

Food Establishment Database Review

Brief & Plan

November 2023

FSS/ENF/23/005



1. Introduction

- 1.1 This programme builds on the recent review of Local Authority (LA) Service Plans and picks up the theme of planning and prioritisation as described in the published LA audit programme 23/24 ([FSS-ENF-23-01](#)). Specifically, having a Food Establishment Database in place that is up to date and fit for purpose is key to planning and prioritisation.
- 1.2 The power to set standards, monitor and audit the performance of enforcement authorities was conferred on Food Standards Scotland (FSS) by section 3 of the [Food \(Scotland\) Act 2015](#) and Regulation 7 of [The Official Feed and Food Controls \(Scotland\) Regulations 2009](#).
- 1.3 In addition, [Retained Regulation \(EU\) 2017/625](#) on official controls performed to ensure the verification of compliance with feed or food law includes a requirement for competent authorities to carry out internal audits or to have external audits carried out.
- 1.4 Further information on the LA performance monitoring and audit function is contained within the [Audit Charter](#).
- 1.5 In exercising its powers, FSS has designated the Scottish National Database (SND) as the prescribed mechanism for Food Authorities to provide information to FSS on all Official Control activity that is undertaken. Reference to the use of SND was included in the Food Law Code of Practice in February 2019. SND collects Food Enforcement Activity from each of the 32 Scottish LAs via an application programming interface with each LA's Management Information System.

2 Aims and Scope

- 2.1 The aim of this review is to assess the arrangements in place to ensure the Food Establishment database required by the LA is up to date and fit for purpose.
- 2.2 In addition, it may also:
 - assist in the identification and dissemination of good practice to aid consistency,
 - provide information to aid the formulation of Food Standards Scotland policy,
 - provide a means to identify under performance in LA food law enforcement systems.

3 Review Criteria

- 3.1 The review criteria are the legislation, policies, procedures, or other requirements used as a reference against which evidence is compared, i.e., the standards against which the LAs' activities are assessed. For the purposes of this review the main legislation references will be:

- [Retained Regulation \(EU\) 2017/625](#)
- [Food Law Code of Practice \(Scotland\) 2019](#)
- [Interventions Food Law Code of Practice \(Scotland\) 2019](#)

4 Review Process

- 4.1 This review will focus on examining evidence to verify compliance with planned arrangements and assess whether the planned arrangements are suitable to achieve the objectives.
- 4.2 LAs will receive a request for information which will be addressed to the Head of Service and Lead Officer for Food.
- 4.3 Following a desktop review of the information received; LAs may be contacted to discuss the information further.

5 Review Outcome

- 5.1 An overall summary report will be produced following completion of the review which may include recommendations for both LAs and FSS.

6 Publication of Reports

- 6.1 Information on LA official control delivery performance will be placed in the public domain. A copy of the review report and action plan (if required) will be published on the FSS website at: <http://www.foodstandards.gov.scot/food-safety-standards/regulation-and-enforcement-food-laws-scotland/audit-and-monitoring>