

Progress Update – Implementing the Recommendations of the Scudamore Expert Advisory Group Report

1 Purpose of the paper

1.1 This information paper provides an update on progress against each of the 68 recommendations from the Scudamore review which are being taken forward by Food Standards Scotland (FSS).

1.2 The Board is asked to:

- **Note** progress to date.
- **Agree** that the Chair will update Scottish Ministers accordingly.
- **Agree** the Board's commitment to taking forward to completion, all work to meet the recommendations that are within the remit of FSS.
- **Agree** that the next full update should be provided in 12 months, and that in the interim period, papers provided to the Board on areas of work relevant to meeting Scudamore recommendations, should highlight their contribution to those aims.

2 Background

2.1 The Scudamore Expert Advisory Group was established by Scottish Ministers in February 2013 to review lessons learned from the Horsemeat incident. The Group reported its findings in June 2013¹, which enabled its recommendations to be taken into account in the Food (Scotland) Act 2015 and to inform the development of FSS work programmes. The report made sixty-nine recommendations. Sixty-eight of the recommendations were accepted by the Food Standards Agency (FSA) and Scottish Government (SG). Recommendation 68 related to assessment of the resource needs of Citizens' Advice Scotland and is not within the FSS remit. The FSA was involved in taking forward all applicable recommendations until FSS was established.

2.2 Scottish Government and the FSA published jointly agreed responses to each recommendation in November 2013².

2.3 The report's recommendations were structured within 5 chapters. Work to progress these recommendations within FSS is currently taken forward by FSS within four broad themes and eight more detailed level workstreams. The approximate mapping from the report to workstreams and recommendations is illustrated in Table 1 below.

¹ <http://www.gov.scot/Resource/0042/00426914.pdf>

² <http://www.gov.scot/Topics/Health/Healthy-Living/Food-Health/NewFoodBody/JointResponse>

Table 1

Scudamore Report Structure	Broad Themes	FSS Workstreams	Recommendation numbers
Meat supply chain and fraud Horsemeat incident and responses	Surveillance	1 Surveillance Strategy	8, 12, 17, 18, 19, 23, 24, 33, 40, 41, 42, 43
Risk assessment	Traceability	2 Testing Methods for Food Authenticity	31, 32, 34, 35, 36, 37, 38, 39
		3 Traceability and Fraud Prevention	1, 2, 3, 5, 16, 20, 50, 52, 53
Risk management	Management	4 Regulation and Enforcement	6, 10, 11, 30, 44, 45, 46, 47, 48, 49, 51, 54, 55, 56, 57, 58, 59, 60
		5 Public Procurement	13
		6 IT Systems	25, 26, 28
		7 Contingency Planning	7, 22, 27, 61, 62, 63
Communication of risk	Communications	8 Communications	4, 9, 14, 15, 21, 29, 64, 65, 66, 67, 69

2.4 Individual recommendations were made principally for action by FSA and/or SG but action by other bodies such as the Convention of Scottish Local Authorities (COSLA) and the Scottish Food Enforcement Liaison Committee (SFELC) and also by industry are included in the scope of the recommendations. Prior to April 2015, work within the FSA to take forward various recommendations was allocated across a range of its Directorates, including Director, Scotland. The formation of FSS means that all recommendations originally addressed to the FSA to take forward, now fall to FSS.

3 Discussion

3.1 The recommendations of the Scudamore Expert Advisory Group (Scudamore recommendations) are wide-ranging and have helped to shape the approaches taken by the FSA to developing measures to ensure food authenticity and tackle food fraud since responses to the recommendations were agreed in 2013. They were a key part of underpinning work taken forward by the FSA in Scotland in the wake of the horsemeat incident.

3.2 Table A1 in Annex A of this paper, reproduces each Scudamore recommendation together with the respective responses agreed between the FSA and Scottish Government in late 2013. Where the original responses have since been extended by FSS, the supplementary objectives are included next to the original responses. Table A1 also includes a description of progress to date against each recommendation and an indicative progress category, as assessed by the FSS Executive.

3.3 The progress towards completion of all objectives of the workstreams and individual recommendations will retain a high priority within the overall work programmes of FSS, as referenced in the draft Strategic Plan.

- 3.4 A guide to progress, as assessed by FSS officials, against each recommendation is provided in Table A1 in Annex A using one of five indicative progress categories. Table 2 below, summarises overall progress with the 68 accepted recommendations assessed on this basis. :

Table 2

Not started	Some progress	Significant progress	Substantial progress	Completed
4	19	19	8	18
5.9%	27.9%	27.9%	11.8%	26.5%

Table 2 indicates that there has been significant progress with approximately 66% (45/68) of the recommendations, with 26% (18/68) completed. Work on 4 recommendations (6%) has yet to start.

- 3.5 Of the four recommendations assessed as *not started* in terms of progress, three (9, 14 and 15) relate to the establishment of FSS relationships beyond the UK, which could not be commenced until FSS was established. The other (recommendation 48) relates to discussion with the Crown Office and Procurator Fiscal Service about the possible establishment of a specialist Procurator Fiscal. This is a matter that fits with the development of food crime capability which is a current strand of FSS's work.
- 3.6 Some common underlying features can also be identified among the nineteen recommendations assessed as *some progress*. These are set out in Table 3 below.

Table 3

Recommendations	Underlying features	Issues relating to timing
1, 2, 3, 12, 50, 52 and 53	Working with industry to understand and control complex food chains and to establishing a world recognised surveillance system.	These are long-term objectives that require significant evidence-gathering before testing any potential solutions Most will also require buy-in from industry if they are to be successful.
42 and 45	Establishing mechanisms for industry to share the results of laboratory tests with FSS, including the potential for mandatory reporting.	These will require significant industry engagement prior to developing solutions.
54, 58 and 59	Work with local authorities, COSLA, SFELC, to develop a local authority workforce plan, service delivery models and a framework agreement with FSS.	FSA has previously agreed that COSLA will lead on the development of a workforce plan. The development a framework agreement and service delivery models will require time for agreement to be reached in partnership with local authorities.

25 and 26	Development of an integrated database platform for recording all local authority data to replace separate systems currently in use for different aspects of local authority recording.	This is a long term project. The overall objectives are aligned with work being taken forward by the FSA. FSS continues to work with the FSA but is also now considering how a solution would be implemented for local authorities in Scotland.
7 and 8	Use and development of the Food Fraud Advisory Unit by FSS.	These are issues for development by FSS post-vesting that will need to fit with the development of food crime capability as that develops.
21	Formalising arrangements with Defra.	Joint working arrangements with Defra have transitioned smoothly. The outstanding issue relates to formalisation as set out in the FSA/ SG response to this recommendation.
56	Exploring the possibility of charging for additional official controls.	This is a policy issue now to be considered separately by FSS for Scotland and will be incorporated in wider consideration of a regulatory strategy.
69	Exploring availability of consumer engagement networks.	This is an issue that FSS can take forward in partnership with local authorities and other bodies such as NHS Health Scotland.

3.7 The majority of the 18 completed recommendations related to:

- work with local authorities in Scotland that could be taken forward either by joint working with local authorities through SFELC or through changes to the Food Law Code of Practice; or
- Recommendations aimed at providing powers within the Food (Scotland) Act 2015 or arrangements that required to be in place on vesting day such as incident handling and risk management.

3.8 Figures 1 and 2 below illustrate the distribution of progress categories within the workstreams.

Figure 1 Distribution of progress categories within each workstream

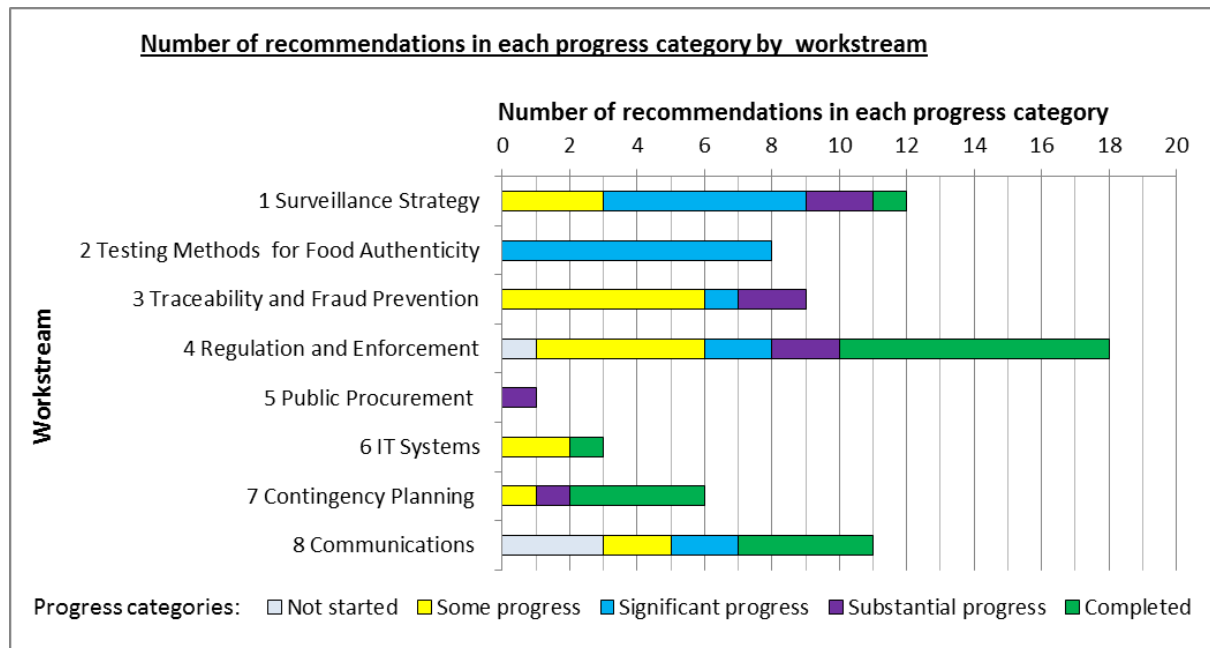
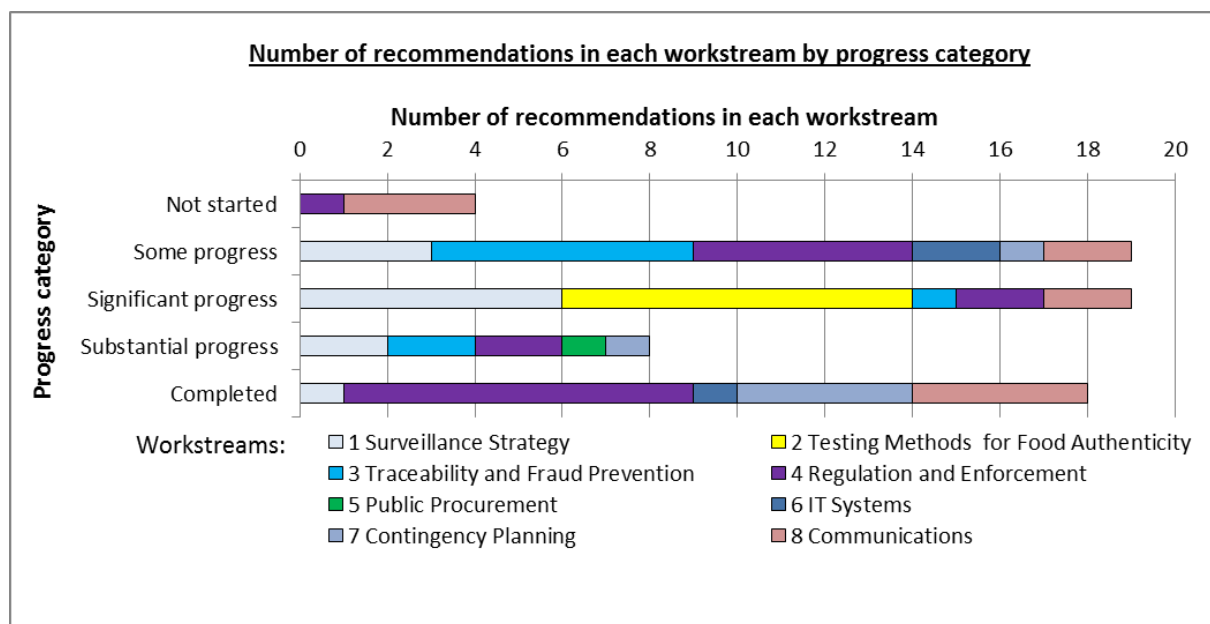


Figure 2: Distribution of workstreams against each progress category



3.9 Although progress against individual indicators can provide a helpful guide to how work is progressing to meet individual recommendations, it does not provide a comparison of the relative resource or time required to meet each of the recommendations. The food crime and intelligence work for example, will require additional and ongoing staff resource but is likely to develop rapidly in comparison with, for example, the work to provide and embed industry guidance on traceability.

4 Identification of risks and issues

- 4.1 A small proportion of recommendations are currently with other bodies to take forward. FSS will continue to monitor progress in such cases and may put alternative steps in place to mitigate risk if necessary. For example, recommendation 58, which relates to local authority workforce planning, is being taken forward by COSLA.
- 4.2 Although FSS will lead in taking forward all work previously assigned to the FSA, there are many areas where close cooperation and continued joint working with the FSA will be very important for optimal outcomes. Key areas include the interoperability of incident management plans and arrangements for sharing intelligence.

5 Conclusion/Recommendations

- 5.1 This paper does not make recommendations for decision. However the Board is invited to advise on the form and timing of future updates, including any specific areas that it wishes to have reported to it separately.
- 5.2 It is recommended that the FSS Chair updates Scottish Ministers on progress towards meeting the Scudamore recommendations and affirms its commitment to taking forward to completion, all work to meet the recommendations that are within the remit of FSS.
- 5.3 Unless the Board requests otherwise, the Executive recommends that the next update should be provided in 12 months but that in the interim period, papers provided to the Board on specific areas of work relevant to meeting Scudamore recommendations, should highlight the contribution to those aims.
- 5.4 The Board is asked to:
- **Note** progress to date.
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