

## CHIEF EXECUTIVE'S REPORT

### 1 Chief Executive's engagements

1.1 During September 2019, I attended a number of conferences and events both in the UK and in Europe. I gave a presentation "What is good Food Culture – a regulator's perspective" at the Food Safety Culture Conference on at the University of Sunderland. On the 17<sup>th</sup> and 18<sup>th</sup> of September 2019, I attended as the UK representative at the Committee on World Food Security Regional Consultation in Budapest, Hungary. The purpose of attending was to discuss the development of international guidelines on tackling malnutrition in all its forms. This event was the European consultation where the balance of discussion was driven by European Union (EU) countries, involving a mix of Governments, stakeholders and the private sector, which is slightly different from other formats.

1.2 On the 24<sup>th</sup> September 2019, I was a guest speaker at the Food and Drink Federation Scotland Crisis Management in the Food and Drink Industry course in Glasgow. The aim of the course was to help attendees prepare for the different stages of handling a crisis and to provide a regulator's perspective when it comes to incident management. There were also others providing a legal and public relations perspective too. A useful exercise that enables FSS to explain and expand on our approach, for example during investigation of an incident a lack of Hazard Analysis Critical Control Point (HACCP) evidence, is evidence that informs our approach.

1.3 On the 30<sup>th</sup> September 2019, Garry Mournian, Interim Director of Policy, Science, Finance and Human Resources and Jacqui McElhiney, Head of Food Protection, Science and Surveillance and myself met with Aberdeen, Dundee, Edinburgh, and Glasgow Local Authorities, Scottish Government (SG), Convention of Scottish Local Authorities (COSLA) and the Scottish Environmental Protection Agency (SEPA). The purpose of this meeting was to discuss the future provision of Public Analyst laboratory services in Scotland. SG representatives agreed to lead a strategic look at Public Analyst laboratory services. It was also agreed that a follow-up meeting would take place on 11<sup>th</sup> November 2019.

1.4 In the second week of October 2019, I was in London at the Food Standards Agency (FSA), where I met Emily Miles, the new Chief Executive, Martin Evans, Head of Operations and Rebecca Sudworth, Director of Policy. I also attended the Westminster Food and Nutrition Policy Conference to speak about policy initiatives, specifically our Out of Home Strategy, to reduce High Fat, Sugar and Salt consumption in the UK and abroad. Later that week, with the Chair, we were at the Scottish Parliament in Edinburgh to meet with Joe FitzPatrick, Minister for Public Health, Sport and Wellbeing, to update him on a number of current topics.

1.5 On the 4<sup>th</sup> November 2019, the Chair and I attended the joint Food Standards Scotland (FSS) and FSA Chair and Chief Executive meeting with Heather Hancock, Chair and Emily Miles where we discussed items of mutual interest, including Brexit, the new Official Control Regulations and the Advisory Forum on Food and Feed.

### 2 Operations

#### 2.1 Official Veterinarians and Meat Hygiene Inspectors join Food Standards Scotland

2.1 On the 16<sup>th</sup> September 2019, 44 members of staff (Official Veterinarians and Meat Hygiene Inspectors) were welcomed to FSS following their transfer from Hallmark Meat

Hygiene under the Transfer of Undertakings (Protection of Employment) Regulations 2006, to deliver Official Controls.

2.2 To welcome our new members of staff, Ian McWatt led two induction sessions in Aberdeen and Glasgow and on the 26<sup>th</sup> October 2019, an Operations Staff Engagement Day was held in Perth. Ian McWatt and Garry Mournian, Interim Director Policy, Science, Finance and Human Resources attended along with Board members Heather Kelman and Sue Walker. The agenda included a variety of interesting and informative topics and the FSS speakers were Sandy McDougall Head of Operational Delivery, Katherine Goodwin, Head of Communications and Marketing and Jennifer England, Human Resources Manager. In addition to discussions around operational matters, we had a presentation from Bowel Cancer UK and on mental health awareness as part of our ongoing commitment to Healthy Working Lives.

### **3 Enforcement Delivery**

#### **3.1 Food Law Stocktake Event**

3.1 On Wednesday 28<sup>th</sup> August 2019, FSS in partnership with the Scottish Food Enforcement Liaison Committee (SFELC), the Royal Environmental Health Institute of Scotland (REHIS), and the Society of Chief Officers of Environmental Health in Scotland (SoCOEHS), we held a Food Law Stocktake event in Edinburgh. Representatives including Heads of Service and Lead Food Officers from all 32 Local Authorities in Scotland attended this event. The agenda included updates on Brexit, Food Law, Official Controls, SFELC and regulatory strategy and workforce planning. Ian McWatt opened the event with a welcome speech. FSS staff who gave presentations were Lorna Murray, Head of Enforcement Delivery; Bryan Campbell, Regulatory Programme Manager and Karen Robertson, Senior Policy Advisor.

#### **3.2 Scottish National Database**

3.2.1 The Scottish National Database (SND) provides FSS with a view of Food Enforcement Activity for all Scottish Food Business Establishments registered with or approved by Scottish Local Authorities (LA). Engagement with LA through analysis of the SND data this year has resulted in improvements in the quality and accuracy of the data sent through to SND from the LA. This work is driven through the SND Development Group.

3.2.2 SND underwent a two-phase upgrade in September and October 2019 to collect the new Food Law Rating System records from the LA systems, and to introduce improved data searches and filters, along with the ability to produce PDF records of Registered and Approved Food Business Establishments.

3.2.3 Further upgrades to SND will be carried out within the 2019-2020 financial year to introduce:

- An SND reporting suite that will include the Scottish Food Enforcement Annual Return (SFEAR) report at both LA and National Levels, and a LA Internal Monitoring report.
- Recording of Import and Export records against Approved and Registered Food Establishments directly in SND, and the ability to report on the same.

- New National Dashboards for Approved and Registered Food Establishments to allow data to be analysed nationally as well as through the LA lens.
- Introduction of Geographic Information Systems (GIS) functions within SND.

3.2.4 The improvement in data quality and accuracy will allow FSS to analyse the data nationally and make informed decisions based on a reliable data source. This work is driven through the Regulatory Strategy Surveillance Work stream of the Regulatory Strategy Programme. SND will be rolled out to specific FSS users by the end of 2019.

3.2.5 Future support, maintenance and development of SND (along with Scottish Food Sampling Database) is the subject of a competitive tender to be issued in November 2019, with the new contract to be awarded in February 2020.

## **4 Audit**

### **4.1 FSS Audits of Local Authorities in Scotland**

4.1.1 Audits of local authorities' food law enforcement services are part of FSS's remit to improve consumer protection and confidence in relation to food. The enforcement of UK food law relating to food safety, hygiene, composition, labelling and imported food is largely the responsibility of local authorities across the UK.

4.1.2 We have commenced a desktop sampling audit and have issued a questionnaire requesting information and documentation (including sampling policies, programmes, details of Public Analysts and Food Examiners) from Local Authorities. The aim of this audit is to determine whether sampling activities and related results comply with planned arrangements and whether these arrangements are implemented effectively and are suitable to achieve the objectives of the Food Law Code of Practice. We aim to complete this audit by the end of December 2019.

## **5 Communications and Marketing**

### **5.1 FSS wins a Gold Award for the No to Upsizing Campaign**

5.1.1 On the 3<sup>rd</sup> of October 2019, FSS and its public relations agency 3x1, won the Best Public Sector Campaign for [No To Upsizing](#) at the Chartered Institute of Public Relations Pride Awards. The campaign impressed by changing attitudes and behaviour, highlighting 'upsizing' – going large, adding sides or 'making it a meal' – could lead to an 'upsized you'. The campaign more than doubled awareness of 'upsizing' to 30%, with 68% of people who recognised the campaign were motivated to take action, and 28% said 'no' to an upsizing offer.

5.1.2 The judges said the behavioural research, strategy, thoroughness and creativity lead the campaign to exceed its brief, and described it as an '*excellent example of a campaign that really informed consumer choices*'. This is good news and worth recognising the combined efforts of the Communications and Marketing and Nutrition teams.

### **5.2 Food in Scotland Consumer Tracking Survey - Wave 8**

5.2.1 We have received the Food in Scotland consumer tracking survey Wave 8 results and an initial analysis of the key statistics shows that:

- Almost three quarters of those aware of FSS have trust in us (77%) - this is up 4% from Wave 7
- Levels of awareness of FSS have seen the greatest increase amongst younger age groups (16-34 years and 35-44 years)
- Consumers are concerned about a wide range of food issues, and many believe Brexit will have a negative impact, particularly in terms of food prices and availability
- There has been a significant reduction in those saying the promotional offers on foods high in fat, sugar and salt should be banned - down from 48% in Wave 6 to 43% in Wave 8
- Two-thirds of people consider it easy to find information about allergies when buying food in supermarkets – generally via food labels, however finding allergy information when eating Out of Home is much more difficult

5.2.2 The full report is currently being finalised and will be published on the FSS website during November 2019.

### **5.3 Defenders UK – Series 2**

5.3.1 Ian McWatt, Chief Operating Officer and Interim Deputy Chief Executive, featured in a number of episodes of Defenders UK throughout Series 2, which was broadcast on BBC One across the UK. The series follows the work of dedicated enforcement officers across the UK is a great opportunity to highlight the work we do and get our messages across to a wide audience. Audience share figures were down slightly on Series 1 due to the change in slot time. However, Series 2 was successful in attracting a higher percentage of younger viewers and achieved 820,000 viewers in total with a 19% audience share. Crucially, the audience appreciation figures were good and the series continues to perform extremely strongly when it comes to audiences feeling they have “learned something new”.

5.3.2 Audience appreciation for Series 2 was scored as 80 – higher than average for the genre, as the average score for “learning something new” for factual daytime programmes is 22. In terms of “quality of programme”, Series 2 was on par with Series 1 scoring 38, and reached 56 against an average genre score of 42. A key lesson from this experience is the level of benefit that can be gained without taking up significant FSS resource.

## **6 Corporate Services**

### **6.1 Civil Service People Survey 2019**

6.1.1 The annual Civil Service People survey commenced on 2<sup>nd</sup> October 2019 and closed on 4<sup>th</sup> November 2019. The survey had a 77.8% response rate, which is slightly down on last year’s 79.7%. The Senior Management Team will analyse the results carefully to determine what is working well and where staff are identifying areas for improvement.

### **6.2 Scotland’s Climate Week 2019**

6.2.1 From the 7<sup>th</sup> to 13<sup>th</sup> October 2019, during [Scotland's Climate Week](#), the FSS Environmental Team organised a series of events aimed at raising awareness and increasing staff involvement on the subject of climate change. During that week, a daily question was posed to staff on environmental topics and shared alongside the daily subject matter, which included Sustainable Eating, Low Carbon Journeys, SG Targets and FSS, Waste Management and SG’s Climate Challenge Fund.

6.2.2 FSS staff took part in a volunteering exercise involving a clean-up of a local park in Aberdeen, in conjunction with Aberdeen City Council. All the activities and events were shared with Marine Scotland, where a link is being established between the Environmental Teams across both organisations.

## **7 Regulatory Policy**

### **7.1 Allergen Information on Pre-Packed for Direct Sale (PPDS) Foods**

7.1.1 Following Ministerial agreement on the Board's advice on allergens, to move towards the adoption of full ingredient listing for PPDS foods, FSS policy officials have completed an initial round of food industry engagement to understand more fully any technical and regulatory compliance challenges that some Scottish businesses may face. This has included constructive meetings with the Scottish Bakers, Scottish Craft Butchers, Food and Drink Federation Scotland, UK Hospitality, and the Scottish Grocers Federation, who have broadly welcomed the approach taken in Scotland to have a longer lead in time before introducing the required legislation in Autumn 2020. This approach will allow time for a fuller assessment of the benefits, impacts and risks of this significant policy change, to ensure it can be achieved accurately and consistently in a way that delivers a greater degree of confidence for consumers and individuals with food intolerance or hypersensitivity.

7.1.2 A second round of stakeholder engagement will be undertaken between now and the end of January 2020. These discussions will inform development of more detailed implementation options, draft regulations and robust impact assessment, and supporting technical guidance, with a view to further public consultation in Scotland in Spring 2020. The new Scottish regulations are due to come into force in Autumn 2021, to broadly align with the timetable that has been set in England, Wales and Northern Ireland.

### **7.2 Cannabidiol (CBD) Oil**

7.2.1 FSS is undertaking a range of activity, in coordination with the FSA and other UK Departments, to assess and inform our regulatory response to food and food supplements containing CBD oil that are already on the market in the UK, following recent clarification from the European Commission that CBD extracts and derived products require authorisation under the EU Novel Foods Regulation. This includes development of a targeted UK-wide sampling plan to provide a public health and food authenticity risk baseline for these products, and an assessment of the regulatory and enforcement approaches adopted in other EU and non-EU countries.

7.2.2 The Scottish Food Crime and Incident Unit (SFCIU) will also be gathering further intelligence on the range and nature of these products on the market in Scotland to enhance information already received from Local Authorities.

## **8 Brexit**

8.1 Over the last few months, our focus has been on planning for no-deal on the 31<sup>st</sup> of October 2019 and ensuring we were best prepared to mitigate the significant impact exiting the European Union (EU) would have had on the organisation. That work was not in isolation and we were fully engaged with the relevant parts of SG as well as Defra, Department of Health and Social Care (DHSC) and FSA in UK Government.

8.2 Following the EU agreeing to an extension of the Article 50 process to 31<sup>st</sup> January 2020 and the subsequent confirmation of a General Election on 12<sup>th</sup> December 2019, the focus

has reduced marginally from no-deal planning. Given that there are still a number of EU exit scenarios that could be possible over the next few months, we have been reviewing our planning assumptions and Brexit programme work streams to ensure we use the time productively to progress any areas of priority which are sensible to do so, whether a deal or no-deal EU exit scenario materialises.

8.3 In practice, this means that we will have to continue to be nimble and pivot between anticipated new priorities, such as influencing work associated with preparing for the negotiations on the UK's future economic partnership with the EU and finalising no deal planning work such, as signing off of the interim no deal working level agreements between ourselves and FSA, Defra and DHSC in case they are needed at the end of January 2020.

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12<sup>th</sup> November 2019