

Chief Executive Officers
Heads of Food Service
Lead Food Officers
REHIS
SFECLC

FSS/ENF/22/013

11 August 2022

Dear Colleagues,

**FOOD LAW ENFORCEMENT RESOURCE CALCULATION
REVISION OF FOOD STANDARDS SCOTLAND GUIDANCE**

Background

In order to assist Scottish Local Authorities to restart general food enforcement activity post-Covid, Food Standards Scotland issued ENF-20-011 in December 2020. The Guidance accompanying the said ENF letter included advice on calculating the Full Time Equivalent (FTE) resource required by each Authority to deliver a complete food law service. Local Authorities were, subsequently, asked to conduct a calculation exercise in accordance with the Guidance and to submit the resulting figures to FSS in late 2021.

Following the submission and collation of the FTE figures, Local Authorities expressed views on how the calculation methodology as contained within the original Guidance could be revised in order to provide greater clarity and consistency. This work was subsequently undertaken by FSS and SFECLC culminating in the guidance document accompanying this letter: *Revised Guidance on Local Authority Food Law Enforcement Resource Calculation*.

Revised Guidance – Key Revision Points

As stated, the original Guidance has been updated to address a number of issues raised by Local Authorities. These issues (and subsequent changes) can be summarised as follows:

Key Issue	Revised Guidance
LAs may not be using the same values for the 'working day'.	The Revised Guidance recommends that all LAs use a 7-hour day in calculations
LAs may not be including the same non-FLCoP activities in calculations.	A (non-exhaustive) list of typical LA activities which should be considered for this purpose is provided.
Clarification required on the inclusion, or otherwise, of management and administration time – when determining both existing and calculated FTEs	Guidance is now provided. In effect, food-related activity undertaken by managers, supervisors and Administrative staff should be counted.
Concerns about the accuracy of estimated times for FLRS Interventions circulated previously	While the Revised Guidance does not provide improved estimates, it sets out proposals for a nationwide Time Measurement Exercise. This exercise will be discussed with all LAs in appropriate 'benchmarking groups'.
Queries raised about the time period to be considered for LA FTE calculations	Clarification now provided on the potential use of the resource calculation methodology to enable planning of longer-term time periods, e.g. subsequent years.
Suggestions regarding the application of the resource calculation when considering future additional work demands, e.g. new legislation.	The Guidance states that the calculation methodology can and should be used to estimate the impact of new resource demands. This methodology should also be used by FSS and SG as appropriate for example when completing Impact Assessments related to new Policy or legislation.

Next Steps

Time Measurement Exercise

The Revised Guidance alludes to the need for more accurate time estimates for FLRS Interventions (as well as other FLCoP and non-FLCoP) activities. In order to achieve this, a Time Measurement Exercise (TME) will be necessary. A TME has been proposed and FSS will request that LAs convene in appropriate 'benchmarking groups' to progress the matter. (See the table below.) The benchmarking groups should enable Authorities to produce average time estimates for a range of activities which are reflective of their Authority types. In other words, to produce, for example, 'Island Authority estimates' which could be significantly different from those of City Authorities. FSS has identified 6 Authority types and will arrange meetings with relevant Authority groups shortly.

Small Urban	Small Rural	Medium Urban	City	Large Rural	Islands
Inverclyde W. Dunbartonshire E. Dunbartonshire E. Renfrewshire W. Lothian Midlothian Falkirk	E. Lothian Clackmannanshire Angus N. Ayrshire E. Ayrshire S. Ayrshire	Renfrewshire N. Lanarkshire S. Lanarkshire Stirling Fife	Edinburgh Glasgow Dundee Aberdeen	Argyll and Bute Highland Aberdeenshire Moray Dumfries & Galloway Scottish Borders Perth & Kinross	Na h-Eileanan Siar Orkney Shetland

Calculation Tools

The Revised Guidance does not provide specific tools to assist with the practical undertaking of the resource calculation. However, it is acknowledged that the task can be completed via the use of a spreadsheet/spreadsheets. Similarly, Authorities are encouraged to use their own tables and timesheets during this process. Sharing of existing tools will, where possible, be facilitated by FSS.

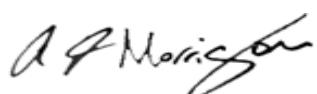
Updating the Scottish National Database (SND)

One of the primary objectives of revising the Guidance was to enable Authorities to provide relevant updates to the Scottish National Database (SND) with greater surety that they are in step with each other. Consequently, FSS requests that Authorities now

use the aforementioned Revised Guidance in order to update SND before the end of the current financial year, i.e. by 31 March 2023. This timeframe may be revised if progress on the Time Measurement Exercise so requires.

Should you wish to discuss any of the matters raised in this letter or in the associated Guidance, please contact Billy Hamilton at William.Hamilton@fss.scot or at 07906 723817.

Your Sincerely



Andrew Morrison

Head of Enforcement Delivery Branch