



**FOOD STANDARDS SCOTLAND**

**STATEMENT ON PERFORMANCE OF**

**FUNCTIONS**

This statement has been prepared by Food Standards Scotland (FSS) in accordance with the requirements of Section 5 of the Food (Scotland) Act 2014 (the Act), agreed by the Members of Food Standards Scotland ('the Board') and approved by the Scottish Ministers. The Act sets out FSS's functions and objectives which are, generally, to ensure that Scottish consumers, the Scottish Ministers and public bodies are appropriately served by a single independent body working in their interests on diet and nutrition, and on food safety, and standards across the food chain. This statement sets out how FSS will **work to** deliver its objectives.

## **Our Vision**

Our Vision is to create a food and drink environment in Scotland that benefits, protects and is trusted by consumers.

## **Our Functions**

The Act sets out some of our key functions, covering our responsibilities to develop food and feed policy and to provide advice on this in Scotland. Part of providing advice includes monitoring the performance of and promoting best practice by enforcement authorities. We also have a new diet-related function on keeping the public appropriately advised to help them make informed decisions on their food choices.

## **Performing effectively**

The Board will ensure appropriate governance arrangements are in place to enable the delivery of FSS's vision, policy and strategic objectives. To earn the trust and confidence of consumers the Board will require the organisation to act in an open and transparent manner. **The Board will meet in public not less than four times a year, and will adopt Standing Orders that set out, among other things, what matters the Board will consider in private and how the reasons for discussing items in private will be recorded and published.**

Within the general framework of the Act the Board will set the strategic framework for the organisation and will publish a three-year strategic plan. The Chief Executive will be responsible to the Board for the design, development and implementation of the functions required to deliver our objectives and for leading FSS staff. The Chief Executive will ensure that FSS has the capacity to carry out its functions by ensuring that resources are used effectively in terms of access to the relevant expertise either from within the

organisation or through external provision, and will ensure the effective operation of the Memorandum of Understanding between the Food Standards Agency and FSS.

When requested to do so **and/or** where appropriate, the Board will provide advice and guidance to Scottish Government, Ministers and other public bodies.

We undertake to review periodically the performance of service delivery with our partners and stakeholders to ensure a consistent approach to food and feed safety, hygiene and standards is maintained.

**We will ensure that considerations of environmental sustainability will be taken into account in our operation and our decision-making, and will report on our performance in this regard.**

### **Meeting our objectives**

To meet our objectives we will act to :

- Protect consumer interests in relation to food and feed, intervening by seizing, detaining and investigating fraud and incidents as necessary;
- Ensure consumers have advice and guidance to inform positive food choices and can trust the provenance and origin of the food they buy;
- Work to improve the safety, standards and nutritional quality of food and feed produced and sold in Scotland to help Scottish consumers live longer healthier lives;
- Support the compliant growth and reputation of our food and drink industry through fair and proportionate controls, with robust enforcement and guidance when needed to protect consumers; and
- Act positively to be an evidence-based, transparent, smart and proportionate regulator.

We will protect consumers through:-

- Leading the delivery of proportionate and risk based regulation, ensuring that food producers are meeting their obligations to provide food and feed that is compliant with legal standards;

- Robust yet fair enforcement action, including referrals to the Procurator Fiscal where needed;
- Ensuring fully audited official controls are delivered to provide assurance on consumer protection on food and feed safety;
- Ensuring traceability requirements are adhered to and that appropriate action is taken where they are not; and
- Applying the principles of campaigning on food safety, standards and a healthier diet to bring positive change.

We will make consumers better informed by:-

- Ensuring labelling information is clear so that consumers are able to make informed choices;
- Providing clear information to inform consumers on food safety, food standards and how to improve diet; and
- Providing advice and information to consumers that enables them to take action that protects their health (e.g. allergy alerts, information about food recalls).

We will initiate change in the consumers' interest by:-

- Working with other Scottish bodies, in partnership, to enable a smart, consistent approach to food and feed safety, hygiene and standards; and take a leadership role in tackling unhealthy diets in Scotland;
- Seeking positive change, where necessary, from the food and feed industry and other stakeholders to meet our objectives; and
- Making policy recommendations to Ministers.

### **Being proportionate, transparent and accountable**

We will manage risk in an effective, balanced and proportionate way by:-

- Ensuring directly and through partners that a surveillance system is in place to enable effective and efficient investigation and enforcement action can be taken to protect consumers in Scotland;
- Delivery of a Scottish foodborne disease strategy which will focus on prevention and action to protect consumers from illness;

- Protecting consumers by working with any and all interested stakeholders across the UK and Europe as necessary to achieve an appropriate balance between risks to public health and consumer education so that consumers are able to make more informed decisions about the choices they make; and
- Effective horizon scanning and intelligence sharing of new and emerging risks.

## **Implementing good decision making practice**

Our decision making processes will involve:-

- Ensuring that all stakeholders, including consumers, have the opportunity, through appropriate and proportionate consultation, to become engaged and involved in policy development in either new initiatives or reviews to ensure a balanced, bold, positive and diverse approach to help shape executive recommendations and to inform Board decision making;
- Ensuring that policy decisions are evidence-based and proportionate to the scale of hazards and that managing risk is appropriate to protect consumers;
- Ensuring that our policy decisions and recommendations are informed by an assessment of impact on equality;
- Publishing the results from our research and surveillance of food, drink and feed products;
- Striving to achieve a balanced judgement between public health risk and enabling consumers to make informed choices; and
- Recording policy recommendations, our decisions and the reasons for them in the Board minutes and making them publicly available.

## **Developing and maintaining effective links**

We will work in partnership with:-

- Food and feed businesses to improve the safety, labelling and nutritional quality of their products, ensuring we consider the impact on their business without the detriment of public health, and we work with them to ensure they have the support and guidance they need;

- Other public bodies **and the third sector** in partnership, to secure a healthier Scottish diet by coordinating promotion of consistent healthy eating messages as a key mechanism to influence diets and improve our future health outcomes;
- Local Authorities and other regulators to deliver a smart, fair, consistent and robust food and feed enforcement regime across Scotland;
- Other food safety and nutrition research funders in Scotland, the rest of the UK and Europe to ensure co-ordination of efforts and focus; and
- Other Government departments in Scotland and across the UK with a shared interest in our remit, to ensure we improve food and feed safety, labelling and the nutritional quality of food and drink products across the UK.

### **Adopting the principles of good governance**

The Board will ensure adherence to the nine principles underpinning public life in Scotland, and will adopt and publish a Code of Conduct for Members, incorporating those key principles and covering the general conduct expected of Members, the requirements for the registration and declaration of interests, and rules regarding lobbying and access to Members. The Board will, in addition, adopt and publish Standing Orders and Terms of Reference specifying: the conduct and proceedings of the Board and any committee established by the Board; the matters which are solely reserved for the Board to determine and the matters that are delegated; **matters which the Board will consider in private and the reasons for this;** the right of access to the public and the press; and the remit of the Audit Committee.

We will also develop and publish a range of policies and documents that are required by relevant legislation or that support and fulfil FSS's commitment to good governance and transparency. In particular, we will publish a Framework Document that sets out arrangements for accountability, and annual reports and accounts that show how we have delivered against our objectives and managed our finances. We will also adopt the Scottish Information Commissioner's Model Publication Scheme, and produce and publish a Guide to Information that sets out the classes of information we make available, how the public might access that information, and whether or not it is available free of charge.