

# Research into the use and perceptions of guidance on food safety and standards

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## **This report was prepared by The Lines Between Ltd for Food Standards Scotland**

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## Executive summary

FSS commissioned The Lines Between (TLB) to conduct research into the awareness of, relevance and effectiveness of FSS guidance. The overarching research objectives were to:

- **Awareness and access:** Identify and review awareness of current guidance, where food businesses source guidance from and how it is promoted by local authorities, and users' preferences.
- **Relevance:** Deliver a comprehensive qualitative evaluation of the use of guidance by food business operators and food law professionals
- **Effectiveness:** Provide evidence-based insight on improving the utility, efficacy, efficiency and relevance of tools and guidance to increase their use and enhance compliance

Primary data collection took place between August and November 2025 and used a mix of qualitative and quantitative research. Three groups of participants were involved in the research:

- Qualitative interviews were conducted with 50 registered food businesses across Scotland, with the sample including a mix of business types, sizes and locations.
- 30 food law professionals<sup>1</sup> completed an online survey that was promoted by FSS in its Monthly Enforcement Report in September, October and November. Seven semi-structured interviews were conducted with food law professionals who responded to the survey and agreed to be interviewed.
- Interviews with five different stakeholder organisations to understand if and how guidance is used more widely, and how it could be improved.

This report presents independent, evidence-based findings which will be used to inform the development of the SAFER programme and the continued development of other guidance to promote compliance with food law.

## Key findings

### Chapter 2: Are food businesses aware of Food Standards Scotland and its guidance?

- Food businesses have limited awareness of FSS and its guidance, and food law professionals also feel businesses lack awareness.
- When prompted, food businesses were most likely to be aware of [CookSafe](#) and [allergen guidance](#), though the former is often attributed to local authorities rather than FSS.

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<sup>1</sup> Food law professionals are officers working in local authority food law delivery, including environmental health officers, food safety officers, and technical officers.

### **Chapter 3: Where do food businesses and food law professionals get guidance on food safety and standards?**

- Food law professionals play an essential role in providing food businesses with guidance, particularly guidance and tools created by FSS, with inspections being a key point of information exchange, as well as the registration of a new business.
- Food businesses speak positively about their relationship with food law professionals, but the extent of engagement varies depending on the location and type of food businesses.
- While many would feel comfortable in approaching food law professionals if they have questions or need clarification, guidance is not regularly sought because food businesses typically perceive little change in their day-to-day operations.
- Food businesses described using a range of other sources to find information about food safety. Online searches are often used for quick answers to questions. However, food businesses prefer established, authoritative sources such as official websites and representative bodies, believing that these are more likely to offer clear, practical and trustworthy guidance.
- FSA guidance was repeatedly mentioned by food law professionals, particularly in instances where guidance is not provided by FSS, and it was felt that FSA guidance is the next best alternative.

### **Chapter 4: How relevant is FSS guidance?**

- 'Guidance' often translates as the range of practical tools that food businesses use to create and follow daily or regular routines, covering temperature checks, cleaning schedules and allergen matrices.
- The extent to which businesses seek to stay up to date with changes in food safety and standards varied considerably. For several long-standing businesses, there is a sense that change over time has been limited, meaning they are not actively seeking guidance.
- Conversely, other businesses recognised the need to meet more detailed requirements around labelling, supplier traceability and in particular allergen management. Often, however, they find out about changes organically or reactively, rather than proactively.
- Food businesses familiar with FSS guidance feel it is relevant, comprehensive and easy to understand, with food law professionals generally considering it to be high quality and trusted by food businesses.
- Aspects of FSS guidance that were rated highly included free training resources, flexibility that allowed for tailoring, practical resources such as recording logs, and that it reflects the Scottish context.
- CookSafe and allergens guidance were most frequently used by food businesses, with the ability to refer to CookSafe and its templates playing a crucial role in embedding and maintaining food safety and standards in food businesses.
- Food law professionals recommend or discuss FSS guidance at most interactions with food businesses, particularly CookSafe, [RetailSafe](#), [ButcherSafe](#), and [allergen](#), [labelling](#) and [E. coli guidance](#).

## Chapter 5: How could FSS guidance be more effective?

- Gaps in existing guidance relate to innovative or speciality types of cooking. Food law professionals highlighted similar gaps, but also mentioned the unique food businesses they encounter, which require specialised guidance.
- Food businesses can experience challenges in understanding or applying what they can perceive as general guidance to their business, and expressed frustration that guidance can feel “one size fits all”. This led to calls for more tailored, practical guidance that considers the realities of running a food business, and to support implementing that guidance.
- A few food law professionals called for more technical, detailed guidance to meet their needs, and to enable them to be clear about what needs to be enforced and how to do that consistently.
- Both food businesses and food law professionals highlighted a need to consider the accessibility of guidance. This includes ensuring that guidance, particularly CookSafe, uses plain language and is as user-friendly as possible. It also includes providing translated versions of guidance and greater use of visual aids.
- There was no consensus about which formats of guidance are preferred, and no evident pattern in preference by type of business. Hard copies are still considered helpful in kitchen environments. Conversely, several food businesses suggested digital guidance could be helpful. While there is at least some support for using digital tools, such as apps and online portals, to save time and space, there was no preference for one digital approach.
- Several food law professionals highlighted the importance of keeping existing guidance up-to-date and aligned with current legislation.
- There is some desire for more proactive communication, including alerts, newsletters, and direct updates about changes.

## Conclusions

This research highlights the essential role that guidance plays in supporting food businesses to meet food safety and standards requirements and helping food law professionals to perform their role effectively.

However, the research also highlights the need to increase the reach and impact of FSS guidance. Awareness of FSS as an organisation is low among food businesses. Many use FSS guidance, but often assume it comes from local authorities. This lack of visibility limits opportunities for FSS to build relationships with businesses and promote the full range of available guidance. In turn, this means that food law professionals are called upon to answer questions that could be answered by referring to FSS guidance, or to clarify how the guidance should be implemented .

Across food businesses, guidance is widely used to ensure daily compliance, particularly in small and independent businesses where owners and managers are hands-on and responsible for everything from food preparation to training and record-keeping. However, guidance is not always regularly or proactively sought; for several long-standing businesses, there is a sense that change over time has been

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limited, meaning guidance is not required. Food law professionals play an essential role in providing food businesses with guidance, particularly guidance and tools created by FSS, with food businesses also using a range of other sources.

Food businesses familiar with FSS guidance feel it is relevant, comprehensive and easy to understand. CookSafe provides businesses with a clear structure for managing food safety and is often described as the foundation of compliance routines. The availability of free, accessible training, such as the online [allergen training](#), was widely welcomed, helping businesses upskill staff and providing reassurance about an issue that causes some food businesses concern. Food law professionals view FSS guidance as high quality and use it to support inspections, advise businesses, and ensure consistency in enforcement. Both businesses and food law professionals appreciate the coverage of existing guidance; relatively few gaps were identified, and those tended to be about emerging or innovative types of cooking and businesses.

There is a desire for guidance that reflects the diversity of business types and risk profiles, which could include more sector-specific or scalable guidance that feels more relevant to individual businesses, using digital solutions, for instance, to facilitate this. CookSafe, for example, is widely used but often adapted or condensed by businesses to make it more manageable or tailored to their needs. While this is sometimes done with the support of food law professionals, it presents a risk of inconsistent application of guidance and standards. While they feel that existing resources are generally helpful for businesses, some food law professionals requested more detailed guidance to support their work and decision-making.

The format and accessibility of FSS guidance are also key issues. While the content is generally seen as clear and easy to understand, the volume and format of some guidance can be a barrier to use, particularly for smaller businesses with limited time, staff or technical knowledge. While there was some support for digital resources, the value of paper or printed materials is still evident in kitchens or production facilities, highlighting the continued need for multiple formats.

A need for improved communication between FSS and food businesses was also evident. Several businesses feel they already have a high level of understanding of what they need to do to ensure compliance, but still need to be made aware of any changes to legislation and guidance. Many rely on food law professionals or word of mouth to stay informed, which can lead to gaps in knowledge.

In summary, FSS guidance is a trusted and essential resource, but there is room to improve how it is presented, promoted and tailored. By simplifying formats, expanding accessibility, and strengthening communication, FSS can ensure its guidance is easier to use and widely recognised, and in turn improve compliance.

## 1. Introduction

### 1.1 Background

As the public sector body responsible for ensuring food safety in Scotland, Food Standards Scotland's (FSS) role includes the provision of independent advice on all areas of food safety, standards, labelling and nutrition.

FSS focuses on clear, consistent, evidence-based, consumer-centred guidance. Guidance and tools consist of information provided in a range of formats to inform and guide food businesses to comply with food law, for instance, in practical documents such as [CookSafe](#) and online tools such as the [Safe Smoked Fish Tool](#) and [allergen training](#). However, an [evaluation of the Food Law Rating System \(FLRS\) \(October 2024\)](#), commissioned by FSS, identified areas for improvement and recommended research into the effectiveness of FSS guidance.

In 2025, FSS commissioned The Lines Between (TLB) to conduct research into the awareness and access, relevance, and effectiveness of FSS guidance. The overarching research objectives were to:

- **Awareness and access:** Identify and review awareness of current guidance, where food businesses source guidance from and how it is promoted by local authorities, and users' preferences.
- **Relevance:** Deliver a comprehensive qualitative evaluation of the use of guidance by food business operators and food law professionals
- **Effectiveness:** Provide evidence-based insight on improving the utility, efficacy, efficiency and relevance of tools and guidance to increase their use and enhance compliance

Key research requirements were to evidence how guidance is used by food businesses and food law professionals<sup>2</sup>, gaps in guidance and suggestions for further guidance, and food businesses and food law professionals' preferences for accessing guidance and any barriers to uptake.

This report presents independent, evidence-based findings which will be used to inform the development of the SAFER programme and the continued development of other guidance to promote compliance with food law.

### 1.2 Methodology and respondent profile

The research began with a familiarisation and design phase. Researchers reviewed a range of relevant documentation, including existing guidance. This review helped to inform the sampling approach and the research tools.

Primary data collection consisted of a mixed-methods approach, using qualitative and quantitative research. In-depth, qualitative interviews were conducted with three

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<sup>2</sup> Food law professionals are officers working in local authority food law delivery, including environmental health officers, food safety officers, and technical officers.

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groups of participants, outlined below, to understand the experiences and opinions of each group in detail. The focus of the research was to understand the experiences of food businesses. However, TLB used FSS' existing relationships with local authorities and other stakeholders to undertake a small number of qualitative interviews among these groups and to offer a quantitative online survey to all food law professionals across Scotland to ensure their views were also included.

### **Research with food businesses**

Interviews were conducted with food businesses to understand how they currently use guidance, and how guidance can be improved to increase its use.

Drawing on profile information available to FSS, TLB created a robust sampling strategy to ensure an adequate range of businesses were included in the research. Food businesses were then recruited in line with that strategy by an external recruitment agency, Taylor McKenzie Research. Quotas were set on business type, size (number of employees) and location. All respondents were responsible for making decisions for the business regarding food safety and standards.

Interviews with 50 food businesses across Scotland took place between August and November 2025. The interviews lasted approximately 30 minutes and were conducted via MS Teams. Features of diversity across the sample of food businesses that participated in interviews included:

- Type: Catering (36), Retail (9), Manufacturing (5).
- Size: 1-49 employees (44), 50-249 employees (5), 250+ employees (1).
- Location: Urban (34), Suburban (6), Rural (10)
- Local Authority: Businesses from 20 local authorities were interviewed, including Glasgow (10), Edinburgh (10), and 30 from 18 other authorities<sup>3</sup>.

### **Research with food law professionals**

There were two strands to the research with food law professionals. These aimed to understand how they currently use and promote FSS, and what their preferences are in terms of formats, features and channels for retrieving the information they require.

- 30 food law professionals completed an online survey containing a mix of open and closed questions between 12 September and 19 November 2025.
  - Surveys were completed by 14 Environmental Health Officers, 8 Lead Food Officers, 6 Food Officers and 2 Authorised Officers, representing 17 local authorities across Scotland.
  - The survey was promoted by FSS in its Monthly Enforcement Report in September, October and November to food law professionals.

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<sup>3</sup> Inverclyde (6), Renfrewshire (4), two in each of Aberdeen City, Clackmannanshire, and Perth and Kinross, and one in each of Aberdeenshire, Dumfries and Galloway, Dundee, East Dunbartonshire, Fife, Midlothian, North Lanarkshire, Orkney, South Ayrshire, South Lanarkshire, Stirling, West Dunbartonshire and West Lothian. One food business had multiple sites covering Glasgow, North Lanarkshire and South Lanarkshire

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- Seven semi-structured interviews were conducted with food law professionals who responded to the survey and agreed to be interviewed. They represented six local authorities. Interviews took place between 20 and 31 October 2025, lasted approximately 30 minutes and were conducted via MS Teams.
- Key findings from the survey questions are detailed in the report, with full results of all closed questions provided in Annexe 1, which is provided separately.

### **Research with wider stakeholders**

While food businesses and food law professionals were identified as key audiences for the research, there was also a desire to understand if and how guidance is used more widely, and how it could be improved. Possible users in scope for the research included experts on food safety and standards beyond the public sector or local authority food law delivery, membership and representative bodies for food producers and suppliers, and third sector organisations, for example.

FSS contacted stakeholders to ask if they would participate in the research. Five semi-structured interviews were conducted between 5 and 28 November 2025 with stakeholders from five different organisations, mostly representing trade and membership bodies. Interviews were conducted using MS Teams and lasted between 30 and 45 minutes.

### **1.3 Analysis approach**

With agreement from interviewees, all interviews were recorded and transcribed to ensure all perspectives were accurately captured and included in the analysis.

A thematic analysis was conducted of all qualitative interviews. A coding framework structured around the research questions was developed following a workshop where the research team read a sample of interviews and identified the key themes. This also created additional descriptive codes or subcodes to capture the breadth of discussion in each extract of qualitative data. The framework also included respondent details such as business type, size and location to allow analysis by a range of categories. The research team then read all data in the transcript, breaking down each element into discrete parts and categorising and labelling it against the coding framework.

Survey data was analysed using Excel. Frequency counts were calculated for each closed questions, and a thematic analysis also conducted by the research team to gain insight from open survey questions. Given the small sample size (30), the analysis did not include sub-group analysis or significant testing.

### **1.4 Report structure**

Drawing on detailed transcripts and survey data, each chapter of this report aims to answer the following questions by exploring respondents' views on awareness and access, relevance and effectiveness of guidance from FSS and other sources:

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- Chapter 2: Are food businesses aware of Food Standards Scotland and its guidance?
- Chapter 3: Where do food businesses and food law professionals get guidance on food safety and standards?
- Chapter 4: How relevant is FSS guidance?
- Chapter 5: How could FSS guidance be more effective?

Direct quotes are included to illustrate some of the points made; these may have been lightly edited for brevity or to maintain confidentiality and prevent disclosure. Survey data has been included in boxes where relevant.

Appendix 1 in this report has more information on the wider factors impacting food law compliance in food businesses. The full results of the online survey, as well as copies of the research tools and survey questions, are available in Annexe 1, which is provided separately.

## 2. Are food businesses aware of Food Standards Scotland and its guidance?

After presenting an overview of the food businesses that participated in the research, this chapter describes awareness of FSS and the guidance it produces among food businesses, as well as perceptions of awareness among food law professionals.



### Key findings:

- Food businesses have limited awareness of FSS and its guidance, and food law professionals also feel businesses lack awareness of both the organisation and its guidance.
- When prompted, food businesses were most likely to be aware of CookSafe and allergen guidance, though the former is often attributed to local authorities rather than FSS.

### 2.1 Overview of food businesses that participated in the research

Interviews were conducted with representatives of 50 food businesses of different types and sizes, from across Scotland. Business types were:

- Catering: Multiple cafes, takeaways, restaurants, as well as hotels, pubs and bars, mobile or pop-up food businesses, restaurants within colleges and a childminder.
- Retail: Bakeries, sandwich shops, sweet shops, health food shops and small retailers.
- Manufacturing: Manufacturing and packers, production facilities and a distillery.

Of the 50 businesses, 43 achieved a pass for their latest Food Hygiene Information Scheme rating, three received an Improvement Required rating, two were awaiting inspection, and two were exempt.

Aligned with the profile of food businesses in Scotland, many of the businesses in the research were small (0-49 employees) and run by families or a long-serving team. Interviewees were mainly owners, directors, or managers who were often involved in and responsible for food preparation, staff supervision, customer service, administration, compliance, and training. In most cases, the interviewee held responsibility for ensuring compliance with food law, maintaining records, and liaising with authorities. Their role typically included leading or coordinating staff training and ensuring that all staff understand and follow procedures.

However, some described delegating this activity within their business, especially routine checks, record-keeping, and cleaning; such tasks were allocated to head chefs or kitchen staff, for example. In these cases, it was recognised that oversight and ultimate responsibility remain with senior management. More generally, food

business owners and key staff are often hands-on, work long hours and have a very clear understanding of the importance of food safety to their business's reputation and to its continued success or survival.

Many research participants had either worked in their business or in food businesses more generally for a long time. Several mentioned running family businesses for decades. Owners and staff often described themselves as self-taught, resourceful, and open to advice from peers or authorities. They reflected that knowledge is often passed down through experience, with long-serving staff and owners playing a key role in maintaining standards. Even those new to food businesses highlighted the importance of getting advice from other family members or friends who are also in the trade. Partly because of this long-standing experience, and because some reported limited change in the way their business operates over the years, interviewees often felt they had a high awareness of food safety requirements.

## 2.2 Awareness of Food Standards Scotland

Awareness of FSS among food businesses varied considerably. Those with lower levels of awareness ranged from not knowing anything about FSS to having some awareness but no interaction with the organisation or its guidance. Interviewees cited multiple reasons for a lack of interaction; most commonly, due to a perceived lack of need to engage. Several businesses felt that because of the longevity and small size of their business, they tended to do as they have always done and had little need to rely on guidance. Another mentioned that they never changed their menu, except for daily specials, which were rotated in a regular cycle, so preparation and hygiene had become habitual.

Another reason for not engaging with FSS, or not knowing that they are engaging with FSS, was a reliance on other sources for information and confusion about different organisations. In most cases, businesses described using information sourced from their local authority's website or directly from their food law professional. The resources provided by food law professionals, such as CookSafe, were often created by FSS; however, businesses only learned these were FSS documents during the interview. While businesses are receiving guidance from sources they trust, the visibility of FSS is low.



*“I mean, I knew that there was food standards, but I thought that it just came under environmental health.” – Food business (retail)*

Confusion between FSS and the Food Standards Agency (FSA) was also evident during interviews. A few businesses would refer to FSS and FSA interchangeably or would talk about ‘Food Standards Agency Scotland’ or ‘Food Agency Scotland’. Similarly, many spoke about HACCP guidance, although it was specifically CookSafe that they were using regularly.

A few businesses knew that FSS is a regulatory agency in Scotland and laid out their understanding of FSS in terms of a hierarchical relationship to local authorities. For example, one business believed that local authorities were answerable to FSS, i.e., FSS was the body to which food law professionals ultimately deferred, and another thought FSS was the organisation responsible for sending out hygiene certificates after an inspection. Those who acknowledged awareness of FSS and its guidance

spoke of FSS’s role more broadly, with one participant succinctly saying their understanding of FSS was “to protect consumers and help businesses.”

Awareness also varied by company size. As food businesses get larger, owners and managers can become less familiar with FSS guidance, as it is more likely to be used by their head chefs, for example, who manage the day-to-day safety checks. In larger businesses that may have specific roles or teams with a focus on food safety and standards, there can be a need for comprehensive guidance or technical information. Conversely, many smaller or lower-risk businesses feel there is sufficient, or sometimes too much, information.

“I can’t think of anything else that I would need to know, but then my business is quite straightforward, so I can’t really speak to somebody with a higher-risk food offering. They may well need different information or more in-depth information, but for what we do, it’s really very adequate” – Food business (catering, accommodation)

The prevailing view among food law professionals was that food businesses’ awareness of FSS is low. Much of this belief was driven by the feeling that businesses rely on food law professionals, rather than FSS or other sources, to provide advice and guidance. In their survey responses, food law professionals highlighted that businesses being unaware of the distinction between FSS and FSA is a barrier to businesses accessing and using FSS guidance.

“I think the problem lies in that businesses don’t know where to look, and I don’t think they really understand who FSS are and how to access information. So, we become a point of contact, and we’ll signpost them to the guidance, or to the FSS website” – Food law professional

### 2.3 Awareness of FSS guidance

Businesses often lacked awareness of where the guidance they use comes from, or over time, tools and templates from one source get edited and changed by kitchen staff or updated by the local authority.

While many food businesses initially claimed they were unaware of FSS guidance, once prompted, it was clear that many used at least some FSS guidance regularly, particularly CookSafe in catering businesses. Those who were aware of FSS guidance often mentioned being given or signposted to the guidance by their food law professionals. A smaller group of businesses using FSS guidance had found it themselves through the FSS website or through the local authority website.



In the online survey, food law professionals were asked how aware they think food businesses are of the guidance that is currently available to them.

Overall, 73% of food law professionals felt food businesses are ‘not very aware’, and 7% felt they are ‘not aware at all’. The remaining 20% felt they are ‘somewhat aware’, with no survey respondents indicating that food businesses are ‘very aware’.

### 3. Where do food businesses and food law professionals get guidance on food safety and standards?

This chapter explores how food businesses access guidance on food safety and standards. It examines the relationships between businesses and food law professionals, other sources of guidance used by food businesses, such as training, certification and retail-driven standards, industry standards and word of mouth, and guidance used by food law professionals, including non-FSS guidance.



#### Key findings:

- Food law professionals play an essential role in providing food businesses with guidance, particularly guidance and tools created by FSS, with inspections being a key point of information exchange, as well as the registration of a new business.
- Food businesses speak positively about their relationship with food law professionals, but the extent of engagement varies depending on the location and type of food businesses.
- While many feel they would be comfortable in approaching food law professionals if they have questions or need clarification, guidance is not regularly sought because food businesses typically perceive little change in their day-to-day operations.
- Food businesses described using a range of other sources to find information about food safety. Online searches are commonly used for quick answers to questions about food safety and standards. However, food businesses prefer established, authoritative sources such as official websites and representative bodies, believing that these are more likely to offer clear, practical and trustworthy guidance.
- FSA guidance was repeatedly mentioned by food law professionals, particularly in instances where guidance is not provided by FSS, and it was felt that FSA guidance is the next best alternative.

#### 3.1 The relationship between food businesses and food law professionals

Food businesses of all types highlighted the central role of food law professionals in providing the advice, information and guidance they need to ensure compliance. Food law professionals are seen as the 'face' of regulation, and are often the only direct point of contact for food safety matters, especially for smaller or independent businesses. Inspections are the key point of information exchange. However, interviewees also described accessing support when they first started their businesses, or approaching food law professionals to clarify any changes to standards or legislation. A few also mentioned being provided with additional or tailored guidance, such as written notes or checklists, following an inspection.

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Support during the initial setup and registration of a new food business was highlighted as a time when businesses require the most guidance and support from food law professionals. However, as staff or owners of new businesses often have pre-existing knowledge and experience of the sector and may be less likely to require as much support.



*“I would say home food businesses [are] very much reliant on it [guidance] because you’ve maybe got somebody that’s never done it before and going... Most people respond well to it [guidance], particularly if there’s a document they can use and just fill in, for example.” – Food law professional*

Between inspections, much of the interaction between businesses and food law professionals is desk-based. While most businesses felt comfortable contacting their local food law professionals with any questions, this was not commonly reported during interviews. This was partly because many would seek guidance elsewhere in the first instance, particularly online (see below), but also because questions do not arise regularly because food businesses typically perceive little change in their day-to-day operations. Where food law professionals were approached, email was felt to be the most efficient way to get in touch. For example, one business noted that their food law professional directed them to the FSS website for guidance on questions they had about ‘best before’ and ‘use by’ dates. A few noted that their food law professional could advise them if they needed to change any of their products or make changes to their premises.

Most businesses described positive relationships with their local authority’s food law professionals, but the depth of interaction varied. One key factor was location. Businesses in larger, urban local authorities tended to have weaker relationships with their food law professionals. In some areas, food businesses felt inspections had become less frequent, or noted they had been inspected by different food law professionals at each recent inspection. A few businesses felt this decline in contact could be due to resource constraints within local authorities, though it may also be due to visits moving towards a focus on risk status rather than annual inspections.

Conversely, businesses in smaller or rural local authorities continued to have regular inspections, and long-standing businesses had come to know and build a good working relationship with their designated food law professional. These businesses benefited from more targeted advice and guidance because their regular food law professional had developed an understanding of their business over several visits.

In practice, this means that food businesses in cities interact with different professionals less frequently, while businesses in more rural areas, for example, are better placed to contact their food law professional between inspections, if needed.



*“We’re in pretty regular contact with our EHO [Environmental Health Officer], and he’s actually very good at updating us... He’s also very good at [telling us] challenges that you wouldn’t think of that the other businesses that he works with come across, and he thinks ‘Oh, they’ve maybe not thought about that, it’s worth mentioning to them if they have similar working practices to us.” - Food business (catering, mobile food business)*

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Food law professionals reflected that their relationships with food businesses can differ depending on the size of the businesses. They observed that smaller businesses, such as takeaways and home businesses, generally need and receive more support than larger businesses or chains. This was particularly true for larger businesses with dedicated food safety teams or technical staff, or that could afford consultants to advise staff on food safety and standards and changes in legislation.

“A lot of the larger manufacturers and larger sorts of multinational companies will all have teams of people who are able to provide this kind of information for them. But those smaller and medium-sized premises, or businesses, they rely on us going and being able to provide that information because they don't know where to find it for themselves necessarily, or they just don't have the time to go and look.” – Food law professional

The type of food businesses also determines the level of support required from food law professionals. While businesses, such as cafes, take up more food law professionals' time due to their prevalence, some rarer businesses that create novel or higher-risk products, such as home-based fermented foods, require more support than other, more 'standard' businesses.

While most businesses reported positive relationships with their food law professionals, a few expressed frustrations about the perceived inconsistency between different food law professionals, both in terms of knowledge levels and their interpretation of regulations. This can lead to confusion and a sense that compliance is subject to individual opinion rather than clear rules. A few stakeholders also expressed concerns about the perceived inconsistency of advice between food law professionals. This highlights the need for guidance that ensures all parties are clear and agree on what is required

“It depends on the officer you get that day, and it depends on their thought process. A lot of them tend to then pick on things like the taps should have the handles where you can use your elbows. One other will come in and go, 'your shelf shouldn't be wooden, it should be tiled'. And then a year goes by, and the next person goes, 'it shouldn't be tiled'.” – Food business (catering, café)

“I would say an area for improvement, just from what I've seen over the years, is EHO's training. I don't know the ins and outs of what training they get... but I have seen misunderstandings from EHOs when giving guidance, even though they are supposed to give correct guidance. I have seen some discrepancies there. So I think more needs to be done to make sure EHOs are getting the guidance and tools they need because they are covering so much, obviously, when they go in and inspect businesses.” – Stakeholder

Some food law professionals noted that they are often relied on to give wider advice and guidance than just compliance with food law. For example, one stated they had dealt with businesses that were unaware of how to register or what they needed to do as a new business and were called on to advise as part of that process. Another noted that some food businesses may be unfamiliar with Scottish standards and regulations because no training is required to start a food business in Scotland.



*“My main issue is probably businesses not actually looking for or applying the guidance... I don't have any major issues with the guidance itself” – Food law professional*

Food law professionals also felt they could be called on to provide support because of time and staffing constraints in food businesses, and language barriers among food business staff.

### 3.2 Other sources of guidance used by food businesses

Food businesses described using a range of other sources to find information about food safety. These spanned websites, online search engines and in some cases Artificial Intelligence (AI) tools, as well as external third parties, suppliers and sector-specific resources. Decisions about which sources to use are driven by factors such as ease of access and the need for practical, business-specific advice. There was also evidence that food businesses prefer established, authoritative sources such as food law professionals, official websites, and representative bodies, believing that these are more likely to offer clear, practical and trustworthy guidance.

However, many food businesses felt existing sources, including visits from their food law professionals, were sufficient, and time constraints and a perceived lack of need for additional guidance meant they were unlikely to start referring to other sources of guidance unless they offered clear value.

#### Use of digital resources

Online searches were commonly used for quick answers to questions about food safety and standards. These were considered easy to use and could provide quick and, if necessary, targeted answers. However, some disliked using search engines as they felt it was harder to be confident that the information referred to Scottish-specific legislation or provided compliance-specific detail. Similarly, a few businesses reported using online searches for a quick answer but would then check the information via an official body to ensure it was correct.



*“Just making sure that it's Scottish legislation and not English legislation, which sometimes can be a bit unclear when you go on things, because it is very different in different areas, Scottish to English legislation.” – Food business (catering, mobile food business)*

Others visited their local authority website to find answers to their questions, or to learn about upcoming changes to standards or legislation. A few mentioned that local authority websites would signpost them to the FSS website.

Some food businesses reported using AI tools, such as ChatGPT, either spontaneously or when prompted. Any use of AI was predominantly for operational reasons, for example, helping to redesign menus, rather than for compliance-specific questions. Again, businesses appreciated the importance of compliance and had concerns around whether the information provided by AI tools could be trusted. However, it was noted that AI could potentially be a common resource in the future, especially with younger staff thought to be using AI tools more often.

Some businesses use third-party apps to ease the administration of record keeping, such as logging temperatures, because they integrate easily with HACCP processes and provide notifications of critical changes. One franchisee used an app provided by triSaaS, while another business mentioned Nutritics' food data management software to produce compliant product labels.

### **Third-party consultants and training providers**

Several food businesses described using a range of services offered by external organisations. While these are used selectively, they are seen as important in ensuring staff are aware of their responsibilities around food safety, pass information around a team and keep up to date.

Training programmes were often mentioned as a means of ensuring staff had the appropriate food hygiene certifications, in several cases, Level 2 Food Safety and Hygiene for Catering. These were typically found through online searches and were described as straightforward and accessible. Examples of providers included Virtual College, High Speed Training and REHIS Scotland (Royal Environmental Health Institute of Scotland).

“*[We] used High Speed Training for food allergen awareness, food allergens and manufacturing, and food labelling regulations. I think High Speed Training actually states what they're compliant with. So, they're endorsed by the Institute of Hospitality... and they're CPD certified as well.*” – Food Business (retail, bakery)

A few other businesses mentioned using third parties for information on allergens. These were often the organisations they had used for food safety training, with allergens as an included module. Other common sources of information about allergens included general internet searches and local authority websites.

Conversely, several businesses said they do not use third parties for training or advice and guidance, citing high costs and limited added value. While these services offer to keep businesses updated and provide reassurance, businesses felt that responsibility for food safety ultimately rests with the business and its staff. It was acknowledged, however, that some specialist guidance or accreditation could be necessary for niche compliance needs.

“*We're approached a lot by private organisations, to come in and be our auditors if you like, from a health and safety perspective and also from food standards. I know some businesses have used them, but it's a very, very expensive process to do, and we were already ahead of the curve because of the way we were using CookSafe. That it really has never seemed to us to be worth that expense... That's not a justifiable expense.*” – Food business (catering, restaurant)

### **Certification bodies and retailer-driven standards**

A small number of manufacturers and distributors commented on the role of certification, such as SALSA (Safe and Local Supplier approval), BRCGS Global Standards, and, in some cases, retailer requirements as both sources of guidance and mechanisms to ensure their compliance. Rather than being preferred because

they offer additional guidance, these businesses highlighted that they need these certifications to demonstrate proof of their compliance through frequent audits and clear documentation, traceability, and equipment controls. It was clear that, without complying to these standards, they would not be able to operate.

“And then the folder is about that thick with all of our SALSA requirements. And then [the inspection], you try and get it done in one day, but it's often two days where they come, and they look through absolutely everything to make sure that we've crossed all the T's and dotted all the I's and make sure that we comply. Then, when a wholesaler or a business wants to purchase from us, especially if it's a supermarket, be able to provide a certificate; otherwise, they will not buy from you.” – Food business (manufacturer)

### Industry networks and word of mouth

Trade publications and industry resources, such as licensed trade newsletters and magazines, were mentioned as sources for legislative updates because they provide sector-specific information and practical advice for hospitality businesses. Interviews with stakeholders in the wider sector highlighted some of the guidance they produce. This included, for example, incident prevention and management toolkits, food authenticity guides, guidance on changes since Brexit, import-export guides, pesticide guidance for importers, allergen management,

“It's about a lot of this stuff, keeping [it] in one place for members, making it really super easy for them to find what they need to know about a particular topic... make sure they know what the latest rules are, make sure they've got some advice on them, what best practices for different kinds of areas” – Stakeholder

Suppliers can be a source of information for food businesses as they provide information directly relevant to the products and ingredients businesses use, which is needed to provide allergen information and meet labelling requirements. Informal networks with friends, family or with other local businesses are also used to ask questions and share information as changes arise.

### Email alerts and newsletters

Many businesses have signed up to receive newsletters or email notifications from agencies, including FSS or their local authority. These updates help alert businesses to significant changes because they offer convenience and reduce the need to actively search for updates. Some mentioned getting regular updates for specific topics, such as daily allergen-related recall emails from Food Standards Scotland. However, some businesses expressed a desire for more proactive communication to ensure they do not miss information about any critical changes.

“One of my most important things is allergens and catering to people who've got allergies or preferences, and that would be helpful for me, alerts or something. They're not going to make an app or whatever, or maybe they would, but an email to say this is a change, see changes, or go onto the website and see paragraph whatever or see a link whatever, and then you can go on and make sure and then maybe update your CookSafe.” – Food business (catering, pop-up dining)

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While email alerts and newsletters are used, it was evident in conversations with food businesses that paper or hard copy updates and communications remain popular among food businesses. There was no consensus among respondents about which is best, with most using multiple channels. However, there were concerns about the high volume of emails received daily by food businesses, with some expressing the view that a letter from a food law professional or a recognised agency would be more likely to be opened and noticed. In contrast, some businesses felt their younger staff would prefer digital communication.

### In-house resources

Some businesses maintain their own compliance manuals and record systems because these are tailored to their processes and used for staff training and inspections. Some businesses adapted these from official templates like CookSafe.



*“We’ve got our own record system that we compiled ourselves... based on what we had in place before and checking with our local EHO and the Food Standards Agency.” – Food business (catering, restaurant)*

One food business was a franchisee and explained that they rarely look at guidance beyond that provided by their franchise, and that they would go to their franchise with questions in the first instance. While some food businesses reported using delivery platforms, only one business, which runs multiple takeaway outlets, reported using guidance provided by the platforms. They used information from Uber Eats and Just Eat to avoid cross-contamination when preparing gluten-free and vegan orders. Another food business noted that Scottish premises of UK-wide businesses may get most expertise in-house, but that this could be England-oriented. For that business, this meant they had to follow English regulations to adhere to company rules, but also monitor changes in Scotland, which could become cumbersome.

### 3.3 Non-FSS guidance used by food law professionals



Food law professionals were asked which other sources of guidance on food safety and standards they use. The most common from the list provided were the Food Standards Agency (90%), industry trade bodies such as BRCGS and UK Hospitality (70%), local authority networks (60%), and the European Food Safety Authority (40%).

When asked why these non-FSS sources of guidance are used, respondents selected that they: are better suited to certain business types (77%), address issues not covered by FSS guidance (73%), provide more detailed and specific guidance than FSS (67%), are easier to access (43%), and are more up to date (40%).

FSA guidance was repeatedly mentioned by food law professionals, particularly in instances where guidance is not provided by FSS, and it was felt that FSA guidance is the next best alternative. It was acknowledged, however, that some content within FSA guidance may not align with Scottish legislation. Another suggested that FSS add more signposting within FSS guidance to relevant external agencies.

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*“There are so many times when you can't find it or when the information isn't there [on the FSS website], and you end up signposting to the FSA website instead because you know that information's on the FSA website.” – Food law professional*

Food law professionals described using a range of alternative sources of guidance in addition to FSA. This included:

- Research institutes like Campden BRI (such as for information on bacteria).
- Trading Standards Institute (Business Companion specifically for labelling).
- Department of Environment, Food and Rural Affairs (DEFRA, such as for export health certificates).
- Public Health Scotland (PHS).
- ComBase for calculating shelf life.
- Veripro, the Institute of Food Science and Technology (IFST).
- Food Safety Authority of Ireland (FSAI).
- Royal Environmental Health Institute of Scotland (REHIS) for training.
- Nationwide Caterers Association (NCASS).
- Centre for Environment Fisheries and Aquaculture Science (CEFAS) shellfish monitoring website.
- European Food Commission (such as for raw fish consumption controls).
- British Retail Consortium.
- The US Food and Drug Administration (FDA, for where they have guidance not available from UK or EU sources).



*“FSS resources are useful and, to be fair, it's always my first port of call when I'm looking for resources for food businesses. There are other bits of information that I resort to on the internet. The labelling laws can be pretty complicated, so I've started using Business Companion, actually. It's really useful, and it's tailored for Scotland as well.” – Food law professional*

In the survey of food law professionals, over half (53%) indicated that they use guidance on food safety and standards to develop local resources. This was explored more in conversations with food law professionals, who explained that this was sometimes needed to help food businesses find the guidance most relevant to them, particularly when they are registering a new businesses. This includes signposting food businesses to relevant guidance, local training opportunities, the local council website, and where to find out more food safety information.

A few food law professionals also described developing guidance for their local context, such as for small events and smaller meat product businesses. A small number commented on using guidance and resources created or provided by other local authorities, for example, labelling guidance for home-run businesses that food law professionals would not inspect.

## 4. How relevant is FSS guidance?

This chapter addresses how food businesses and food law professionals use guidance to support compliance with food law among food businesses. It sets out how guidance is used on a day-to-day basis by food businesses to help them comply with food law requirements, as well as how food law professionals use guidance. It then considers how food businesses and food law professionals currently use FSS guidance and their perceptions of how it positively impacts their work.



### Key findings:

- ‘Guidance’ often translates as the range of practical tools that food businesses use to create and follow daily or regular routines, covering temperature checks, cleaning schedules and allergen matrices.
- The extent to which businesses seek to stay up to date with changes in food safety and standards varied considerably. For several long-standing businesses, there is a sense that change over time has been limited, meaning they are not actively seeking guidance.
- Conversely, other businesses recognised the need to meet more detailed requirements around labelling, supplier traceability and in particular allergen management. Often, however, they find out about changes organically or reactively, rather than proactively.
- Food businesses familiar with FSS guidance feel it is relevant, comprehensive and easy to understand, with food law professionals generally considering it to be high quality and trusted by food businesses.
- Aspects of FSS guidance that were rated highly included free training resources, flexibility that allowed for tailoring, practical resources such as recording logs, and that it reflects the Scottish context.
- CookSafe and allergens guidance were most frequently used by food businesses, with the ability to refer to CookSafe and its templates playing a crucial role in embedding and maintaining food safety and standards in food businesses.
- Food law professionals recommend or discuss FSS guidance at most interactions with food businesses, particularly CookSafe, [RetailSafe](#), [ButcherSafe](#), and [allergen](#), [labelling](#) and [E. coli guidance](#).

### 4.1 Routine use of guidance for day-to-day compliance

At the start of the interviews, food businesses were asked about the challenges or risks their business faces when complying with food law requirements. Food businesses highlighted multiple factors they continuously address to maintain standards and described how they use guidance in overcoming any challenges they face when doing so.

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For most food businesses, guidance means the range of practical tools they use to ensure day-to-day compliance with food safety and hygiene within their business. Guidance is used to help staff create and follow daily or regular routines, covering daily temperature checks, cleaning schedules and allergen matrices. Food businesses know it is essential to demonstrate compliance with these requirements if they want to continue to pass their inspections.

“*My ring binder - everything kitchen-wise goes in it. The house rules get reviewed every year. Every year, I go back through the whole thing and read the house rules and whatever I've written in and maybe, say, if I ever need a new fridge freezer, for instance, I need to go back in and write that I've bought a new fridge freezer, why I bought a new fridge freezer, and date it. We've got the kitchen remodelled. I had to go back and change everything in the house rules for the kitchen layout. Anything that happens in the kitchen gets put in that book.*” – Food business (catering, childminder)

Food businesses typically use a range of resources, but often refer to specific templates for daily or weekly logs. These were often templates from CookSafe, but several food businesses did not refer to it as CookSafe without prompting, or were unaware that it is FSS guidance.

“*My husband's got a restaurant in Dundee, and he has experience setting up a new kitchen on a few occasions, so I did ask him quite a lot. He had a big sort of chunky ring binder from the Food Standards Agency or Food Standards Scotland, something called Food Safe, I think it was called. It had loads of sections and information in it, and I think we pulled things from there. I think that's maybe where we got the all-in-one sheets.*” – Food business (catering, takeaway)

Food businesses described in detail the types of processes they follow. Temperature control is a core area where they seek out and rely on guidance. Businesses described using information on safe cooking temperatures, cooling and reheating rules, and hot holding requirements for equipment such as bain-maries as part of their daily compliance routines. Fridge and freezer monitoring was widely mentioned.

Hygiene standards and cross-contamination controls were also noted as areas where guidance is regularly used. This included information on handwashing procedures, sink placement, hot water requirements, and colour-coded chopping boards and fridge segregation to prevent contamination. Kitchen layout guidance was noted as another area of interest, particularly for reducing contamination risks and meeting inspection requirements. Several businesses relied on HACCP frameworks and CookSafe for step-by-step guidance on how to ensure compliance.

“*The CookSafe manual is really our sort of Bible of how to safely produce food for consumption by the public.*” – Food business (catering, restaurant)

When asked what topics, issues or information about food safety and standards that businesses most need guidance on, food law professionals cited labelling requirements, allergen management, and developing HACCP procedures and their 'house rules' in CookSafe. They also raised general food law compliance, safe food

handling, hygiene, temperature control, storage, as well as advice on record keeping and maintenance.

Many of the issues which trigger food businesses to refer to guidance were also raised by food law professionals. They detailed various issues commonly faced during inspections, such as food businesses not having food safety management systems in place, cleanliness concerns, complex labelling requirements, a lack of cross-contamination records, and shellfish compliance challenges.

More broadly, guidance relating to environmental health topics were sought or needed by food businesses. Topics included seasonal pest management, waste disposal standards and equipment safety and infrastructure standards.



Given this demand, survey results also show that food law professionals use guidance on food safety and standards to provide a range of support to food businesses. Almost all (97%) indicated they use guidance to advise businesses or to support enforcement action, while 93% use guidance during inspections and 90% use it for internal training or CPD.

## 4.2 Guidance about changes to legislation and standards

For several long-standing businesses, there is a sense that there have been limited changes in compliance requirements over time. This means they are not actively looking for updates to legislation or other regulations which may affect their business. While they often hear about changes organically, there is no consistent way in which food businesses find out about changes. Conversely, others reflected on how food safety needs have changed over time, noting a shift from basic hygiene and temperature standards to more detailed requirements around allergens, labelling, and supplier traceability.

As with guidance overall, food law professionals play a central role in keeping businesses updated, though a small group of businesses had used the FSS website or local authority website. Businesses described being told about changes during inspections or after an issue arises, although a small number described being proactively notified to changes by food law professionals or by FSS.

Allergen management and labelling were described as increasingly complex and constantly evolving, but essential to compliance. Dedicated support and guidance in this area is seen as increasingly necessary; businesses noted they require robust systems and clear guidance to avoid any harm to customers and/or legal action.

Businesses reflected on the changing nature and rising customer demands related to allergens, with some noting that the increasing scale of allergen management causes them concerns. These concerns were evident across many business types, notably smaller food businesses where owners or managers felt responsible for ensuring they were applying guidance correctly or could risk reputational damage.

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Earlier practices relied on customers asking about allergens, whereas current legislation requires full disclosure. The need to provide detailed ingredient information, including for compound ingredients such as sauces, to comply with labelling regulations, was stressed. Natasha's Law was frequently mentioned as a driver of change in this area, requiring clear allergen disclosure on prepacked foods.

“Before, you didn't have to label everything, down to the granular detail. Any mayonnaise that's put on, you have to then refer back to the manufacturer's ingredients as well... So that's a challenge. But before that... if somebody did have an allergy, they would ask. Now you have to be very clear about things.” – Food business (retail, sandwich bar)

Food businesses also recognised shifts in consumer habits, with food businesses needing to remain vigilant to the increased scope of legislation and regulations. One business reflected on an experience related to a customer suffering an allergic reaction in their premises:

“Allergies are quite a big one. I'm finding in food, especially over the past 10 years, everyone's gluten-free, dairy-free, lactose intolerant. Before it was never a thing, and now I think in the food industry it's such a big thing that you have to be careful.” – Food business (catering, bars/restaurants)



Survey results indicate that most (87%) food law professionals find out about new or updated guidance from FSS through email alerts/newsletters from FSS, followed by 60% through colleagues/peer networks, 43% internal LA briefings.

### 4.3 Use and impact of FSS guidance

While there was a variable awareness of FSS and limited use of FSS guidance beyond CookSafe, the businesses familiar with FSS guidance typically described the range of resources they had used as comprehensive and easy to understand.

Food businesses highlighted the crucial role CookSafe has in maintaining food safety and standards in their establishments. CookSafe was highlighted as the key piece of food safety guidance they use, with multiple businesses describing CookSafe as their 'bible' that underpins their approach to food safety and noting how often they use it and refer to it to structure daily checks, record keeping, and ensure compliance. CookSafe was mentioned by many businesses regardless of their awareness of FSS, though some attributed CookSafe to local authorities or the FSA.

“[CookSafe is] our guidance to basically make sure that the kitchen is providing safe food and that it's doing everything it should be, filling in the forms it should be, like checks are taking place that should be taking place. – Food business (manufacturer)

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Businesses highlighted the universality and flexibility of CookSafe as valuable. One noted that because food businesses across Scotland use the standard manual, this keeps food hygiene information the same for everyone and is easy for their staff, new hires and food law professionals to reference. Others appreciated being able to customise their CookSafe manual for their business. One business noted that it can add updated information to its manual to ensure it remains accurate.

“It is my bible, if I'm doing everything that I need to do as a business to the CookSafe, then I know that there's no reason why I shouldn't be at peace with my local council environmental health. If I know I'm doing everything from what they say, then I know I'm being compliant”  
– Food business (catering, takeaway)

When asked what they liked about CookSafe, food law professionals also reiterated its importance and commented that they liked its clarity, structured food safety management system, simple format, ease of use, and understandability. They also appreciated its practical tools such as templates, wide use and recognition, availability in multiple languages, and that it is free.

Beyond CookSafe, [allergen guidance](#) was also often noted as being used by businesses, with a few reporting using FSS training on allergen information. In these discussions, the important role of food law professionals in directing their attention to the changes and new guidance was often highlighted by food businesses. A few businesses used FSS posters in their kitchens to remind staff of allergen information, and these posters were praised by one interviewee for their clear graphics and good visuals. The allergen information available on the FSS website was also described as helpful.

“I only really used the allergen one, but to the point I used it once, and then I continually now go back, and I use it, and it's actually become a standard - that's the one that we use because it was really good.” –  
Food business (manufacturer)

The [online allergen training](#) module on the FSS website was mentioned by a few businesses and praised for being clear, practical and flexible. Businesses found that their staff were able to complete the modules around their availability. Managers and owners appreciated that the training was free. Food law professionals also commented positively on the online allergen training. They emphasised the value of it being free, accessible through being online, and described it as helpful, comprehensive, and easy for food businesses to use and understand.

After CookSafe and allergen guidance, the most used was [guidance on labelling](#). Businesses highlighted their awareness of the importance of accurate labelling to ensure the safety of their customers. A small number of businesses used the [Eat Well Guide](#). One catering business used the Eat Well Guide for the community, creating a cookbook and using posters from FSS as a conversation starter about good health in community settings. Two interviewees noted they frequently referred to FSS' cleaning products guidance.

Specialist guidance was used by a small number of food businesses. These businesses noted their awareness of specialist or technical guidance, but felt it was

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outside their job scope to deal with it regularly. For example, one fish restaurant manager was aware that the head chef used FSS shellfish guidance but had not used it personally. Another fish business was aware of the guidance around caught fish, but felt it was irrelevant to them as they bought and sold their fish daily rather than storing any of it. However, a few did refer to using guidance to prepare shellfish safely.



The online survey and subsequent conversations with food law professionals highlighted regular use of FSS guidance to support food businesses.

When asked how often they recommend or discuss FSS guidance with a food business, 17% of food law professionals indicated they do this at every interaction with a food business, 53% at most interactions, and 30% sometimes / as required.

Food law professionals were presented with a comprehensive list of FSS guidance and asked which they had ever recommended or discussed with food businesses. A full list presenting the usage of each guidance is in the results of the online survey questions in Annexe 1, which is provided separately. Guidance which had been recommended or discussed by at least three quarters of food law professionals included:

- CookSafe (100%)
- RetailSafe (97%)
- Online allergy training (97%)
- E.coli O157 Control of Cross Contamination Guidance (93%)
- Guidance on labelling of food sold prepacked for direct sale (93%)
- Allergy Poster (87%)
- ButcherSafe (83%)
- Food allergen labelling and information requirements Technical Guidance (77%)
- Approved Establishments – Scottish National protocol (77%)
- and Vacuum and modified atmosphere packed chilled foods guidance (77%)

A few food law professionals answering the survey highlighted that it was useful to see the full list of FSS-produced guidance that was presented in the survey, and asked for it to be emailed to them (see Q20 in online survey results in Annexe 1).



Food law professionals also expressed broadly positive views on FSS guidance. When asked how they would rate the overall quality of FSS guidance, 3% rated it as excellent, 37% very good, 47% good, 7% (two respondents) rated it as fair, 3% (one respondent) poor, and 3% unsure.

They also commented that they felt food businesses' trust in FSS guidance was high, though they recognised that this was in part because it usually comes directly from food law professionals.

Food law professionals were also asked how much they agreed or disagreed with a series of statements about FSS guidance. The results are shown in Figure 1 and highlight that FSS guidance plays an essential role in supporting the work of food law professionals, with 80% agreeing to some extent that it supports enforcement and compliance activities and 77% agreeing that it helps them to advise food businesses effectively. In terms of format, FSS guidance is seen as relevant (74%) and clearly written and easy to understand (63%)

**Figure 1: Q38. Here are some ways other people have described FSS guidance. To what extent do you agree that FSS guidance [is]...?**

Base: All food law professional survey respondents (n=30)



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Survey comments and subsequent conversations with food law professionals also highlighted many positives of FSS guidance. In addition to the above positives, they also felt it was helpful that FSS guidance reflects the Scottish context. One noted that they felt FSS is trying to make their guidance more user-friendly. It was also noted that FSS guidance is expanded or changes over time to reflect changes in legislation and regulations, for example, labelling guidance on prepacked for direct sale food.

“It is free and tends to be written in a way that we can understand, it is easy to use whilst seated at a desk, and it is easy for us to find online and provide a link to the relevant document in our reports/emails for [food businesses], so it is easy for them to find.” –  
Food law professional

A few stakeholders also expressed positive views on FSS’s existing guidance and the ease of finding the guidance on the FSS website.

“The tools that are there, the guidance that's provided on the Food Standards Scotland website is significantly more user-friendly than we would have found on the English counterpart website. And that could be that it's a model that's been adopted from industry. But it is easy to use. It is very easy to signpost to people. They can find it very, very quickly... I'm on the site now, and if I go into business guidance and then it goes into industry-specific guidance, I can go straight into farming, and it's there. So, I am three clicks away from finding me.” – Stakeholder

“There's free allergen training on the FSS website, which is great, you know, because, again, just being able to say anything is free and having that, and they get a certificate, and we've seen it. We know what content that is. That's really good. If FSS could do more of that, it would be brilliant.” - Food law professional

## 5. How could FSS guidance be more effective?

This chapter draws together a range of suggestions from food businesses and food law professionals about how FSS' guidance could be more effective. This includes identifying any gaps in existing guidance, highlighting improvements to content, accessibility and format of tools and guidance, and considering how communication between FSS, food law professionals and food businesses could be more effective.



### Key findings:

- Gaps in existing guidance relate to innovative or speciality types of cooking. Food law professionals highlighted similar gaps, but also mentioned the unique food businesses they encounter, which require specialised guidance.
- Food businesses can experience challenges in understanding or applying what they can perceive as general guidance to their business, and expressed frustration that guidance can feel “one size fits all”. This led to calls for more tailored, practical guidance that considers the realities of running a food business, and to support implementing that guidance.
- A few food law professionals called for more technical, detailed guidance to meet their needs, and to enable them to be clear about what needs to be enforced and how to do that consistently.
- Both food businesses and food law professionals highlighted a need to consider the accessibility of guidance. This includes ensuring that guidance, particularly CookSafe, uses plain language and is as user-friendly as possible. It also includes providing translated versions of guidance and greater use of visual aids.
- There was no consensus about which formats of guidance are preferred, and no evident pattern in preference by type of business. Hard copies are still considered helpful in kitchen environments. Conversely, several food businesses suggested digital guidance could be helpful. While there is at least some support for using digital tools, such as apps and online portals, to save time and space, there was no preference for one digital approach.
- Several food law professionals highlighted the importance of keeping existing guidance up-to-date and aligned with current legislation.
- There is some desire for more proactive communication, including alerts, newsletters, and direct updates about changes.

### 5.1 Gaps in existing guidance

In general, both food businesses and food law professionals felt that FSS' guidance met most food businesses' requirements. Food law professionals also noted that FSS may not produce guidance on a specific issue if it is addressed in FSA guidance. This typically met their needs and was not seen as problematic.

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However, a few respondents did identify some gaps where additional guidance could be beneficial. Both groups highlighted a rise in new and innovative food technologies or newly developed cooking methods for which there was limited guidance. For example, a few mentioned sous vide, which requires a vacuum sealer to cook food. One business mentioned working with food law professionals to develop guidance around slow cooking meat, welcoming their openness to help. A few food businesses also suggested providing more guidance for businesses that take part in higher-risk activities, such as homemade jarred sauces, jams, chutneys, and food made through complex processes such as pickling, curing, drying, ceviche, sashimi, and fermenting food.

However, food law professionals had mixed views on creating guidance for such processes. While they felt new guidance could be helpful, they also acknowledged that it would be challenging and not necessarily the best use of FSS time and resources to provide guidance on niche or rare processes that could be rarely used. It was suggested that FSS remain aware of new processes and provide guidance where it is most needed or if new approaches become more commonly used.

A few food law professionals each requested more guidance that they felt could help them in their own role. These included, for example, more detailed shelf life guidance to enable food law professionals to write enforcement notices and guidance to cover a range of selling methods, for example, food being sold on online sites where food law professionals do not have oversight.

### **5.2 Provide and support the implementation of tailored, practical guidance**

Across the research, food businesses provided a range of examples of where they have experienced challenges in understanding or applying what they can perceive as general guidance to the practicalities of their business. Some examples of these challenges are outlined below.

Businesses that sold prepackaged food found that labelling guidance could be inconsistent or confusing. They often deferred to their food law professional to help them interpret the guidance. Specific challenges included issues with labelling products to sell at markets, labelling of compound ingredients, and labels becoming too long to fit on the packaging of small products. These businesses reflected that some of the standards can be challenging for small businesses to implement.

Frustration was expressed by some food businesses with what they perceived as a blanket approach by enforcement bodies, where rules were applied uniformly without consideration for professional expertise or the practical realities of individual businesses.

Some food businesses highlighted how attempts to seek clarification from official sources often resulted in vague or conflicting advice, adding to the time burden and uncertainty. A small number of businesses expressed reluctance to seek clarification from local authorities around hard-to-understand guidance due to fear that inquiries might trigger enforcement scrutiny.

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“I would say it's a barrier because it is time-consuming. I did reach out to a couple of bodies. I phoned a government body, and they weren't even sure... So it doesn't seem like there's one clear 'this is the law for everything'.” – Food business (retail, bakery)

CookSafe was felt by some to contain a lot of information, which a small number described as daunting or overwhelming. Others commented that, despite its size, the guidance is not always tailored to specific businesses or their risk level. Food businesses also described adapting and customising it for their business, for example, combining multiple checklists into one daily sheet, creating their own procedures based on templates, and adjusting the requirements based on what they felt was needed for their specific operation.

“I think [CookSafe] feels like quite a hefty document that feels like a lot is in there. We have obviously compressed it and taken out what's relevant to our business. And I think that takes a lot of work, really, to do that, to make sure you're taking out the relevant parts.” – Food business (catering, café)

“I just think with Cook Safe we've just found it initially overwhelming to deal with because it's so big and... it's kind of one size fits all and actually it doesn't, because if you're a bar but you're only doing delicatessen meats and cheeses and you're not going to be doing temperature testing, you'll still [thinking] 'well, should I do I need to have that bit of paperwork? Do I not? Am I going to get graded down because I didn't have that piece of paperwork? It's those aspects of it that I think could do with more clarity.’” – Food business (catering, cocktail bar)

This frustration that guidance can feel “one size fits all” led some businesses to call for more tailored advice for their specific business type, size, or risk profile. Suggestions for how this aspect could be improved included clearer signposting of what is essential for different operations and the ability to customise templates.

“Business owners are struggling for time, especially small business owners... They're responsible for everything, so time is so valuable... The other thing I would say is simplify the information... And a lot of this stuff is trying to cover a broad spectrum of things. Don't do that. Make it specific. Let's do one for small business owners. Let's do one for medium businesses. And then let's do one for large businesses.” – Food business (catering, café)

“More sector-specific guidance - such as the Food Standards Guidance for Butchers. This was excellent as it was tailored to that sector, so the businesses knew they were reading something that was relevant to them, with practical examples for their industry.” Food law professional

One suggestion made by a few businesses was checklists of “quick start” guides for new businesses, tailored to different business types and sizes. A few suggested that guidance could be improved by including more case studies or practical examples.

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*“A Quick start guide, if you like, with main points [around hygiene and food safety] that you have to think about. Because it'd be easier for staff as well, because you could just hand them that card and say, ‘Look, these are the main things that are most important.’” - Food business (catering, café)*

A small number of food businesses and food law professionals considered how the FSS website could be used to provide more tailored information. For example, having a short questionnaire to assess the size and nature of a business that would then signpost to the most appropriate guidance or, potentially, provide personalised guidance, checklists or templates. One stakeholder suggested Artificial Intelligence (AI) could provide a legislative overview of all the factors a business might need to consider, including food safety, health and safety, etc, depending on their business.



*“They could use AI in that way; it might be able to pull what is already existing on the website and template it for your business. You could just tell them exactly what your type of business is, what service you're providing, and that could maybe generate your CookSafe folder for you.” – Food business (catering, café)*

*“If you were to kind of almost personalise the experience of visiting the [FSS] site and saying ‘Hi, I can see you're looking at fresh produce. What do you do? Do you pack?’ I mean, I'm thinking ahead in terms of a user experience in an AI kind of way, but it's almost like, ‘You're looking for this. If you're going to do that, had you thought about exporting? And if you're exporting, do you know what you've got to do to do that? It's almost that little note. Selling the story, selling the service.” – Stakeholder*

A few food businesses commented on the need for guidance to reflect the realities of running a food business, including the pressures of time, staffing, and customer expectations. They called for guidance that not only helps ensure they are compliant but is also practical and efficient for them to use and implement. For instance, ways to improve the content of CookSafe included:

- Having a greater focus on house rules, as food law professionals felt these can be challenging for food businesses to develop.
- Including allergen information and corrective actions across the document.
- Having a more comprehensive section on high-risk foods, such as raw meat and fish, sous vide, and vacuum packing.

Others noted that guidance should be realistic about what can be achieved in different types of businesses and should not impose unnecessary burdens.

Comments on the need to seek clarification and reassurance also point to the potential need for both guidance which outlines how regulations and processes should be implemented in practice, and support for food businesses in interpreting that guidance.

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*“I do think businesses value being able to speak with someone and get confirmation... We find they think they're doing it right, but they want the confirmation from someone to say that they are doing it right. And it isn't one-size-fits-all, the food industry is complex... What we find is some people aren't able to apply something that's within guidance to their business; they're not able to sort of extrapolate it and go, 'OK, I get that I need to do this, but I'm not sure how I need to do this. How does this apply to my business?'” – Stakeholder*



Views of food law professionals in the online survey also frequently highlighted the need for more tailored guidance:

- When asked how well supported they think food businesses are by the guidance about food safety and standards that is currently available, 7% of food law professionals felt food businesses are 'very well supported', but most felt that food businesses are 'somewhat supported' (63%) or 'not very supported' (30%).
- Similarly, 27% of food law professionals agreed in the survey that FSS guidance reflects the diversity of food businesses in Scotland, while 27% disagreed, and 43% had no view (see Figure 1).
- 87% that it is important that guidance is tailored to specific types of business and 86% that it includes examples of best practice.
- 80% of food law professionals also felt it 'very important' or 'important' that digital tools should allow tailoring for different businesses.

A few food law professionals also called for more technical, detailed guidance to meet their needs, and to enable them to be clear about what needs to be enforced and how to do that consistently. There was a view that FSS used to produce more technical guidance, but the current guidance now focuses primarily on guidance to meet the needs of food businesses. One food law professional suggested having a separate website section for food law professionals, noting that the current website setup is better suited to food businesses.



*“From our point of view as enforcers, we almost need two different sets of guidance. Guidance in relation to what the business owner needs and how they can use the guidance, but there also needs to be guidance that's relevant to an enforcement officer and how they go about their job enforcing the regulations... When FSS have been producing guidance recently, they've been producing guidance, almost trying to put the two things together, which then we, as technical officers, are not getting enough information out of that guidance or being able to use that guidance in a way that really helps us to enforce.” – Food law professional*

One stakeholder called for FSS to produce guidance which covers the whole of a product supply chain. They felt that while tailored guidance might exist for different parts of a chain – e.g. a producer, processor, transport, or supplier – any missing link in that chain could create a risk for the other businesses in the chain. They also felt it was important that each business understand the importance of their part of the chain and how their work interacts with and could impact other businesses.

“You could write guidance for producers and primary processing facilities. You can write another guidance for secondary processors... you could write another one for distributors. But what happens to the bit in between? What happens at those transfer links? Where does the responsibility of one party end and the next begin? What are the checks that need to be done in that transfer window? Because that is where you'll have your problems.” – Stakeholder

### 5.3 Making guidance as accessible as possible

A recurring theme among food businesses was the need for guidance, in particular CookSafe, to be as simple, accessible and user-friendly as possible. Avoiding long passages of dense text in guidance and condensing materials was recommended, such as using bullet points and providing clear checklists for daily, weekly, and monthly tasks. Additional templates in CookSafe would be welcomed, such as on product recall and traceability, packaging, supplier approval, and document control.

“I think companies have less and less time. There's so much going on. And that's a challenge that they have, how they need to absorb stuff quickly. Sometimes they're not going to have lots of time to be reading through documents. So it's finding some way of being able to make that a bit easier for them.” – Stakeholder

In interviews, food law professionals were clear that existing FSS guidance is generally clear and easy to understand, and that the plain language helps them support food businesses more effectively. Food law professionals acknowledged efforts by FSS to use clear examples, with one commenting that the examples provided in the labelling for prepacked for direct sale guidance were particularly useful and encouraged the continued use of this approach. A few food law professionals noted that question-and-answer sections on guidance can be helpful for food businesses.

Both food businesses and food law professionals highlighted a need to consider the accessibility of guidance in terms of the language being used and how easy it is to read and understand. Food law professionals felt that a key barrier to the use of FSS guidance was that many food business employees do not speak, or have limited proficiency in, the English language. While it was noted that some FSS guidance, such as CookSafe, is provided in different languages, it was suggested that translations should also be provided in Polish, Turkish, Greek, Iranian, Cantonese, Mandarin, Kurdish, Arabic and other Eastern European languages. Prioritising translating the most widely used guidance, namely CookSafe, was recommended. One suggested that training be provided in other languages or with subtitles in more languages.

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More broadly, a few food law professionals and a few food businesses highlighted wider literacy challenges. They expressed the view that some of those entering hospitality or retail may lack basic literacy skills or are just more visual learners. It was felt that paper copies of guidance can support those with limited digital literacy and provide a practical format for easy reference within a kitchen or on a production line. As a result, it was also felt that such audiences would also value greater use of visuals, pictures and diagrams in guidance, rather than just text.

It was also felt that visual elements could better support those for whom English is not their first language and could assist food law professionals in communicating more effectively with food businesses employing these staff.

“*[CookSafe] is just maybe not as user-friendly for someone at a low level... they might think, ‘Oh God, this looks like a really official document’. You almost want it quite short and maybe some pictures, almost just a bit of a reference. And I do feel it’s a lot of tables and a lot of words... I think it could be a bit more user-friendly, a bit more pleasing to the eye.*” – Food business (catering, café)



Online survey responses from food law professionals frequently emphasised the importance they place on clear and accessible guidance.

When asked about the importance of different aspects of guidance in general (Q16):

- All (100%) indicated it is important that guidance is written in language that the general public would find easy to understand, with 90% rating this as ‘very important’. Only 10% of food law professionals felt that using appropriate scientific and legislative language is ‘very important’, compared to 17% who considered this ‘not at all important’.
- 97% felt it was ‘very important’ or ‘important’ that guidance is provided in multiple languages, with 70% rating this as ‘very important’.
- 73% felt it was ‘very important’ that it ‘provides a short summary of what is essential for businesses to know.’
- 67% rated the inclusion of examples of best practice as ‘very important’.

There were more mixed views, however, about the level of detail needed in guidance. While half (50%) felt it is ‘very important’ that guidance is comprehensive and covers all aspects of a topic, 13% felt this is ‘somewhat important’ and 7% ‘not at all important’.

Similarly, 37% felt it is ‘very important’ that guidance provides a general overview for multiple businesses and across sectors, while 17% felt this is ‘somewhat important’.

When asked specifically about FSS guidance, 63% agreed that it is clearly written and easy for food businesses to understand, 23% were neutral, 10% disagreed and 3% were unsure (see Figure 1)

## 5.4 Improving the format of guidance



When asked to rate FSS guidance in the online survey, half of food law professionals (50%) agreed it is available in formats that suit the needs of the businesses they work with, but 23% disagreed.

Food law professionals were also asked to rate the most important elements of food safety and standards guidance in general (not specific to just FSS guidance) that is available to businesses. The proportion rating each element as 'very important' or 'important' to be available in/as:

- Web-based formats (83%),
- Word-based documents for amending/printing (80%),
- Interactive formats e.g. digital tools tailored to different businesses (80%).
- Videos/webinars (63%)
- Face-to-face training (50%).

In line with the online survey results, when food businesses were asked about their preferences for the format of guidance, a range of formats are currently used, with no consensus about which is preferred and no evident pattern in preference by type of business.

A few food businesses highlighted the value of being able to print off specific resources, such as posters or checklists, directly from the FSS website. While food law professionals noted that paper versions of some guidance can be purchased from FSS, they emphasised that many people working in food businesses still prefer paper versions of guidance and called for FSS to do more to make paper versions of guidance available. It was felt that paper copies of guidance can support those with limited digital literacy and provide a practical format for easy reference within a kitchen or on a production line, for example. Food businesses also welcomed local authorities providing them with printed copies, to save them the cost and time of printing guidance documents.

While several food businesses suggested digital guidance could be helpful, and there is at least some support for using digital tools to save time and space, there was little consensus and no strong appetite for any one approach. Businesses suggested a range of options, such as Apps and online portals, that could be used to complete and store records electronically, receive alerts, and access up-to-date guidance.

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*“If you could somehow link up the council visit with a kind of portal for your business, you would keep your records on. You know, staff training records, so they can essentially see that you know, they could view it, and you could edit it. And it would have the CookSafe information there, so that somebody doesn't have to find a food-splattered folder from behind a cabinet or something like that. It doesn't sound like a lot, but having a pile of folders in the kitchen just takes up space. And we could kind of have our own version on the iPad, if you like, we can look at it when they come in. A sort of portal to tie it all together would be great.” – Food Business (catering, restaurant)*

The functionality of the FSS website was also highlighted by food law professionals as a barrier to food businesses accessing guidance online. Among this group, 43% disagreed that ‘it is easy for food businesses to find guidance on the FSS website’.



*“It's just making sure that we're making it accessible for people - the language, as we've mentioned, but also accessible and different formats. There are still people out there who are not so good with technology...You can still buy a manual online if you want, but most people are encouraged just to go online, fill it in online, and a lot of people actually prefer the printed manual; the hard copy was far better.” – Food law professional*

During interviews, a few businesses and a few food law professionals suggested that FSS could offer more accessible online training modules and promote these more widely. Other suggestions by food businesses included multimedia resources, such as videos or podcasts, to support learning and engagement and present examples of best practice. Suggestions included training on how to draw up a safety management system, what hazards are, what food businesses need to do, and explaining the process, for example, food-related chronic illnesses, and not just allergens.



*“Online food hygiene training, like the allergen training, would be good. We find that food businesses are using online training which is not accredited and doesn't effectively cover all topics. If we could sign them to an accredited / approved course, this would be good. REHIS courses are not always available.” – Food law professional*

Suggested improvements to the allergen training were given, mostly by food law professionals, for instance making it more practical, using more visual and interactive elements and updating content relating to very low gluten food or gluten-free food.



*“Allergen management, businesses are quite wary of it. Obviously, it's a very high risk, and so they want to make sure that they are doing everything they can to protect the customer. So I think they're looking for as much support as possible. Perhaps Food Standards Scotland, the guidance they give, doesn't give that sort of in-depth breakdown. ‘Okay, so how do I actually manage this risk on-site? I understand what I need to do, but I'm not quite sure how to go about doing it. What do I need to put in place?’ – Stakeholder*

## 5.5 Keeping guidance updated

In interviews, several food law professionals and one stakeholder highlighted the importance of keeping existing guidance up-to-date and aligned with current legislation. In the online survey, 96% of food law professionals felt it was important that guidance is regularly updated. They highlighted some existing FSS documents that are currently out of date, such as the imported food guidance, which contains old references to border control. One food law professional commented in the survey on the need for updated dairy industry guidance, but did not elaborate. One food law professional expressed the view that FSS can be slow to publicise food alerts requiring action, such as product recalls, and felt that FSA was faster.

“With new and evolving food businesses, we need info/guidance out much quicker to allow us to cope and deal with the ever-changing situation in food production. It's slow and not user-friendly. – Food law professional

“Things change so fast that FSS also needs to have the capacity to react to that and to review and change guidance rapidly. We can't be sitting there with someone mulling over a change for 12 months because 12 months down the line, we'll have two or three more changes. That's how rapidly things evolve.” – Stakeholder

## 5.6 Improving communication on guidance

In addition to improved communication to food businesses to increase limited awareness of FSS, a range of ways to improve the communication of FSS guidance were suggested by respondents. In general, it was felt that industry newsletters could be used more effectively, including both FSS newsletters and information and guidance in sectoral publications. However, the value of targeted engagement, such as a newsletter tailored to a sector or business type, was often noted.

“Provide template emails with links to key information which could be forwarded to different categories of businesses, e.g. new businesses, takeaways, butchers, cakemakers, childminders, small manufacturers, etc.” – Food law professional

A few food businesses raised concerns about the quality and speed of FSS' communications. The introduction of calorie information on menus was mentioned, with businesses feeling they had prepared for it and amended menus, but were unsure when or if it would be implemented and for what types of businesses. Another raised concerns about slow announcements over food recalls and food-borne outbreaks.

Food law professionals made several suggestions for how guidance could be better communicated to food businesses, though there was no consensus on which would be most effective. These included, for example, using social media, promotional activity, distributing hard copies of guidance, sending regular email updates and posting information packs directly to food businesses. A few gave suggestions for improving communication between food law professionals and FSS, including working collaboratively to draft guidance, using working groups and sending regular updates on changes. Such views were echoed by other stakeholders.

## 6. Conclusions

This research highlights the essential role that guidance plays in supporting food businesses to meet food safety and standards requirements and helping food law professionals to perform their role effectively.

However, the research also highlights the need to increase the reach and impact of FSS guidance. Awareness of FSS as an organisation is low among food businesses. Many use FSS guidance, but often assume it comes from local authorities. This lack of visibility limits opportunities for FSS to build relationships with businesses and promote the full range of available guidance, and means food law professionals are called upon to provide clarification for practical implementation of guidance.

Across food businesses, guidance is widely used to ensure daily compliance, particularly in small and independent businesses where owners and managers are hands-on and responsible for everything from food preparation to training and record-keeping. However, guidance is not always regularly or proactively sought; for several long-standing businesses, there is a sense that change over time has been limited, meaning guidance is not required. Food law professionals play an essential role in providing food businesses with guidance, particularly guidance and tools created by FSS, with food businesses also using a range of other sources.

Food businesses familiar with FSS guidance feel it is relevant, comprehensive and easy to understand. CookSafe provides businesses with a clear structure for managing food safety and is often described as the foundation of compliance routines. The availability of free, accessible training, such as the online allergen training, was widely welcomed, helping businesses upskill staff and providing reassurance about an issue that causes some food businesses concern. Food law professionals view FSS guidance as high quality and use it to support inspections, advise businesses, and ensure consistency in enforcement. Both businesses and food law professionals appreciate the coverage of existing guidance; relatively few gaps were identified, and those tended to be about emerging or innovative types of cooking and businesses.

There is a desire for guidance that reflects the diversity of business types and risk profiles, which could include more sector-specific or scalable guidance that feels more relevant to individual businesses, using digital solutions, for instance, to facilitate this. CookSafe, for example, is widely used but often adapted or condensed by businesses to make it more manageable or tailored to their needs. While this is sometimes done with the support of food law professionals, it presents a risk of inconsistent application of guidance and standards. While they feel that existing resources are generally helpful for businesses, some food law professionals requested more detailed guidance to support their work and decision-making.

The format and accessibility of FSS guidance are also key issues. While the content is generally seen as clear and easy to understand, the volume and format of some guidance can be a barrier to use, particularly for smaller businesses with limited time, staff or technical knowledge. While there was some support for digital resources, the value of paper or printed materials is still evident in kitchens or production facilities, highlighting the continued need for multiple formats.

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A need for improved communication between FSS and food businesses was also evident. Several businesses feel they already have a high level of understanding of what they need to do to ensure compliance, but still need to be made aware of any changes to legislation and guidance. Many rely on food law professionals or word of mouth to stay informed, which can lead to gaps in knowledge.

In summary, FSS guidance is a trusted and essential resource, but there is room to improve how it is presented, promoted and tailored. By simplifying formats, expanding accessibility, and strengthening communication, FSS can ensure its guidance is easier to use and more widely recognised, and in turn improve compliance.

## 7. Appendix 1: Wider factors impacting food law compliance in food businesses

Although not directly related to the research, the broader context in which food businesses and food law professionals operated was frequently mentioned. Multiple issues present challenges to businesses in ensuring compliance or act as barriers to using guidance, including:

- Operational and administrative burdens
- Staff training and compliance monitoring
- Complexity and lack of clear guidance
- Resource and cost constraints

These issues have been included in this appendix for FSS to consider when producing future guidance, to ensure it remains fit-for-purpose for the environment that many food businesses operate in.

### 7.1 Operational and administrative burdens

Some businesses expressed the view that compliance tasks could be time-consuming, particularly routine paperwork such as temperature logs, cleaning schedules, and record-keeping, and felt this could be a barrier to both compliance and using guidance. These requirements could be viewed as bureaucratic, burdensome and disproportionate to their perceived impact on food safety. This is especially true in some of the smaller businesses, where owners or managers have multiple demands on their time and find it challenging to keep up with paperwork, undergo training and keep up with new requirements.

“I think the problem is that you can write whatever you want on some sheets of paper. But there are some people who don't understand what is being put before them. I think there is a need to help, particularly businesses that are small, starting up, and don't have a good, strong technical team. Maybe the owner is doing everything. Maybe someone in their family is bailing in and trying to work out what the regs say, and they need help.” - Stakeholder

Some businesses reflected that food law compliance can be seen as impractical. While this was often mentioned, there was no single issue which caused frustration; instead, a range of issues were noted depending on the type or size of business. For example, paperwork can seem disconnected from the reality of running a business, and some requirements can be viewed as excessive, e.g. detailed labelling, or not relevant to a specific business or a business's risk profile. Small businesses reported physical constraints, such as limited kitchen space, that can make compliance with allergen separation and safe storage challenging.

Rules that some businesses felt were impractical and difficult to implement were also noted, such as businesses being responsible for checking the temperature inside suppliers' vehicles. A few participants felt that these challenges are amplified for

mobile businesses or those operating across multiple sites, where maintaining consistent standards requires additional planning and coordination.

In their survey comments and subsequent conversations, a few food law professionals acknowledged that food law compliance was only one aspect of a food business's daily considerations. One stakeholder noted that food businesses need to consider a range of other policy issues, such as Extended Producer Responsibility (EPR) for packaging, the deposit return scheme, and salt, sugar and fat content. For smaller businesses in particular, these demands must be balanced with compliance and other issues affecting their business, such as inflation.

“Some are not that inclined to find out about legal requirements, some are struggling to stay in business, juggling bills, staff, employment law and private lives, and food law is not at the forefront for them” – Food law professional

## 7.2 Supply chain considerations

Food businesses highlighted two compliance challenges related to their supply chain. These were the extent to which they rely on compliance in other businesses in their supply chain, and how they might need to comply with requirements set out by any businesses they supply to. They described how non-compliance in other businesses, such as inadequate refrigeration during transport, allergen cross-contamination, and inconsistent product quality, could pose a risk to their own customers and business. Examples of highly publicised food safety incidents were cited by food businesses as reminders of the reputational and operational impact of supplier failures and the risk businesses take.

Another factor outlined as significant to complying with food law requirements was supplier-related information needs, particularly for businesses operating under Safe and Local Supplier Approval (SALSA) or Brand Reputation Compliance Global Standards (BRCGS). Businesses described the requirement to trace ingredients back to the source, with suppliers providing certificates for food hygiene, safety, and other claims such as organic or kosher. This was seen as essential for accountability, compliance, and maintaining consumer trust, especially in the context of increasing consumer awareness and demands. Sector-specific rules were also cited, such as the Scotch Whisky Association and HMRC requirements for spirits. Some food businesses reflected on how these requirements have become more comprehensive over time.

## 7.3 Staff training and compliance monitoring

Ensuring staff are well-trained to understand, follow, and comply with food safety procedures was noted as a further challenge. While available training was generally felt to be appropriate, food businesses noted issues such as high staff turnover. For example, frequent training for new or inexperienced employees, or temporary workers such as students working during holidays, means that more time and effort need to be spent on training and ensuring learning is embedded in the business. Similarly, smaller food businesses and those operating in rural or seasonal contexts noted that limited staffing and multiple role responsibilities made it harder to keep up with compliance requirements during peak periods. A few noted that additional

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training could be required to comply with certification and framework requirements, such as those noted in the 'supply chain considerations' section above.

“*The biggest challenge is like making my process absolutely bomb proof, like, ‘follow this process, put the new pasta behind the old pasta, serve the old pasta first’. And you know that sounds simple; I could do that, you can do that, but sometimes that just doesn’t happen. The biggest challenge for me is making sure that processes are followed as I want them to be.*” – Food business (catering, restaurant)

Food businesses emphasised the need for ongoing supervision and refresher training to ensure compliance among employees, and to be able to demonstrate efforts to comply with food law professionals, e.g. by providing certificates for training. Manual systems, such as paper-based temperature logs and cleaning schedules, were noted by some as adding to this burden, requiring constant monitoring.

“*It’s that chain; it’s essentially getting your staff to follow the rules. You know, I’m educated in it. I know what’s needed. But from the training point of view, it’s all about the training. And then you’ve got to make sure that they’re doing it on a regular basis. So, it’s been supervised, and it’s been recorded. On a weekly basis, you’re saying, ‘Have you done this? Have you done that?’ It’s ticking boxes, essentially, all the time. Tick more boxes, sign things off, tick again. And then if there’s any breakdown in the system, then you’ve got to do the refresher training. You’ve got to record it. So, it’s essentially a liability trail. If anyone gets poisoned, why have they been poisoned?*” – Food business (catering, café)

Another noted that some food businesses may be unfamiliar with the standards and regulations in Scotland because no training is required to start a food business in Scotland.

“*My main issue is probably businesses not actually looking for or applying the guidance... I don’t have any major issues with the guidance itself*” – Food law professional

### Resource and Cost Constraints

Despite some businesses reporting minimal cost issues, others faced challenges in covering costs associated with compliance. Additional expenses included costs for:

- Training, training platforms and specialist training.
- Using third parties to advise on processes, e.g. HACCP frameworks.
- Specialist equipment.
- Achieving and renewing certification.
- Food which ends up as food waste if it cannot be used as intended.