Food Standards Scotland

For safe food and healthy eating

Local Authority Audit Review 2020 – 2026

Revised 16 September 2026



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1. Executive Summary

This report presents a consolidated review of Local Authority food law audit activity undertaken by Food Standards Scotland between 2019 and 2026. Five verified audit programmes were completed during this period, covering Local Authority sampling activity, capacity and capability, implementation of the Food Law Code of Practice 2019, official controls in establishments subject to approval under Regulation (EC) No 853/2004, and enforcement actions.

The aim of each audit programme is to determine whether official controls comply with planned arrangements, are implemented effectively and are suitable to achieve the objectives of food law.

The review identified workforce capacity as a recurring theme across the audit programmes. Of the 17 Local Authorities audited through Capacity & Capability, Interventions Code and Approved Establishments audits since 2021, 16 reported staffing deficits or significant resource pressures affecting delivery of planned arrangements.

The review also identified recurring challenges relating to intervention delivery, increasing numbers of overdue and unrated establishments, implementation of Official Control Verification (OCV), and data quality issues between Local Authority Management Information Systems (MIS) and the Scottish National Database (SND). Balanced against these challenges, audits also identified examples of innovation and good practice, including workforce development programmes, apprenticeship schemes, alternative qualification pathways, digital reporting tools and enhanced performance-monitoring arrangements.

2. Introduction

This report was commissioned by SAFER as part of its Research and Evidence Strategy, with the aim of providing independent verification and assurance on the current model of food law delivery across Scottish Local Authorities.

The report draws together common and recurring themes identified across all audits of Local Authorities and seeks to contribute to the SAFER research and evidence programme by presenting evidence on how the system currently operates in practice. In doing so, it aims to contribute to a robust and transparent evidence base to support the SAFER programme objectives and future decision-making.

The audits included in the report are:

Audit Programme	Scope and Period	Authorities Audited
Sampling Activity	2019 - 2020 Sampling policies and sampling activity	32
Capacity & Capability	2021-2025 Overall ability of services to deliver food law functions	5
Interventions Code	2022-2023 Implementation of the Interventions Food Law Code of Practice	6
Approved Establishments	2024-2025 Delivery of official controls in approved establishments	7
Enforcement Actions	2025-2026 Delivery of formal enforcement activities	6

Together, these audits examined Local Authorities compliance with planned arrangements and covered the following three objectives set out in Article 3, (30) of Regulation 2017/625 :

- Verification that official controls are carried out in compliance with planned arrangements.
- Verification that planned arrangements are applied effectively.
- Verification that planned arrangements are suitable to achieve the objectives of official controls.

For the purposes of this report, "planned arrangements" refers to the documented arrangements established by Local Authorities to deliver official controls. These include food law service plans, intervention programmes, enforcement policies, procedures, monitoring arrangements and governance processes that collectively support delivery of official controls.

As each programme examined a different aspect of service delivery, findings should be interpreted within the context of the published audit scope.

3. Methodology

All audit reports from the five programmes were reviewed and assessed. Audit findings were analysed and grouped to identify overarching themes and recurring issues. Examples of good practice were also captured to provide a balanced view and to highlight local initiatives and approaches Local Authorities were undertaking.

3.1 Limitations

The five audit programmes reviewed covered different aspects of food law delivery and therefore employed different methodologies, scopes and samples. Consequently, findings are not directly comparable across all 32 Local Authorities. Some findings relate to all Scottish Local Authorities whilst others relate only to those included within a particular programme.

Part of the review period also covers the recovery phase following the COVID-19 pandemic. In March 2020, temporary deviations from the Food Law Code of Practice were introduced and Local Authorities subsequently operated under a phased recovery programme, which restarted in September 2021. Audit findings from this period should therefore be interpreted within the context of those temporary arrangements and recovery priorities.

4. Key Themes

4.1 Resource and Capacity

Resource and workforce pressures were the most consistently identified themes throughout the audit programmes.

Where capacity and capability were formally assessed, 16 of the 17 Local Authorities audited reported staffing deficits or resource pressures that affected delivery of planned arrangements. In the Interventions Code audit programme, only one of six Local Authorities had a fully resourced intervention programme. In another Local Authority, eight vacant posts existed at the time of audit. Capacity & Capability audits identified two Local Authorities where staffing shortages presented a significant risk to sustainable service delivery.

Whilst recruitment difficulties were frequently identified, audit evidence indicates that resource pressures arise from a combination of factors including vacancies, succession planning challenges, funding constraints, increasing workloads and difficulties attracting suitably qualified staff.

4.2 Delivery of Planned Arrangements

Evidence from the Interventions Code, Approved Establishments, Capacity & Capability and Enforcement Actions audit programmes indicates that intervention delivery has become increasingly challenging for many Local Authorities.
The Interventions Code audit programme found that only one of six authorities audited had a fully resourced intervention programme. Audit findings also identified

increasing numbers of overdue inspections, missed interventions and unrated businesses. Approved Establishments audits found that delivery of Official Control Verification (OCV) programmes placed significant resource demands on some authorities, particularly where large numbers of approved establishments existed.

Authorities commonly reported prioritising higher-risk establishments, such as approved establishments and FLRS Band D and E establishments, to manage available resources. Enforcement Actions audits undertaken during 2025/26 also identified continuing challenges associated with backlogs and overdue interventions.

4.3 Sampling

The Sampling Activity Audit completed in 2020 identified a reduction in sampling activity compared with the 2014/15 baseline period. Depending on the type of sample activity assessed, reductions ranged between approximately 34% and 37%. These figures relate specifically to findings made during the 2020 audit and should not be interpreted as a measure of current sampling activity.
The audit also identified significant variation in sampling programmes across Local Authorities. Not all Local Authorities had fully aligned sampling activity with local business profiles, risk profiles or food production activity. Audit evidence also indicated that staffing availability and budget considerations influenced local sampling programmes. In one Capacity & Capability audit, the authority planned only Food Standards Scotland-funded sampling activity and had not included Local Authority -funded sampling within their programme.

4.4 Internal Monitoring

Competent Authorities are legally required to monitor and verify that their official control systems are working effectively.

Findings relating to internal monitoring were primarily drawn from the 23 authorities audited through Capacity & Capability, Interventions Code, Approved Establishments and Enforcement Actions audit programmes since 2021.

While quantitative monitoring of activity volumes and corporate performance indicators was generally well established, qualitative monitoring arrangements were less consistently applied. Nine of the 23 authorities audited were not maintaining qualitative monitoring procedures in accordance with local procedures, whilst one authority had no internal monitoring arrangements in operation at the time of audit.

However, the most recent Enforcement Actions audit programme identified strong compliance with qualitative monitoring procedures and highlighted this as an area of strength. This suggests that improvements have been made since some of the earlier audit programmes were completed.

4.5 Data Quality

Data quality issues were identified in all audit programmes that relied upon comparisons between Local Authority Management Information Systems (MIS) and the Scottish National Database (SND). The issues identified arose from a combination of:

- inaccuracies within local MIS records;
- mapping and transfer issues between MIS and SND;
- incomplete data transfers; and
- differing coding arrangements between systems.

Examples identified during audit included:

- approved establishments recorded differently on MIS and SND;
- enforcement notices recorded locally but not reflected on SND;
- unmapped intervention codes;
- ceased trading food businesses establishments remaining active on SND; and
- incorrect categorisation of inspection activity.

Within the Enforcement Actions Audit Programme, approximately one-third of enforcement action records assessed were absent from SND when compared with local MIS records. This finding relates specifically to enforcement action data and should not be interpreted as a measure of overall SND data quality.

Similarly, five of the seven authorities audited under the Approved Establishments programme had discrepancies between approved establishment records held locally and those recorded on SND.

4.6 Local Authority Feedback

As part of the audit process, Local Authorities are provided with an opportunity to submit feedback and comments on the audit topic to help Food Standards Scotland identify issues relating to policy and its implementation. This feedback is highly valued, as it comes directly from those responsible for delivering these policies in practice. By considering Local Authority views, Food Standards Scotland gains first-hand insight into what is working well, where challenges exist, and the reasons behind them. A full list of all feedback can be found in Annex 2.

5. Good Practice Identified

Whilst a number of common challenges were identified, the audit programmes also highlighted examples of innovation, effective workforce planning and service improvement that may be of wider interest to Local Authorities.

5.1 Resources

Although resource pressures were widely reported, audits also identified a number of initiatives designed to improve workforce sustainability. These included apprenticeship programmes, graduate development pathways, alternative qualification routes and "grow your own" workforce models. Audit evidence demonstrates that authorities have actively sought innovative approaches to address recruitment and succession-planning challenges, although workforce pressures remain a significant issue nationally.

5.2 Examples of Innovation and efficiency

Some authorities have introduced mobile working technology, digital inspection tools and enhanced business intelligence systems to improve efficiency and reduce administrative burdens. Examples included real-time report generation, electronic notice production, mobile inspection records and improved performance-reporting tools that support service planning and management oversight.

6. Conclusions

The review demonstrates that workforce capacity, intervention delivery, OCV implementation and data quality remain the principal systemic challenges affecting food law delivery across Scottish Local Authorities. However, these issues do not affect all Local Authorities equally.

Audit evidence suggests that performance is influenced by a combination of factors including staffing levels, geography, business profile, approved establishment numbers, organisational arrangements and local priorities.

The review also highlights that data quality issues are not attributable to a single source. Rather, they arise from a combination of local MIS issues, system mapping and transfer problems between systems, and limitations in verification and monitoring processes. These inconsistencies reduce confidence in national performance reporting and limit the ability to effectively monitor trends and emerging risks.

Despite these challenges, examples of innovation, workforce development and service improvement were identified throughout the audit programmes, demonstrating that authorities continue to adapt and seek sustainable approaches to delivering food law services despite on-going workforce and resource pressures

7. Annex

7.1 Local Authority Audit Reports

All audit reports reviewed and analysed as part of this report can be found on the Food Standards Scotland website.

7.2 Local Authority Feedback provided to FSS

Following each audit, Local Authorities are given the opportunity to provide general feedback and comments. The comments set out below are as submitted by the respective Local Authorities.

Enforcement Actions Audits – LA Feedback

Midlothian Council's comments:

- *The national shortage of Environmental Health Officers and/or trained Food Safety Officers coupled with the extremely limited options to achieve the necessary qualifications and fully funded training opportunities nationally has negatively impacted the LA. Midlothian Council have taken considerable efforts to address this locally by 'growing our own'.*
- *Midlothian Council supports the introduction of a licensing scheme to ensure compliance with standard conditions prior to a food business starting operations, with retrospective licensing to be applied to all existing establishments. This would provide a valuable (ring-fenced) income stream commensurate with the size of the authority to the resource required for interventions; improve initial compliance to protect public health; and potentially reduce enforcement action taken on business through pre-requisite conditions.*
- *The limitation of the LAs MIS and compatibility with SND,such that the LA under report food law enforcement activity, had previously been identified by the Authority and discussed with FSS in an attempt to resolve this matter. Further action by the Authority is required to identify and implement a solution to ensure that enforcement activity is accurately uploaded to SND. This will require a specialist role.*

- *From now on for all notices served on site the officer will take a photograph of the original notice served on the FBO to ensure an accurate and clear copy of the notice is retained for our records.*

Renfrewshire Council's comments:

- *Renfrewshire Council agrees with comments provided by the audit team and their conclusions- noting the generally positive audit outcome.*
- *All areas for improvement identified within the audit have been/are being addressed.*
- *Issues with discrepancies between information held on CIVICA APP and that on the Scottish National Database are being investigated.*
- *It has been recognised that reductions in staff numbers are being addressed by the Service to increase resources.*
- *The Council's Integrated Enforcement Policy will be revised and updated.*
- *The audit team were accommodating, helpful and offered beneficial suggestions/recommendations to develop capacity for monitoring and direction of Food Law interventions.*
- *No OCV training is currently provided by FSS, internal training will be provided as an alternative however formal OCV/approved premises training should be provided by FSS, particularly for new officers.*

North Ayrshire Council's comments:

- *North Ayrshire Council is aware of an issue with certain data not being removed from SND when a corresponding change is made on the Management Information System. For notices generated but not served, internal procedures have been amended to remove the notice code before the next SND submission. An annual exercise will be conducted to request manual deletion of any that appear in SND in error. This will include any approved premises no longer approved but still having this status in SND.*
- *Investigations are underway with our Management Information System provider to improve the intervention data sent to SND as it appears that some interventions are not being categorised correctly (e.g. revisits). The issue with*

'value not recognised' has been resolved and was due to new codes being added without being mapped on SND.

- *We are aware of discussions regarding improving the accuracy of data held in SND and the suggestion that FSS should request an annual accuracy check. We would support this, however, depending on the quality of data, it may be more manageable to undertake checks per data group or dashboard rather than the whole system.*
- *Internal Monitoring procedures have been amended to ensure a 'Manager Check' code is recorded when discussions take place regarding correspondence, formal action or business group changes.*
- *We wish to highlight the need for urgent amendment to the Food Law Rating Scheme (FLRS) following the recent review. Whilst we support the conflation of food hygiene and standards inspections and the higher frequency inspection categories for non-conforming businesses, we are of the view that certain compliant businesses are being inspected too frequently. In an era of reducing resources and an increasing inspection workload from new and non-compliant businesses, FLRS modification would be welcome to help address the inspection backlog.*

Angus Council's Comments:

- *Angus Council agrees with the comments and conclusions provided by the audit team and are pleased with the audit outcome.*
- *The audit was a positive experience from the information gathering, the audit interview through to the audit feedback. The audit team were accommodating, helpful and understanding of the position of Local Authority Food Safety teams.*
- *The audit process encourages self-assessment and identification of areas for improvement. This is welcomed by Angus Council.*

Actions following the audit feedback:

- *The discrepancies between information held on Civica APP and that on the Scottish National Database have, in the main, been rectified and discussions*

are ongoing with Civica and FSS to tighten up on coding to ensure more accurate information transfer to SND.

- *A code has been added to Civica APP to record manager checks on notices.*

Falkirk Council's Comments:

Falkirk Council agrees with the audit findings and appreciates the positive report. Various inaccuracies with data transfer between our MIS system and the Scottish National Database (SND) have been identified since the creation of SND. While improvements have been made, we acknowledge that further work is required to ensure SND is accurate.

We also recognise the audit's comments regarding staffing pressures during 2025–26. Reduced Environmental Health staffing levels, combined with the increasing operational workload associated with the Grangemouth Border Control Post (BCP), affected our capacity to maintain previous performance levels, including the percentage of inspections completed within 28 days. Work is underway to recruit a FSO or EHO and improve workforce resilience to ensure that statutory food law functions continue to be delivered effectively.

South Ayrshire Council's Comments:

- *The Service has been undertaking a review and rationalisation of all its policies and procedures, to ensure they are required, relevant and to the point. Any remaining outdated procedures will be addressed during this process and unnecessary ones archived.*
- *The service is currently digitising application forms where possible to enable applicants to pay and apply online.*
- *There have been some communication issues between the IT systems which are currently being addressed and any mapping issues that remain will be identified and resolved. We are working with Uniform /Idox regarding mapping of approved premises.*
- *This service has put a lot of time and effort in staff training, sharing knowledge to ensure there is built in resilience going forward.*
- *We are very pleased with the overall approach and positive nature of the audit, and our meetings have been positive and constructive.*

Approved Establishments Audit – LA Feedback

OCV Implementation Challenges:

The implementation of OCV has significantly increased resource demands for local authorities and was evidentially difficult to implement in full in those authorities with a larger number of establishments.

"The Service will continue to prioritise approved premises interventions, especially those with higher risk processes, and the OCV approach. However, it is recognised that there is a significant increase in resources needed to apply OCV, both from a LA and a business perspective, especially for initial implementation. This unfunded increase in work, in addition to the increase unfunded work arising from replacing Annex 5 with the Food Law Rating System (FLRS) makes resourcing challenging, especially with the backdrop of reduced funding for Councils".

Prioritisation of Interventions:

Due to the increase in resource demand and the availability of staff resource, some authorities were found to be prioritising higher risk approved establishments in their service plans. Some authorities also reported that increase in resource combined with moving all establishments to an annual frequency, particular those of a lower risk was needless.

"OCV is needlessly resource intensive, and combined with the required annual frequency of intervention, must be considered against competing priorities within food law enforcement and, indeed, wider environmental health demands. This disparity is most marked when considering lower risk approved establishments such as cold stores".

Resource Calculation Disparity:

A significant disparity has been noted between the estimated time required and the actual time spent on OCV cycles, prompting a call for a review of the resource calculator.

"The auditors have noted a significant disparity between the resource calculation estimate of time required at an approved establishments and the actual time spent carrying out the OCV cycle. We would welcome a review of the continuing need for the resource calculator and, if it is retained, would suggest that it needs to better reflect LA knowledge and experience of individual approved establishments".

Training Needs

There is a need for training for officers returning to food law enforcement and newly qualified officers, with a call for examples of good practice in completing OCV forms.

"OCV training needs to be made available for those officers who have returned to Food law enforcement and newly qualified officers".

"Officers would welcome examples of good practice of completed OCV forms perhaps shared by FSS/LAs".

Documentation and Recording:

Authorities have suggested the development of a standard management form to record completed forms and intervention dates within the OCV cycle.

"The standard OCV forms are a very useful tool. However, it would be beneficial if an overall standard 'management' form was developed to record what forms were completed, at what stage in the cycle, and if appropriate, what the next intervention date will be within the cycle. This form would be completed at each stage of the cycle. We have developed an Approved Premises OCV Intervention / Contact Record ourselves following the introduction of OCV start, OCV and OCV end recording on our MIS".

Risk Rating Review:

Authorities have requested a review of the Group 1B risk rating to better reflect business scale, operation, and compliance levels.

"The stipulation to have the premises scored as Group 1B is relatively new but we would welcome further review on this to reflect business scale, operation and compliance levels".

Charging for Official Control Work:

The introduction of charging for aspects of official control work at approved establishments has been suggested by one authority.
"We would welcome further dialogue on the subject of the introduction of charging for aspects of official control work at approved establishments. With particular reference in this regard given perhaps to the application process".

FLRS Audit – LA feedback

Theme 1 – Inspection frequencies, resourcing and planning considerations*.*

All Authorities agreed that a combined Food Hygiene (FH) and Food Standards (FS) inspection into one Food Law Inspection was the correct approach, however there were differences in opinions on the increased intervention frequencies introduced as part of the Code. The new Food Law Rating Scheme introduced both a combined FS & FH inspection and increased the frequency of interventions. In the feedback reported by the Authorities, the increase in the frequency of interventions has caused an increased Officer resource requirement.
Some Authorities have noted that throughout year one of the recovery project, the standard of compliance within premises is significantly lower than prior to the pandemic. It is believed this is a result of limited intervention having taken place during the pandemic period, combined with current economic factors associated with the National recovery, cost of living crisis, rising energy costs and a reduction in available workforce. As a result, a more intensive intervention regime has been required than had been considered during the recovery planning phase. The effect of this has meant that Authorities have struggled to meet the interventions targets set at the beginning of the recovery process.

The nature of FLRS scoring makes planning and programming of inspections more onerous and unpredictable due to poorer performing premises requiring intensive interventions.

Theme 2 – Officer workloads, welfare and support initiatives for officers and businesses

Officers are finding their workload to be increasingly demanding. The drop in standards is mentally tiring and having an impact on Officer welfare leading to the potential for burnout. Two Authorities made the point that the quality of inspections is considered more important than quantity.
It is important that Officers are supported throughout this transition so that they deliver a competent service. The changing landscape of the food industry will have an impact on the inspection programme. Many businesses have started trading online for the first time, some have introduced higher risk processes and there has been an increase in home-based caterers.
The Interventions Food Law Code of Practice (Scotland) does not apply to Approved Establishments. This type of businesses will be addressed in a future Code of Practice which will include the introduction of the Official Control and Verification (OCV) manual. FSS has provided direction for a phased approached to this new style of intervention. At this time, Authorities are required to undertake desktop assessments of documented food safety management systems at these establishments and then follow up with an onsite assessment of practices. Officers will require support with this change in working practices.
New legislation on improving allergen information on pre-packed foods for direct was introduced in 2021. Many small to medium businesses will require support with this change in law and the team shall dedicate time to assist them.

Theme 3 – Changes are required to the Food Law Codes of Practice

Authorities have referenced that the current Food Law Code of Practice (Scotland) 2019 and the Interventions Food Law Code of Practice (Scotland) need to be updated to reflect the changes that were introduced since UK exit from the European

Union. The Administration and Service Planning – Food Law Code of Practice (Scotland) 2020 requires to be finalised and published.
One LA suggested changing the ladder inspection frequencies to lengthen the inspection frequency for Group 2 B and 2 A to 24 and 36 months respectively. That would ensure resources are focussed on the higher risk establishments and give Local Authorities more space to complete the inspection programme. Another LA commented that the time periods are too intensive for 1 – 3-month interventions but 12 months afterwards is too long to leave them.
3 A establishments - one LA did not consider that it is appropriate to send a letter notifying the business of this rating.
Two Authorities mentioned that food premises are now subject to a rating scheme which combine food hygiene and standards. Consequently, no premises are rated specifically for food standards other than establishments approved by FSS for which LAs are the enforcing Authority for food standards.
One Authority highlighted an issue about no means of scoring Primary Production premises – this was raised at a Liaison Group and SFELC. No training has been provided.
One Authority's KPIs are based on its own definition of "Broadly Compliant". In terms of FLRS scoring, no such definition exists in the Interventions Food Law Code of Practice.

Theme 4 – Food Hygiene Information Scheme

The Food Hygiene Information Scheme sits separately to the Food Law Rating System. One Authority commented that the scheme should have been reset with the re-start of the LA Recovery Process Project. Several Authorities commented that up-to-date guidance on FHIS is needed.
One Authority requested confirmation that Officers doing FHIS revisits can also rescore Ds more than 28 days prior to the 3-month deadline.