

Date of Review: 03/11/2019		CURRENT Risk Impact & Likelihood		TARGET Risk Impact & Likelihood									
Last updated by: Ruth Dewar													
Risk ID.	Risk owner	Risk Description Event - cause - effect	Controls in Place	Likelihood Impact	CURRENT Risk Score	Trend	Proximity	Actions Planned	Likelihood Impact	TARGET Risk Score	Progress update		
10	Ian Mcwatt	<p><b>Event:</b> There is a risk of increased frequency of outbreaks of foodborne illness or other food incidents</p> <p><b>Cause:</b> In the event of a failure of controls by food business operators that might reasonably have been detected and prevented through the delivery of official controls.</p> <p><b>Effect:</b> Potential for serious cases of human illness and other risks to public health, loss of confidence in the food supply chain and loss of trust in FSS and other regulatory bodies.</p>	<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>	3	50	150	Increasing	APP	<p><b>Action:</b> OCV development</p> <p><b>Owner:</b> Ian McWatt</p> <p><b>Date of delivery:</b> March 2020</p>	2	50	100	<p><b>Date: 15/10/2019</b></p> <p>FSS in receipt of letter from COSLA seeking 'permission' from FSS to allow LAs to depart from FLCoP requirements and essentially throttling back on OC delivery. Initial response has been to push back on this as there is not a one size fits all approach that would sufficiently address the risks that each LA is facing. Agreement to meet with COSLA to discuss further and also meeting with SFELC and SoCOEHS to consider options and to confirm that this is less a permission matter for FSS and more an issue for LAs to make a determination on their approach to service plan delivery and how they can meet local priorities. All of this underpins rationale for increasing trend and moving likelihood score from 2 to 3</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 &amp; premises data and will help to inform FSS confidence in LA capability and capacity to deliver OCS effectively going forward.</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.</p> <p>Official Controls verification pilot launched. Concepts developed through SLWG under SFELC and rolled out fully to FSS Approvals process. Evidence gathered wrt performance and compliance of FSS approved establishments very much improved and discussion ongoing to consider application of OCV within LA sector.</p> <p>Likelihood increased from 2 to 3</p> <p>Trend changed from increasing to static.</p>
12	Garry Mournian	<p><b>Event:</b> FSS's regulatory and operational delivery functions are largely related to EU law</p> <p><b>Cause:</b> Due to tight timescales and ongoing uncertainty about constitutional issues, there are concerns that FSS does not have adequate time to prepare for the effect this will have in Scotland.</p> <p><b>Effect:</b> 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>	<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 regularly updated.</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 preparations needed for exit and ongoing resource requirements and assess impacts on other areas of work.</p> <p>Additional in-year funding for Brexit consequentials was agreed in May 2019 and allowed for additional resource to be allocated.</p>	2	50	100	Decreasing	APP	<p><b>Action:</b> Continued delivery of FSS Brexit Programme objectives</p> <p><b>Owner:</b> Garry Mournian</p> <p><b>Date of delivery:</b> in line with programme plan.</p>	1	10	10	<p><b>Date: 03/11/19</b></p> <p>Continued uncertainty make exit planning challenging, as there is no clarity as yet over nature of the exit. Whilst the extension until 31 January 2020 provides some additional time to ensure we are best prepared for any no deal scenario, a pivot to preparing for a deal scenario also needs to be picked up and work will now be focussed on this area. This work is relatively well advanced through discussions with SG and UKG regarding UK frameworks and we continue to be engaged in relevant forums and working groups. UK-wide legislative fixes as part of no deal contingency planning have progressed well, and the majority of fixes relevant to FSS have been notified to the Scottish Parliament in line with the consent protocol agreed between the Parliament and Scottish Government, and laid in Westminster. These fixing instruments effectively repatriate EU powers to Scottish Ministers and FSS accordingly providing the platform for future regulatory controls.</p> <p>Work in 19/20 has been funded through additional in-year budget provision from SG. This funding has now been allocated to FSS from SG for which has helped to alleviate budget pressures on FSS and enable other non-Brexit work to continue.</p> <p>Likelihood reduced from 4 to 2.</p> <p>Trend changed to decreasing from static.</p>
13	Garry Mournian	<p><b>Event:</b> Risk 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</p> <p><b>Cause:</b> Programme requirements for Brexit</p> <p><b>Effect:</b> FSS failing to achieve strategic outcomes to original timelines</p>	<p>Brexit consequentials bid assessed and submitted to SG in November 18 and FSS advised in May 2019 that additional in-year is available for Brexit.</p>	2	50	100	Decreasing	APP	<p><b>Action:</b> Board and Executive discussion of 2019-20 budget allocation.</p> <p><b>Owner:</b> Garry Mournian</p> <p><b>Date of delivery:</b> March 2019</p> <p><b>Action:</b> Submit longer-term resourcing plan to SG.</p> <p><b>Owner:</b> Geoff Ogle</p> <p><b>Date of delivery:</b> July 2019</p>	1	10	10	<p><b>Date 03/11/19</b></p> <p>This risk has been mitigated in the short term with the allocation on additional in-year funding from SG. FSS's increased resource requirements will be ongoing however, so longer term resource requirements have been assessed and submitted to SG for consideration re. Spending Review. CEO wrote to SG in August 19 outlining the resourcing plan/requirements to ensure FSS can manage and mitigate the impact Brexit will have on the span of our responsibilities from 20/21 FY onwards. Further discussions took place with SG Health Finance who recognise the impact Brexit will have and aware of the timing pressures with regards to FSS being able to implement our plan due to the timings of Westminster Budget and proximity to end Oct and the subsequent impact this may have on SG spending review plans. FSS made a case to have a decision prior to any formal conclusion of SG spending review and this business case was subsequently approved by Ministers in October. Work now progressing to develop the FSS future structures will need to be in place to ensure FSS are able to meet its current and future statutory obligations. This work should mitigate resource challenges associated with post Brexit demands and allow revised strategic objectives to be implemented.</p> <p>Likelihood reduced from 4 to 2.</p>

2	Garry Mournian	<p><b>Event:</b> There is a risk of a lack of clarity within the diet and nutrition landscape  <b>Cause:</b> The differing roles and responsibilities of FSS and other stakeholder obligations  <b>Effect:</b> Inability for FSS to meet the statutory obligations it has been given to deliver Strategic Outcome 3</p>	<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>Publication of key evidence reports relevant to the out of home environment in Scotland in August 2019 to support the Out of Home paper submitted to Board and recommendations made to Minister in August.</p> <p>Updated Situation Report on the Scottish diet published in February 2018, alongside two new reports adding to the evidence base. Out of Home paper submitted to Board and recommendations made to Minister in August.</p> <p>Recent meeting 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. Second meeting planned to discuss Ministerial position on OOH environment.</p>	4	25	100	Decreasing	APP	<p><b>Action:</b> Complete OOH consultation response analysis and analysis of other evidence to inform paper to Board.  <b>Owner:</b>Garry Mournian  <b>Date of delivery:</b> August 2019</p> <p><b>Action:</b> Make necessary prioritisation of FSS resources for nutrition in 2019-20  <b>Owner:</b> Garry Mournian  <b>Date of Delivery:</b> Oct 19</p> <p><b>Action:</b> Respond to SG consultation on Public Health Scotland.  <b>Owner:</b> Garry Mournian  <b>Date of Delivery:</b> July 2019</p> <p><b>Action:</b> Present recommendations for OOH Strategy to FSS Board in August, and provide advice to Ministers thereafter.  <b>Owner:</b> Garry Mournian  <b>Date of Delivery:</b> August 2019</p>	1	10	10	<p><b>Date: 03/11/19</b></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. This was published at the same time as the OOH paper was discussed with the Board - August 19.</p> <p>Recommendations for OOH Strategy for Scotland developed and discussed by Board in August 2019. Board agreement given to the principles and recommendations contained within the paper and FSS's advice will be given to Scottish Ministers. Submission sent to SM 6 Sept. Resource to progress these recommendations, should SM agree, will need to be reviewed in line with current nutrition and corporate priorities.</p> <p>FSS also responded to the SG's consultation on the creation of Public Health Scotland re. clarity of roles and responsibilities on diet and health. Chair and CEO arranging meeting with Shadow Chair of PHS in Sept/Oct. FSS Nutrition programme also developing new governance model including workstream on our involvement in SG work and consideration of membership of the programme board to be expanded to other partners such as Public Health Scotland.</p> <p>Officials actively contributing to SG actions relevant to Public Health Reform and with Public Health Priority 6 ( Diet and Healthy Weight)</p> <p>Trend changed from decreasing to static.</p>
3	Garry Mournian	<p><b>Event:</b>The UK Child Obesity Plan with outcomes specifically appropriate to Scotland could be limited in scope and ambition.  <b>Cause:</b> 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  <b>Effect:</b> Action required by industry could be compromised or delayed outcome.</p>	<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	25	100	Static	CLS	<p><b>Action:</b> Make necessary prioritisation of FSS resources for nutrition in 2019-20  <b>Owner:</b> Garry Mournian  <b>Date of Delivery:</b> Oct 2019</p> <p><b>Action:</b> Meet regularly with DHSC and Public Health England  <b>Owner:</b> Garry Mournian  <b>Date of Delivery:</b> Quarterly, most recent meetings in May 2019.</p>	1	10	10	<p><b>Date: 26/08/2019</b></p> <p>Keeping in 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. Most recent meetings held on 8 May. Another meeting is now required and liaising with DHSC on timings.</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 of some proposed interventions to reduce calories consumed OOH. Will continue these discussions as well as engagement with other targeted stakeholder groups to develop proposals, should Ministers agree to our recommendations on OOH.</p> <p>Concerns during FY 2019-20 that budget pressures as a consequence of Brexit and other competing priorities mean that funding for nutrition programme in 2019-20 may be insufficient to meet programme objectives, however allocation of additional in-year funding to FSS for Brexit has helped to alleviate this and we are engaged in these internal discussions. UK CMO recently published independent report on childhood obesity and some consistency around areas such as calorie labelling, the impact of planning around schools and availability of HFSS.</p> <p>The outgoing UK CMO recently published an independent report on childhood obesity which is consistent with FSS advice on improving the diet and addressing the OOH environment, including actions such as calorie labelling, the impact of planning around schools and availability of HFSS.</p> <p>Trend changed from increasing to static.</p>
6	Garry Mournian	<p><b>Event:</b> There is a risk that FSS's statutory role in relation to tackling Scotland's poor diet and improving public health outcomes conflicts with priorities around economic growth in the food and drink sector  <b>Cause:</b> Potential for tension between diet/health and economic growth. Due to FSS's statutory role in relation to tackling Scotland's poor diet and improving public health outcomes  <b>Effect:</b> FSS's delivery of its statutory role in relation to diet/health is compromised.</p>	<p>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.</p> <p>Engagement with the SG Strategy Unit and the senior officials' Cross Government food policy group established within SG.</p> <p>FSS recommendations to SG helped inform the SG Diet and Obesity Strategy consultation, and drew heavily on FSS's evidence base. Translated in to actions in the Healthier Futures Delivery Plan.</p> <p>Keeping in contact with SG Good Food Nation work, and officials have engaged with SG on what consultation on a GFN Bill might contain.</p>	4	25	100	Static	CLS	<p><b>Action:</b> Submit response to SG Good Food Nation consultation.  <b>Owner:</b> Garry Mournian  <b>Date of delivery:</b> end March 2019</p> <p><b>Action:</b> Provide advice to Ministers on allergen labelling on PPDS foods.  <b>Owner:</b> Garry Mournian  <b>Date of Delivery:</b> May 2019</p>	1	10	10	<p><b>Date: 03/11/19</b></p> <p>Keeping engaged with SG re. Good Food Nation developments and submitted FSS's response to the consultation in March.</p> <p>Working with SG re. their Delivery Plan for Healthier Futures, and also on evidence base to support their work on promotions of HFSS foods.</p> <p>Monitor the impact of the SG evidence requirements to inform the promotions work. A business case to bolster the evidence base has recently been approved. 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.</p> <p>Ensure that SG F&amp;D team are sighted on development of the OOH Strategy and of FSS's advice to Ministers. Two business cases approved Oct/ Nov 2019 for data acquisitions on out of home and retail respectively, to inform FSS policy development to fulfil our statutory duty in relation to diet and health.</p> <p>Advice provided to Ministers on allergen labelling of PPDS foods in May. Continue engagement with SG on FSS work on allergen labelling on PPDS foods, to ensure impact on businesses selling PPDS foods is fully assessed, and that Ministers are advised further on the benefits, risks, costs and enforcement practicalities as policy develops. Internal project planning now underway to scope out the work required to implement the recommendations put to Ministers in line with agreed timescale. Stakeholder engagement has commenced in October and will complete in November.</p> <p>Trend changed from increasing to static.</p>

8	Ian McWatt	<p><b>Event:</b> There is a risk of either ineffective planning or delivery of official controls leading to non-compliance with food and feed law</p> <p><b>Cause:</b> due to Local Authority capacity and capability to deliver these not matching statutory and food law code of practice requirements.</p> <p><b>Effect:</b> In consequence, FSS would not be able to meet its obligation to assure this aspect of consumer protection.</p>	<p>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.</p> <p>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.</p> <p>Despite significant engagement and discussion between legal teams, 1 LA remains outside of SND. Update 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</p>	4	25	100	Increasing	APP	<p><b>Action:</b> Continued engagement with LAs and pursuit of full SND coverage and further SND development work</p> <p><b>Owner:</b> Ian McWatt</p> <p><b>Date of delivery:</b> March 2020</p>	2	10	20	<p><b>Date: 16/10/2019</b></p> <p>Letter received from COSLA wrt to LAs seeking 'permission' to depart from FLCoP. Meeting being arranged to explore what LAs are looking for exactly however FSS position has already been stated in Brexit PB on 15/10 and at August LA stocktake event that LAs need to articulate what it is they intend to do. Letter of comfort issued to GCC referenced wrt Commonwealth Games.</p> <p>LA Stocktake event held 28/08 to consider preparedness, capacity and capability and also No Deal preparedness especially around EHCs. Concerns regarding capacity remain high on LA agenda and decision not to issue letter of comfort shared as to alternative measure to allow for compliance with CoP has been provided. Individual LAs now tasked with engaging directly with Enforcement Delivery should any Capacity / Capability issues emerge over next few months and in particular around Brexit. Have also confirmed reinstatement of Capacity &amp; Capability audits in Q4 (Jan - Mar 2020) and a desktop sampling audit from mid September 2019</p> <p>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.</p> <p>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</p> <p>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.</p> <p>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.</p> <p>Continued engagement with SoCOEHS provides additional trend data to demonstrate the movement in authorised and skilled enforcement officers within LAs. Discussion also held with Minister for Public Health &amp; Sport regarding SND coverage and proposed action plans around this given CoP requirement, also looking to extend scope of SND 19/20</p> <p>Proposed amendment of risk description as inconsistent delivery is seen to be less of an issue. Ineffective delivery of greater importance here as this reflects wider concerns wrt resourcing and sustainability of LA model for OC delivery.</p>
1	Katherine Goodwin	<p><b>Event:</b> 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</p> <p><b>Cause:</b> Public doubt about the impartiality or authority of FSS's advice</p> <p><b>Effect:</b> Reputational damage that impacts our ability to deliver across all of the FSS strategic objectives</p> <p><b>Proposed new wording:</b></p> <p><b>Event:</b> FSS could lose the confidence and trust of consumers</p> <p><b>Cause:</b> This could be caused by a number or combination of factors, including negative stakeholder or media commentary, misconceptions regarding FSS's role or lack of external communication.</p> <p><b>Effect:</b> Reputational damage that impacts our ability to deliver across all of the FSS strategic objectives.</p>	<p>Protecting public health and consumers' interests takes precedence in all FSS decision-making. However, reputation measures are also viewed as crucial by SMT and the Board if FSS is to have the consumer and stakeholder confidence it needs in order to fulfil its duties.</p> <p>Ongoing tracking and monitoring is 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>Incident Communications Plan has been developed and exercised, which will be implemented in all future level 2-4 incidents.</p>	3	25	75	Increasing	APP	<p><b>Action:</b> Wave 9 of Consumer Tracking survey to continue to monitor consumer attitudes towards FSS</p> <p><b>Owner:</b> Katherine Goodwin</p> <p><b>Date of delivery:</b> Results January 2020</p> <p><b>Action:</b> Qualitative engagement with internal and external stakeholders which will include an assessment of current attitudes towards FSS with a view to developing our new strategy from March 2021</p> <p><b>Owner:</b> Karen McCallum-Smith/Katherine Goodwin</p> <p><b>Date of delivery:</b> Results February 2020</p>			0	<p><b>Date: 10/09/19</b></p> <p>Wave 6 of Food in Scotland consumer tracking survey showed trust in FSS continuing to increase wave-on-wave to 81%. However, Wave 7 was undertaken in Dec 2018, with and showed a reduction in trust level to 73%. Trust levels recovered to 77% in the most recent Wave 8 (July 2019). Daily media monitoring and regular social media monitoring, including overall sentiment, are in place. Analysis of FSS's website and other key metrics provide a regular overview of engagement with the organisation. A recent stakeholder survey provided a small number of views of FSS which fed into a recent Board paper on FSS's reputation. This paper generated a number of questions regarding FSS's external profile in terms of Brexit preparations and our role and responsibilities. Communications plans are being implemented to address those concerns, including a Communications Handling Strategy.</p> <p>Positive proactive communications and marketing activity help position FSS as a consumer champion and build awareness and trust. However, the risk of decreasing awareness and trust is likely to be exacerbated due to budgetary constraints, resource and timing issues - for example around agreement on a social marketing campaign linked to the OOH strategy - in 19/20. A significant reduction in the scope and scale of FSS's proactive communications and marketing work has led to this risk increasing as of September 2019.</p> <p>Likelihood increased from 2 to 3.</p> <p>Trend changed from static to increasing.</p>
11	Katherine Goodwin	<p><b>Event:</b> 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</p> <p><b>Cause:</b> Consumers not understanding their own responsibilities for food safety</p> <p><b>Effect:</b> Increase in foodborne illnesses</p>	<p>Kitchen Crimes behaviour change campaign aimed at disrupting complacency regarding food poisoning in the home, particularly for vulnerable groups, and encouraging safe practices ran in January 2018 and again in January 2019. Results show high level of awareness and motivation to change behaviour, with claimed action across 15 out of 17 key behaviours in the home. There was also some evidence in a reduction in complacency about food hygiene and its impact in the home. However, there is no plan for any similar large-scale work in this area in 19/20.</p> <p>Contingency budget in Brexit Programme bids for public information / behaviour change campaign in the event of a change in behaviours due to the impact of potential food shortages as a result of Brexit.</p> <p>Budget bid for Campylobacter social marketing activity and segmentation work to focus on older, at risk groups - segmentation work now underway but no decision on bulk of budget bid as of 10.09.19.</p>	3	25	75	Increasing		<p><b>Action:</b> Wave 9 results Jan 2020</p> <p><b>Owner:</b> Katherine Goodwin</p> <p><b>Date of delivery:</b> Jan 2020</p> <p><b>Action:</b> Refresh of segmentation, focusing on food safety and older age groups with a view to targeted marketing activity should budget be available</p> <p><b>Owner:</b> Katherine Goodwin</p> <p><b>Date of delivery:</b> Mar 2020</p>			0	<p><b>Date: 10/09/19</b></p> <p>Difficult to give this risk a proximity range given it is an ongoing and perennial issue. This risk has been assessed to be increasing (previously static and yellow 10.09.19) due to a lack of proactive activity on food hygiene as a result of budgetary constraints in 19/20, and there is a continuing risk that there is a lack of capacity and resilience to deal with multiple food safety incidents alongside ECA and programme work within the Comms &amp; Marketing team. This may be mitigated to a degree should a business case for additional resource on a fixed term basis for C&amp;M be agreed.</p> <p>Discussions are ongoing regarding targeting older, at risk age groups in regard to the risk of campylobacter poisoning which would go some way to mitigating this risk but the scope and reach of this is budget-dependent. Regular, lower level food safety work continues - for example new fast factsheets on the 5 key pathogens, World Food Safety Day media work, Education resources, REHIS food hygiene course, events such as RHS, CSA blog on Campylobacter; publicising of the new text and email food alert system, development of risk communication approach and capacity as part of the wider organisational Reg Strategy programme risk assessment and management work, development of recalls approach with the FSA as part of the Efficacy of Recalls project.</p> <p>Likelihood increased from 2 to 3.</p> <p>Trend changed from increasing to static.</p>

9	Garry Mournian	<p><b>Event:</b> There is a risk that key stakeholders fail to recognise the importance of FSS's key regulatory functions to support exports and international trade.</p> <p><b>Cause:</b> Brexit</p> <p><b>Effect:</b> This could result in an inability to secure exports and adversely impact on FSS's reputation and ability to protect consumer interests.</p>	<p>Active management of the budget planning on a monthly/quarterly basis alongside Corporate Plan priorities and other issues materialising throughout the year. Building and maintaining key relationships in SG Finance and with regard to the Health Finance portfolio. Development and implementation of FSS programme activity around imports/exports. Liaison with SG and UK to provide input where FSS have a lead/interest.</p>	2	25	50	Decreasing	APP	<p><b>Action:</b> Continued delivery of FSS Brexit Programme objectives</p> <p><b>Owner:</b> Garry Mournian</p> <p><b>Date of delivery:</b> in line with programme plan.</p> <p><b>Action:</b> Consult on outstanding domestic labelling provisions needed for no-deal exit contingency planning, then lay the necessary SSI.</p> <p><b>Owner:</b> Garry Mournian</p> <p><b>Date of delivery:</b> Consult in June, and lay SSI to meet coming into force date of 31 October.</p>	1	10	10	<p><b>Date: 03/11/19</b></p> <p>FSS and Scottish Ministers functions established in retained EU food law - majority is laid and in place as a contingency for no-deal exit.</p> <p>Further discussions are ongoing on UK Frameworks with UKG, Wales and Northern Ireland. Good progress at officials level, without prejudice to Ministers' views. Ministers have been updated, and discussions are underway re. plans for stakeholder engagement. Meetings held with FSA on the FW in August 19 and subsequent discussions have taken place since then, albeit with a focus on no-deal planning and working level arrangements.</p> <p>Brexit-themed session at LA Partnership event in August 2019.</p> <p>Operational readiness engagement with SG and UKG increasing, including contingency planning through developing FSS no deal stocktake approach. FSS closely involved in SG-led work on exports to ensure importance of certification and impacts for LAs are understood and taken into account. Programme has also flagged up the need to further consider import controls with regards to FSS role and that of the LAs to ensure Scottish consumers interests in relation to food safety from imported goods into the UK are addressed. Revised guidance and Q&amp;A has been finalised and published on FSS website. Updates have been given to industry via stakeholder events and SGoRR Food sector resilience group.</p>
16	Ian McWatt	<p><b>Event:</b> There is a risk that Local Authorities feel less able to take appropriate and proportionate enforcement action in relation to microbiological food safety.</p> <p><b>Cause:</b> Due to legal decisions made in 2018 by the courts,</p> <p><b>Effect:</b> This could lead to lower levels of protection for consumers and an inability to adequately protect public health.</p>	<p>Continued engagement with LAs, SFELC, Industry.</p> <p>Production of guidance for LA community insofar as delivery of official controls in establishments producing raw milk cheese.</p>	2	25	50	Decreasing	DIS	<p><b>Action:</b> Continued dialogue and collaboration with regulators, industry reps and industry in refinement of guidance</p> <p><b>Owner:</b> Ian McWatt</p> <p><b>Date of delivery:</b> By April 2020</p>	1	25	25	<p><b>Date: 16/10/2019</b></p> <p>No further evidence from previous update to indicate this risk is materialising hence a reduction in likelihood from 3 to 2. Will continue to monitor and seek views from future SFELC meetings.</p> <p>Propose that trend is now decreasing as there is no evidence from LAs that LAs do in fact now feel less able to take enforcement action. There is however an attendant risk with regard to not being able to progress the Sanctions Code work due to competing Brexit priorities and this will need to be discussed at the next Reg Strat PB.</p> <p>Meetings held at SFELC in February 2019 as well as CEO meeting with SCA, ECL and LAs to discuss latest iteration of LA guidance. Ongoing dialogue with SGLD regarding potential court action</p> <p>Ongoing discussion with HPS, LAs through SFELC and SGLD</p> <p>Likelihood decreased from 3 to 2.</p>
7	Katherine Goodwin	<p><b>Event:</b> There is a risk that FSS is not sufficiently agile or capable in translating complex evidence-based policy into user-friendly consumer advice</p> <p><b>Cause:</b> Lack of time and/or failure to apply the critical principle of considering the end user and ensuring information is provided in plain English.</p> <p><b>Effect:</b> Missed opportunities to make a strategic and positive impact on consumer protection and health.</p>	<p>Communications and marketing strategy in place to support translation of FSS's priorities into consumer-facing information.</p> <p>Continuing to develop consumer-facing and friendly activity and ensure language is accessible. C&amp;M branch continue to work with other branches to adapt policy language to become more consumer-facing, including through new website. Undertaking on going consumer survey and social media listening work to better understand consumer attitudes, needs and wants via these channels.</p>	3	10	30	Static	APP	<p><b>Action:</b> Importance of plain English and accessible language in ALL communications to continue to be emphasised by SMT and C&amp;M to CLG and the rest of the organisation. KG to organise a workshop on this.</p> <p><b>Owner:</b> Katherine Goodwin</p> <p><b>Date of Delivery:</b> by end March 2020</p>	1	5	5	<p><b>Date: 10/09/19</b></p> <p>Continue to include relevant questions in next waves of the biannual Food in Scotland consumer tracking survey.</p> <p>Risk of possible diversion of both financial and staff resources away from these activities as a consequence of budgetary pressures and impact of Brexit. Mitigated to a degree by agreement to fund some FTAs within C&amp;M branch as an interim measure, and by the Brexit consequentials funding granted in-year.</p> <p>Trend changed from increasing to static.</p>
4	Garry Mournian	<p><b>Event:</b> There is a risk that FSS's budget is reduced in future, or it is insufficient.</p> <p><b>Cause:</b> Pressures such as Brexit, or wider financial pressures across the Scottish Administration.</p> <p><b>Effect:</b> 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>	<p>Active management of the budget planning on a monthly/quarterly basis alongside Corporate Plan priorities and other issues materialising throughout the year. Building and maintaining key relationships in SG Finance and with regard to the Health Finance portfolio, Central Finance and EU Exit team. Exploring alternative mechanisms for work previously funded by FSS. Development and implementation of FSS Financial Management Plan alongside other plans (i.e. workforce planning).</p> <p>Wider business planning reviewed in terms of how we prioritise our work and match all resources to deliver in a programme based way. Brexit Consequential funding secured to specifically fund Brexit related work/resource requirements but this only covers 19/20. Business Case submitted and approved for future funding to ensure existing and statutory obligations can be delivered post Brexit agreed.</p>	1	25	25	Decreasing	DIS	<p><b>Action:</b> Ongoing work to prioritise FSS resource allocation following Board discussion and decision in May 19. Ongoing discussion with SG Health Finance with regards to future budget pressures.</p> <p><b>Owner:</b> Garry Mournian</p> <p><b>Date of delivery:</b> Aug 19</p>	2	25	50	<p><b>Date: 03/11/19</b></p> <p>Following discussion with SG Health Finance, the SG Cabinet agreed to provide up to £3.5m additional budget to support FSS Brexit related activities. This was subject to discussion at the May Board meeting where the Board agreed to the Executives recommendations about how we should prioritise our resource based on the additional funding received. The executive have revised the budget allocation and planning work following our CLG meeting in May and this approach was broadly outlined at the August Board as part of our normal budget performance report. The risk has been reduced in terms of likelihood as whilst we previously recognised the future risk from 20/21 onwards, our business case to SG Health for additional resource to meet our requirements in a post- Brexit world was agreed by Ministers in October and work is now underway to develop and implement a new FSS structure that ensures we are best placed to deal with the future challenges. Recruitment has commenced in priority areas around risk assessment, management and food crime for example and this will be a priority programme of work over the next few months.</p> <p>Likelihood reduced from 3 to 1.</p> <p>Trend changed from static to decreasing.</p> <p>Proximity changed from approaching to distant.</p>

17	Garry Mournian	<p><b>Event:</b> There is a risk that the attitudes of food businesses could change</p> <p><b>Cause:</b> Due to legal decisions made in 2018 with regards to food safety and specifically the presence of STEC</p> <p><b>Effect:</b> There is an increased likelihood of food being placed on the market that is unfit for human consumption, leading in turn to increased levels of foodborne illness.</p>	<p>Clear legal obligation on FBOs to produce safe food. Guidance available on foods that are higher risk, e.g. burgers served rare, and on raw milk cheese.</p>	1	25	25	Static	DIS	<p><b>Action:</b> FSS collaboration with SFELC re. pilot of raw milk cheese guidance to allow guidance to be finalised.</p> <p><b>Owner:</b> Garry Mournian</p> <p><b>Date of Delivery:</b> by end 2019</p> <p><b>Action:</b> Build on foundations of FSS approach to surveillance</p> <p><b>Owner:</b> Garry Mournian</p> <p><b>Date of Delivery:</b> by end 2019</p> <p><b>Action:</b> Review provision, awareness and availability of FSS guidance.</p> <p><b>Owner:</b> Garry Mournian</p> <p><b>Date of Delivery:</b> As part of Phase 2 of Regulatory Strategy</p>	1	25	25	<p><b>Date: 03/11/19</b></p> <p>No evidence that FBO attitudes are changing in this regard - no evidence of increased food safety incidents. The SFELC Guidance on cheese made from unpasteurised milk is now in place following extensive discussion with the Specialist Cheesemakers Association. The guidance, which is for use by LA enforcement officers, was subject to workshop training for all affected LAs in March 2019. It is published on our website. SFELC will review the guidance at the end of this year gathering evidence as to how it has operated in the field. The guidance will be modified and updated if required following this review. The SCA will again be involved in any modifications required, although it is expected that these will be minor given the scrutiny applied to the current guide.</p>
5	Ian McWatt	<p><b>Event:</b> There is a risk that FSS fails to protect the reputation of the Scottish food and drink sector from the impact of food fraud.</p> <p><b>Cause:</b> A lack of information provided, FSS capability or capacity issues that prevents action to be taken.</p> <p><b>Effect:</b> Failure to adequately deliver our aspirations of responsible food businesses flourishing and consumers having reduced confidence that food is authentic.</p>	<p>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.</p>	2	10	20	Static	VDI	<p><b>Action:</b> Ongoing work with LAs and SFCIU with a wide range of stakeholders</p> <p><b>Owner:</b> Ian McWatt</p> <p><b>Date of delivery:</b> Ongoing</p>	2	10	20	<p><b>Date: 15/10/19</b></p> <p>Ongoing dialogue with LAs via SFELC and SoCOEHS with regard to Tactical Assessment process and now looking at securing LA representation at quarterly FSS Tacy meeting. Head of SFCIU also looking to extend membership across SG and other agencies to secure as wide an input into development of document as possible. Risk metrics remain unaltered in this update</p> <p>Further LA engagement events to encourage increased logging of intel on Memex and also to support roll-out of CLIO. Risk would seem to be static and hitting target score principally evidenced through recent high profile cases currently being reported.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>Work ongoing with LAs to improve intelligence logging as well as further campaign work via FSS Comms and with Crimestoppers</p>