

PUBLIC SECTOR INCIDENT PROTOCOL

1. PURPOSE

This Public Sector Incident Protocol (PSIP) sets out national arrangements for responding swiftly and effectively to food incidents that require coordinated action across the public sector.

The purpose of this protocol is to define the communication and coordination between Food Standards Scotland (FSS) and the affected Public Sector Organisations (PSOs), as detailed on the flowchart (Annex A).

FSS will require an efficient and timely flow of incident information which allows it to accurately prepare and disseminate briefings and coordinate activity between the PSOs in Scotland, the Scottish Government and the media. This Protocol has been developed with the following PSOs: Centres of Procurement Expertise (Scotland Excel¹, NHS Scotland (National Services Scotland), APUC (Advanced Procurement for Universities and Colleges)) and Scottish Prison Service.

The types of incidents which can be anticipated are hazardous with a potential to impact on consumer safety, food fraud and non-hazardous incidents which may impact on the food supply chain, including issues of quality, provenance, authenticity, composition and labelling.

In addition to protecting consumer safety, the arrangements set out in this document are intended to ensure an effective response of PSOs involved in the supply of food and the delivery of catering services under their management or control for schools, hospitals, universities and colleges, prisons, care homes, social programmes and public and staff catering.

Food business operators (FBOs), including those within the public sector, must not place unsafe food on the market. In the event that they have reason to believe that food that has been made available to the public is unsafe, they are legally required to initiate product withdrawal and recall procedures and inform, and cooperate with, the competent authorities.

Outsourcing of food to a catering contractor (full delivery of a catering service including the procurement) exists across the public sector. In the case of Scotland Excel, NHS Scotland (National Services Scotland), APUC (Advanced Procurement for Universities and Colleges) and the Scottish Prison Service, PSOs will liaise with the contract manager employed by the public body who will, in turn, liaise with the catering contractor. In the case of the Scottish Government catering contract, the main contact is the SG Director-General Strategy & External Affairs Facilities Services Contracts.

¹ Scotland Excel manages collaborative food contracts for local authorities in Scotland, with the exception of Shetland and Orkney.

2. SCOPE

This protocol is designed to apply to food incidents that directly impact on the public sector. It includes food provided to the public, as service users, in publicly run facilities e.g. schools run by local authorities, hospitals (including PFI² hospitals), prisons (including private prisons) and universities and colleges.

This protocol does not apply to private schools and private hospitals where the service is not supplied by the public sector for the public as well as food provided to public sector employees e.g. through staff canteens.

3. COORDINATION AND COMMUNICATION

In the event of an incident, FSS will take the leadership and coordinating role when:

- the implications for the public sector of an incident are serious in terms of consumer safety;
- the incident extends across the boundaries of individual local authorities;
- there is wider media interest;
- there is an advantage in treating the public sector as a single entity.

The roles and responsibilities of each PSO are detailed in Annex B.

A Register of Contacts for this Protocol has been developed (Annex C). This shall be updated as required and reviewed annually. FSS Incidents shall be responsible for ensuring the register is reviewed annually.

4. PROCEDURE - GENERAL

A “food incident” is defined as *“any event where, based on the information available, there are concerns about actual or suspected threats to the safety, quality or integrity of food and / or feed that could require intervention to protect consumers’ interests.”*

This protocol details the steps that are to be taken by the PSOs (a) when notifying food incidents to Food Standards Scotland (FSS) (section 5) and (b) responding to incident alerts issued by FSS (section 6).

This protocol runs alongside current systems for incident notification and handling via local authorities. FSS operates an [Incident Management Framework](#) which provides an overview of how incidents are managed. Product Recall Information Notices (PRINs) and Allergy Alerts are currently published on the [FSS Website](#) and you can [subscribe](#) to receive these as they occur.

For both the notification of food incidents to FSS and responding to food incident alerts, PSOs shall set up their own internal incident handling procedures. Annex B provides

² Private Finance Initiative – funded privately, but used by the NHS

a list under the “Food Incident Procedures” section of areas that should be considered within the organisations’ procedures for incident handling.

5. PROCEDURE – NOTIFICATION OF A FOOD INCIDENT TO FSS

If an FBO becomes aware of a food incident, they are required by law to notify the competent authority, which is the local authority Environmental Health Service. The local authority (Environmental Health), depending on the nature of the incident, may then contact FSS. The FBO should also notify its public sector customer(s) as detailed in their conditions of supply to the relevant PSO(s).

If a PSO becomes aware of an incident, they should not assume that the FBO has reported it and they should contact FSS with as much information as possible. [The Food Incident Report Form](#) should be used to report food incidents to FSS. This form is available on the [FSS website](#). The completed form shall be sent to the FSS Incidents mailbox (incidents@fss.scot) and followed up with a phone call to the FSS incidents team if out with office hours (details in Register of Contacts on Annex C).

As well as receiving information from FBOs about food incidents, as described above, intelligence about incidents may also come from other means such as customer complaints or whistleblowing, these may also be reported to FSS.

Depending on the nature of the food incident notified to FSS, a determination shall be made whether to issue a Public Sector Food Incident Alert. This determination shall be made by FSS.

6. PROCEDURE – RESPONDING TO PUBLIC SECTOR FOOD INCIDENT ALERTS

If FSS determines that a public sector food incident alert is required, it will be issued by FSS to the nominated contact(s) within each PSO, as detailed in the Register of Contacts (Annex C). Alerts will be uniquely referenced and all subsequent communications related to that incident shall use that reference.

All communications issued after the original alert will be suffixed with an update number e.g. **FSS-PSIP-XX-YEAR** .

ALERT	Status	Incident Related Action
For information	Developing situation readiness signal.	Likely to be for information only. However, all participating organisations should aim to establish whether they are affected by the alert, as quickly as possible. They will then be able to respond to alerts accordingly. PSOs are recommended to consider identifying areas of their business that may be affected and gather relevant information, which depending on the nature of the incident, may include distribution

		of products, identification of suppliers, affected volumes, inspection and sample results etc.
For Action	Issued for action to PSOs	<p>This incident may be restricted to one or two PSOs or may be wide spread across the public sector and beyond.</p> <p>FSS will ask the affected PSO(s) to take specific action and/or provide information, which must be reported back to FSS.</p> <p>All PSOs will receive a copy of the alert regardless of whether it applies.</p> <p>PSOs will be kept updated on the status of the incident through email updates or by Situation Report (SITREP).</p>

Any request for information from PSOs, catering contractors or the food business themselves shall be actioned as soon as possible and sent to the FSS Incidents mailbox (incidents@fss.scot). Any other action required shall be taken and confirmation, or otherwise, that this has taken place shall be advised to FSS at the email address above.

Once an incident has been established, FSS, with input from the local authority Environmental Health Service, will manage the incident, as normal, in accordance with standard incident management procedures. The investigation phase of the incident is managed by the local authority environmental health and this may require direct contact with the individual FBOs, details of which will be established during the incident investigation, recognising that the arrangement with the food supplier may be outwith the direct control of the PSO. The relevant PSO will be updated on communications as necessary by FSS.

7. MEDIA HANDLING

In response to, or in anticipation of, media enquiries, the Communications Teams of all affected PSOs and FSS will jointly develop media lines. Communications teams of the PSOs and FSS may develop their own lines but these should be discussed and shared with all involved organisations to ensure that all messages being issued are joined up. This will be done by email.

When there is a high level incident, media lines are to be agreed across the PSOs, Scottish Government and FSS and a decision will be made as to who issues the media lines. This will be determined by the scale and nature of the incident, and extent of media interest.

8. OUTBREAK OF FOODBORNE ILLNESS

If an outbreak of foodborne illness is identified during the course of the incident investigation, this will be managed in accordance with the [Management of Public Health Incidents](#) (updated 19 February 2024).

FSS will attend the Incident Management Team (IMT) meetings on behalf of the PSOs and will keep PSOs updated on meeting discussions and decisions. This protocol will continue to operate alongside the Management of Public Health Incidents.

9. INCIDENT DE-ESCALATION, CLOSURE AND REVIEW

As above, depending on the nature of the incident, there may be a period of de-escalation and informal review, to ensure all outstanding issues have been addressed and corrective action taken, before an incident could be closed.

For all incidents, FSS will determine when an incident is ready to be closed. FSS will inform all PSOs of de-escalation and closure information as appropriate by email. A formal incident review, led by FSS, may take place after incident closure to ensure that lessons can be learned to improve incident handling. PSOs would be requested to participate in this exercise.

10. GLOSSARY

APUC	Advanced Procurement for Universities and Colleges
CoPE	Centre of Procurement Expertise
EH	Environmental Health (Service)
FBO	Food Business Operator
FSS	Food Standards Scotland
IMT	Incident Management Team
LA	Local Authority
NHS	National Health Service
PFI	Public Funded Initiative
PS	Public Sector
PSIP	Public Sector Incident Protocol
PSO	Public Sector Organisation
SITREP	Situation Report
SG	Scottish Government
SPS	Scottish Prison Service

11. LINKED DOCUMENTS

Annex A	Public Sector Incident Alert - Flowchart
Annex B	Roles, Responsibilities and Food Incident procedures
Annex C	Register of Contacts (NOT PUBLISHED)
Annex D	Public Sector Incident Alert (Template)