment HACCP Level 4 training and improved approvals process through deployment of the new Scottish National Protocol. Further development work with Annexe 5 and amendment to the FLCoP will all help to ensure OCs are not only continuing to be delivered bt are also focused on the key areas that will protect public health</p> <p>Risk proximity considered 'Approaching' as recent incident activity shows that there are food businesses who continue to disregard advice, guidance and regulation resulting in product recalls, withdrawals and enforcement action being taken. No further update as of 11 June 2018</p>	Ian McWatt
11	There is a risk that consumers could have unrealistic expectations that food safety controls considered proportionate and appropriate by FSS will reduce all risks for consumers to zero, resulting in consumers not understanding their own responsibilities for food safety, leading to foodborne illness.	<p>Kitchen Crimes behaviour change campaign aimed at disrupting complacency regarding food poisoning in the home, particularly for vulnerable groups,. and encouraging safe practices launched January 2018. Results show high level of awareness and motivation to change behaviour, with claimed action across 15 out of 17 key behaviours in the home. This campaign will re-run in January 2019.</p> <p>Ongoing dissemination via social media and online channels of information and advice for consumers on their responsibilities for how storing, preparing and cooking for themselves and others. Consumer-facing food safety campaigns (eg Pink Chicken, Festive) and events (eg Edinburgh International Science Festival, Fresher's Fairs) to remind consumers at key points about individual responsibility for ensuring food is safe.</p> <p>CEO attends SG Senior engagement forum.</p>	3	2	6	Static	APP	<p>Difficult to give this risk a proximity range given it is an ongoing and perennial issue, but one which FSS continues to address on an ongoing basis through the means available to us including development of campaigns, and one-to-one engagement at events. Discussion needs to take place with ARC/Board with regards to this risk and whether it remains on the register. It was discussed at SMT that this risk could equally apply to diet and nutrition, and is about acknowledging that there is a role for personal responsibility as well as collective action and intervention. This was the focus of the latest campaign, which used mass media (TV) to reach large numbers of the target audience, and which an independent evaluation has shown to have had some impact in reducing complacency on this matter.</p>	Katherine Goodwin
12	As FSS'S regulatory and operational delivery functions are largely related to EU law, there is a risk that, given the tight timescales and ongoing uncertainty about constitutional issues, FSS does not have adequate time to prepare for the effect this will have in Scotland. This would affect our capability and capacity to achieve our strategic plan, for example through loss of statutory levers or through diverting resources away from carrying out the key activities agreed in the corporate plan.	<p>Brexit-specific risk register identifying and mitigating for risks specifically associated with withdrawal from the EU. Continue to engage with SG/FSA closely on evolving thinking. Board being kept updated, and next paper for discussion in November 2018.</p> <p>Whilst uncertainty remains about end-point of negotiations and the UK's future relationship with the EU, FSS programme continues to make the necessary preparations for exit.</p> <p>As part of planning for 2019-20, assessing not just the preparations needed for exit, but the ongoing resource requirements and assess impacts on other areas of work.</p>	5	5	25	Increasing	APP	<p>Continued uncertainty make exit planning challenging, as there is no clarity as yet over nature of the exit. UK-wide legislative fixes as part of no deal contingency planning making progress - have notified majority of food and feed safety fixes to the Scottish Parliament in line with the consent protocol agreed between the Parliament and Scottish Government. This work will continue throughout Qs3&4. FSS also developing fixes to domestic Scottish Statutory Instruments.</p> <p>Bid in development for Brexit consequentials budget for 2019-20.</p> <p>Further discussion for FSS Board planned for November.</p>	Elsbeth Macdonald
13	There is a risk that programme requirements for Brexit means there is a diversion and/or reduced resource available to deliver our Strategy and Corporate Plan, whilst ensuring the protection of public health across the food chain, resulting in FSS failing to achieve strategic outcomes to original timelines	<p>Integrated with SG EU and Constitution Programme. Ongoing contact with FSA., Defra and DHSC. Engaged in readiness discussions to be able to assess impacts on FSS's other priorities.</p> <p>Successful bid to SG for additional funding for Brexit work in 2018-19 - will help protect other areas of FSS business., and developing consequentials bid for 2019-20.</p>	5	4	20	Increasing	APP	<p>Budget and resource planning for 2018-19 recognises Brexit a discrete programme, alongside programmes to progress the Regulatory Strategy and on nutrition, including where FSS will lead work to support the SG Obesity Strategy. Bid successfully submitted to SG for Brexit consequentials in 2018-19, to reduce impact on other FSS priorities. Work ongoing to review additional resource requirements for 2019-20.</p> <p>Programme planning alongside the resources needed to deliver FSS's statutory work and essential core activities. Preparatory work thus far has been focussed in certain areas (e.g. legislation and</p>	Elsbeth Macdonald