



Early Proposals for a Future Delivery Model for FSA-Delivered Official Controls in the Meat Sector

Consultation Response

July 2021

About the Chartered Institute of Environmental Health (CIEH)

CIEH is the professional voice for environmental health representing over 7,000 members working in the public, private and third sectors, in 52 countries around the world. It ensures the highest standards of professional competence in its members, in the belief that through environmental health action people's health can be improved.

Environmental health has an important and unique contribution to make to improving public health and reducing health inequalities. CIEH campaigns to ensure that government policy addresses the needs of communities and business in achieving and maintaining improvements to health and health protection.

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Any enquiries about this response should be directed to:

Kate Thompson, Director, Chartered Institute of Environmental Health

Email: k.thompson@cieh.org

Introduction

The FSA is seeking feedback from stakeholders, on early proposals for a future delivery model for FSA-delivered official controls in the meat sector. We recognise the importance of robust arrangements for the delivery of official controls in the meat sector to protect public health and welcome the opportunity to provide views on these early, high level proposals. We look forward to further engagement with the FSA when more detailed information becomes available and will formally engage our members in discussions to inform the CIEH response.

Principles central to the programme

The seven principles that have been agreed for the reform programme are welcomed and should provide a robust platform for the review. The principles are:

- **Trust and food safety**
At the heart of all we do
- **Accountability**
To use a risk- based approach to ensure accountability is at the right level and in the right place
- **Technology**
To be innovative where we can using technology where appropriate
- **Responsiveness**
To be able to respond effectively to foodborne outbreaks and other incidents
- **International Trade**
To support current and future trade
- **Value for Money**
To have a cost effective future delivery model that delivers value for the taxpayer
- **Resource availability**
To have an efficient flexible model that ensures we have the right resource in the right place at the right time

The Case for Change highlights the additional demands and pressures on the workforce as a consequence of EU exit e.g. import and export controls. EU exit has also impacted on the ability to recruit resource from EU member states. To ensure the maintenance of the current high levels of food safety in the UK, a sustainable, competent workforce, should be included as one of the principles for the reform programme.

The case for change

As a general comment, it is our view that the case for change should be supported with the inclusion of key, high level data. This would also enable stakeholders to better contextualise the proposals and their likely impact.

One of HM Government's Consultation principles is that *'Consultations should be informative and give enough information to ensure that those consulted understand the issues and can give informed responses. Include validated impact assessments of the costs and benefits of*

the options being considered when possible; this might be required where proposals have an impact on business or the voluntary sector'.

The inclusion of the following information would be of benefit to stakeholders whose views are being sought on the proposals:

- The total number of meat establishments regulated by the FSA
- The number and type of meat establishments within scope of the review e.g. are abattoirs, cutting plants, cold stores and wholesale markets all within scope?
- The cost to i) business and ii) taxpayers of the current delivery model given the ambition for the new delivery model to deliver lower costs.
- The number of FSA and contracted staff providing i) inspection and ii) assurance in the 'as is' model and the number of unfilled posts.

The inclusion of the above baseline data would assist stakeholders to better assess the impact of the proposals if they are implemented. It will also inform stakeholder views on the need for change to the delivery model and assess the scale of the current risk.

We recognise that global and domestic developments are rapidly reshaping the UK's food system and the significant impact of EU exit on the current delivery model. However, we have some concerns about the suggestion in the consultation that 'bespoke aspects of the overall delivery of official controls may evolve for domestic and export market'. This would create a two- tier system with potentially more rigorous controls being applied to food destined for export. We would not expect to see a lowering of current standards for foods for consumption on the domestic market and are keen to explore the views of our members around the potential creation of a two tier system as more detailed information becomes available.

The consultation states that 'the current model does not strongly incentivise compliance, as regulatory activity experienced by compliant vs non-compliant Food Business Operators (FBOs) is not significantly different. The regulatory regime does not adequately take into account consistent compliance and reflect this in the nature, intensity and frequency of Official Controls'. We would expect FSA resource to focus on those businesses which present the greatest risk to public health and those that are not compliant and support the proposal to better incentivise business compliance.

Whilst it is stated in the consultation that departure from the EU and the terms of the EU/UK Trade Cooperation Agreement (TCA) create the opportunity to review the Official Controls regime for England and Wales, and, it is recognised that any changes should be delivered within the context of the UK's Four Country frameworks, there is no information provided to indicate how the proposals will impact Scotland and Northern Ireland or that the implications of a divergence in approach have been considered.

It is noted that previous FSA consultations have been conducted separately in England and Wales, recognising that food is a devolved matter. It is not clear why a different approach has been taken for this consultation particularly as implementation of the proposals will require legislative changes.

There is a paragraph included in the case for change which requires further explanation as it is difficult for those not involved in the work to understand:

‘In summary, the current model was not designed as an end-to-end system and many additional processes have been ‘bolted on’ over a number of years to remedy specific problems. Consequently, the resulting model has become cumbersome, complex, and not always in line with FSA’s strategic direction of travel. These complex processes have many hand-offs which introduce additional risk and inefficiency which need to be addressed by the Operational Transformation Programme’.

More explanation of the ‘additional processes’ which have been ‘bolted on’, the ‘complex processes’ and ‘hand offs’ which introduce additional risks and inefficiency would be of benefit to stakeholders so they fully understand the challenges.

The ‘As is’ model

The ‘as is’ model has been clearly illustrated and described. It indicates that there is a one size fits all approach to inspection and unannounced inspections and that there is ‘100% inspection’. More explanation is required as this suggests that a risk- based approach is not currently being adopted and that all FSA approved establishments have FSA supervision 100% of the time which we do not understand to be the case.

The future delivery model

The future delivery model has the potential to reduce resourcing pressures for the FSA. The fundamental difference between the ‘as is’ and future delivery model is that there will be a move away from the FSA’s employed and contracted staff delivering inspection work with more onus being put on industry or 3rd party assurance schemes. Industry will become responsible and accountable for parts of carcass inspection, requiring legislative change. This is a fundamental shift in approach. The independence of inspectors in the current model provides assurance to consumers and 3rd countries. As proposals are further developed, we will work closely with our members to inform our policy position. Regardless of whether delivery of inspections is by the FSA or industry there will be a need for competent officers. One of the benefits of the future delivery model is that it has the potential to deliver savings for the FSA although there may be increased costs to industry. More information about current costs and the potential impact of the future model on these costs would be of benefit to stakeholders. It is noted that the FSA’s intention is to increase its assurance activities. It is not clear whether the costs associated with increased assurance will be borne by business or the FSA.

In response to specific questions in the consultation we offer the following:

What are your views on the FSA's early proposals in the area of clearer accountability?

We support the principle of ensuring clear accountability. A stronger collaborative relationship between FSA and FBOs could increase compliance. However, safeguards will need to be put in place to ensure the FSA's role as an independent regulator are not compromised by this approach.

What are your views on the FSA's early proposals to tailor their presence based on compliance and risk?

We support the principle of FSA tailoring their presence based on compliance and risk. However, it would be useful to better understand how the FSA will assess the risk status of individual businesses. Sustained compliance, size and throughput may be considerations. How factors are weighted will be of interest.

What are your views on the FSA's early proposals to enhance its assurance activities?

We support the proposal that the FSA will work with other assurance organisations and retailers to share data and intelligence to better target assurance activities, although there is an assumption that industry will share all relevant data.

What are your views on the FSA's early proposals to publish compliance data from FBOs in the meat sector?

We support the proposal to publish compliance information as a means of providing retailers and consumers with increased confidence and the ability to make an informed choice. This will bring the sector in line with other parts of the industry which are subject to the Food Hygiene Rating Scheme.

Having considered the early proposal for the FSA's Future Delivery Model (FDM), is the FSA's case for change clear to you? If not, what are the areas that would benefit from further clarification?

The case for change would be more compelling if it was supported with more detailed information and data as already indicated.

What positive outcomes and benefits do you feel the proposed FDM will deliver?

At this stage it is difficult to comment. More detailed information needs to be provided for this assessment to be made.

The objectives of the proposed changes to the delivery model are to increase compliance, enable business growth and increase consumer confidence. Have these aspirations been communicated clearly? Do you feel the elements detailed here outline these aspirations sufficiently?

The aspirations have been clearly communicated but the proposals lack detail on the How? Compliance reported by the FSA in this sector is already high at 98.5%. Further, business growth will be dependent on a wider range of factors than those proposed e.g. trade

agreements, tariffs. There is the potential for consumer confidence to be eroded by a perceived relaxation in checks by the FSA.

Having seen the seven principles that underpin the FDM, do you feel anything essential is missing or needs to be articulated more clearly?

There is a need for a sustainable and competent workforce to be included as a key principle in the new delivery model.

We recognise that we may need to consider implementing bespoke delivery regimes for domestic production and export. What do you see as the key challenges with this approach?

The key challenge will be gaining stakeholder support for a two tier system.

The merit of changing the delivery model when international trade agreements are being negotiated is questioned, although we note that support for international trade is identified as a key outcome of the review.