

Whistleblowing disclosures 2019-20

Food Standards Scotland (FSS) is designated in law as a 'prescribed person' for the purpose of receiving disclosures of information from workers ('whistleblowers') regarding matters which affect the health of any member of the public in Scotland in relation to the consumption of food and matters which concern the protection of consumers in relation to food.

FSS is the public body with responsibility in Scotland for food and feed safety and standards, policy and regulation. It is designated as a central competent authority for the regulation of food and feed safety, and monitors the delivery of food and feed regulation by its partners. FSS's Scottish Food Crime and Incidents Unit (SFCIU) is the dedicated incidents, investigations and intelligence gathering arm of Food Standards Scotland, which focuses on tackling food crime and maintaining consumer protection.

The Unit has a dedicated Intelligence Office which analyses, develops and actions information received from members of the public, food business operators and industry whistle-blowers. The Investigations team investigate instances of food crime. The team may also support Local Authorities with enquiries into serious breaches of food safety and assist with complex and protracted investigations.

During 2019/20 whistleblowers contacted us 5 times with disclosures which were qualified disclosures within the meaning of section 43B of the Employment Rights Act 1996*. The information was variously disseminated to the appropriate agency to investigate the concerns raised and to deal with any issues accordingly.

The information disclosures received in 2019/20 allowed FSS to achieve its objective of consumer protection by passing on the information received to the appropriate agency to ensure the issues identified were addressed.

* A qualifying whistleblowing disclosure is one where the information being disclosed falls under any of the headings below:

- a criminal offence
- a failure to comply with a legal obligation
- a miscarriage of justice
- the endangering of an individual's health and safety
- damage to the environment
- deliberate concealment of information tending to show any of the above.