



Food Standards Agency Incident Response Protocol

(Revised May 2012)

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Foreword

Investigating and managing incidents to ensure that food safety is protected has been, and will continue to be, a key part of the Food Standards Agency's work.

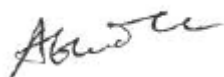
Since the FSA was set up in April 2000, it has investigated approximately 10,600¹ incidents and acted to protect consumer interests and public health.

The Incident Response Protocol² provides FSA staff with a user-friendly guide to the procedures that should be followed when managing an incident. The protocol includes details of notification procedures, roles and responsibilities during incidents and arrangements regarding closure and review.

All parts of the FSA adhere to the principles laid out in the Protocol. Where there are minor variations in roles and responsibilities, these are reflected within this document (under localised variations).

Any member of staff can potentially be called up at any time to help respond to an incident, even if they are not routinely involved with them. Consequently, it is crucial that all FSA staff are aware of the importance of dealing with incidents in line with the protocol and have a clear understanding of procedures. By following the protocol, all staff can play an integral role in ensuring that incidents are dealt with in a consistent and efficient manner.

Feedback on the protocol is always welcome and comments will contribute to regular reviews, to ensure this document is fit for purpose.



Alison Gleadle
Director of Food Safety
May 2012

¹ Figure as at 31/12/10 – source FSA Annual Report of Incidents 2010

² This is available on Rules and Tools together with other templates and examples to help staff on incident handling. The protocol is also available on the FSA website

INCIDENT RESPONSE PROTOCOL

1.0 DEFINITION OF AN INCIDENT

An incident is any event where, based on the information available, there are concerns about actual or suspected threats to the safety or quality of food and/or feed that could require intervention to protect consumers' interests.

2.0 CLASSIFICATION OF INCIDENTS

Incidents are classified as either 'High', 'Medium' or 'Low'. Definitions for each classification are included in Appendix 1. To determine which incidents are 'High', 'Medium' or 'Low', a classification matrix has been developed and is attached at Appendix 2.

It is the responsibility of the Investigating Officer³ to ensure that each incident is classified, using the classification matrix as a guide. The Incidents Branch⁴ will save the classification assessment on the incident record. The classification level should be regularly reviewed by the Investigating Officer, in consultation with the policy division, during the course of the incident and updated as appropriate.

3.0 NOTIFICATION

Any part of the FSA may receive an incident report. Any FSA official receiving information meeting the criteria listed in Section 1.0 must pass the information immediately to the Incidents Branch. **If in any doubt please consult the Incidents Branch.** There are procedures in place for out-of-hours incident notifications in the UK (Appendix 3 refers).

The FSA also receives incident reports via the European Commission's Rapid Alert System for Food and Feed (RASFF)⁵. The Incidents Branch in London shall be notified, without delay, of any RASFF Alert with implications for the UK. The Incidents Branch will log all incidents on the FSA's UK-wide Incidents Database.

³ See section 4.4. for further details of this role

⁴ Wherever the term 'Incidents Branch' is used in the document this is a reference to the Incidents Branch in London and its counterparts within the devolved offices, unless otherwise stated.

⁵ The RASFF is a tool to exchange information about measures taken responding to serious risks detected in relation to food and feed – it helps Member States to act rapidly and in a co-ordinated manner.

The Incident Response Protocol should be activated as soon as the FSA is notified of any incident. All parts of the FSA adhere to the principles laid out in the Protocol. Where there are minor variations in roles and responsibilities, these are reflected in Appendix 3 (Localised Variations).

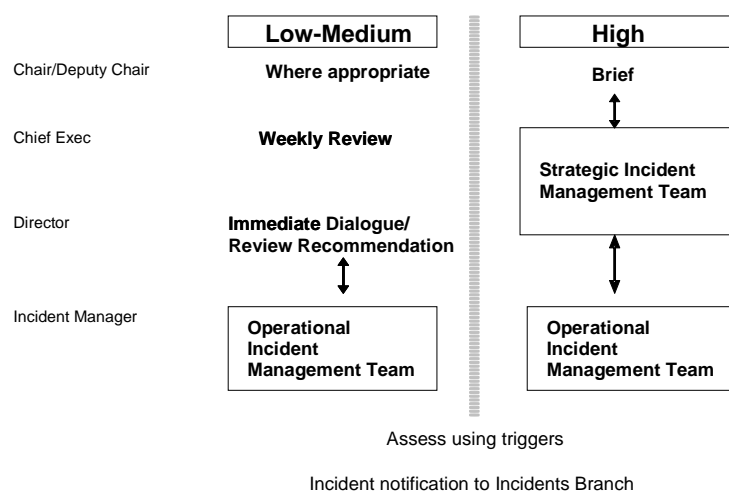
4.0 ROLES & RESPONSIBILITIES

The following section summarises key roles and responsibilities for FSA staff during incidents.

Where a member of staff has been assigned a specific role by the Incident Manager (e.g Investigating Officer, Official Note Taker) that official taking on the role must ensure at the outset that they have identified a suitable deputy, who can effectively carry out that function in their absence, and updated the Incident Manager accordingly.

For those incidents classified as 'High' level, where senior management may need to be more actively involved in the process, different roles and responsibilities apply.

A diagram showing the incident management process is included below.



For 'Low' and 'Medium' level incidents, communications with Ministers, government departments, local authorities, media and food business operators in devolved countries will be managed by the devolved offices. During 'High' level incidents, FSA London staff will issue all statements to the media and will co-ordinate Ministerial briefing.

Further arrangements for 'High' incidents are covered within the 'Incident Escalation' and 'Resourcing High Level Incidents' subsections (pages 23-24 refer).

4.1 INCIDENTS BRANCH

The Incidents Branch will provide the administrative lead and act as the first point of contact with external stakeholders for incidents. The Incidents Branch will also maintain the official audit trail for the investigation by co-ordinating the logging, collation and distribution of information required during the investigation. All new relevant information, obtained by any member of the operational or strategic incident management team⁶, must be alerted to the Incidents Branch without delay.

Where there has been known distribution of potentially contaminated products, the Branch will contact the relevant local authorities (LAs) to trace this material and report back its findings to the Operational Incident Management Team (OIMT). The Branch shall also arrange OIMT meetings, draft notes of meetings, co-ordinate the production of briefing⁷ for Directors, Ministers and provide any other administrative support to the OIMT deemed necessary.

The Incidents Branch will arrange the issue of food alerts, allergy alerts and product recall/withdrawal information notices to LAs, other Government departments, trade organisations etc. Incidents Branch in London acts as a UK contact point for the Rapid Alert System for Food and Feed (RASFF) and is responsible for issuing RASFF notifications to the Commission. The Incidents Branch is responsible for training all FSA staff involved in incidents on the protocol and database. Induction training will be provided to all new staff involved in incidents.

⁶ Further details available in Sections 4.9 and 4.10

⁷ Liaising with the relevant Policy divisions experts

To ensure effective business continuity and maximise the use of FSA resources, the administrative 'lead' for an incident can, if necessary, be temporarily transferred from one Incidents Branch to their counterparts at another FSA office, subject to the agreement of the two Incident Managers involved. One scenario where this transfer may need to be considered would be where an IT failure at one FSA office has occurred and is not rectified within a short space of time.

During 'High' level incidents, it may be appropriate to set up a dedicated briefing cell to carry out the information management and/or briefing function carried out by Incidents Branch during Low and Medium level incidents. Further details regarding the briefing cell are contained within section 7.0 (pages 23-24 refer).

The Incidents Branch in London, as custodians of the Incident Response Protocol, have a role to play in ensuring that these procedures are followed and, if not, that this is brought to the attention of the Incident Manager immediately. Others too can raise concerns at operational or strategic meetings if they believe that the protocol is not being properly followed.

4.2 POLICY DIVISION

Once the policy division(s)⁹ that can provide relevant policy or technical expertise for the incident has been identified by the Incidents Branch and contacted, they will form part of the OIMT for a particular incident. **Policy divisions must give incident response top priority.** Other tasks must be postponed if necessary. Policy divisions must ensure appropriately trained officers are available at all times, including identifying and briefing deputies when necessary and updating the Incident Manager accordingly.

The responsibilities of policy divisions, when dealing with incidents, are broadly listed, as follows:

⁹ There may be instances where more than one division is providing the advice (e.g. chemical incident involving feed potentially impacting on the food chain). Where more than one division has an interest, IB will co-ordinate the response.

- Acting as policy 'lead' for incidents within their remit and providing clear policy advice
- carrying out a risk assessment and ensuring that it is clearly set out in a manner that can be, where appropriate, shared with key stakeholders to ensure that the latter are clear on the actual risks. Where necessary, the nominated FSA expert can be asked to speak to the food business operator (FBO) directly to discuss the risk assessment in more detail. For high level incidents, the Chief Scientist must be consulted on the risk assessment and the Incident Manager will need to check with the former that they are content with the risk assessment;
- providing risk management options and setting these out in a manner that can be clearly communicated to FBOs and other stakeholders (e.g. when advising on a product withdrawal or recall we need to communicate to FBOs what action we are expecting from them);
- attendance at operational and strategic incident management team (SIMT) meetings, and taking forward action points from those meetings as appropriate;
- advising on sampling protocols, appropriate methods of analysis and availability of sampling and testing methods, where appropriate;
- dealing with technical queries
- contributing to briefing and submissions¹⁰
- contributing to Q&As¹¹ in consultation with Communications Division and Legal Services.¹²

4.3 INCIDENT MANAGER

For each incident an Incident Manager will be identified. This would normally be the Head of the Incidents Unit or their appointed deputy, or the equivalent position in the respective devolved offices (see Appendix 3). To cope with the intense demands of the role, for 'high' level incidents at least two Incident Managers will be required. Where two (or more) incident managers will be undertaking this role, a meeting between them will be required at the outset to agree on the allocation of tasks. For example, during a 'high' level incident, one Incident

¹⁰ Incidents Branch will co-ordinate

¹¹ Incidents Branch will co-ordinate

¹² During high level incidents a briefing cell would co-ordinate this work.

Manager will generally attend OIMT meetings, while the other will cover SIMT meetings.

The Incident Manager will be accountable to Directors and the Chief Executive for the management of the incident, for decisions taken by the OIMT (See Section 4.9) and for the outcome of the incident investigation.

The Incident Manager will be responsible for setting and maintaining the 'pace' of the incident (including the frequency and timing of OIMT meetings) and for ensuring that the Strategic Director, SIMT and other interested parties (e.g. Ministers, Cabinet Office, No. 10) receive timely briefing on the progress of incident investigations.

The Incident Manager will agree at the outset, following consultation with other OIMT group members, the key determinants of the incident management process. These include:

- the scope and severity of the event
- the time-scale for resolution
- the availability of resources
- identifying those responsible for delivering work-streams
- identifying those responsible for initiating and maintaining contact with stakeholders.

The Incident Manager may use the checklist at Appendix 4 as an aide-memoire.

The Incident Manager shall ensure that the standard agenda is followed as a minimum during OIMT meetings. Incident Managers are also responsible for clearing final notes of OIMT meetings and ensuring that the content reflects the conclusions of the meeting¹³.

¹³ For incidents in devolved offices arrangements are outlined in Appendix 3.

The level of direct involvement of the Incident Manager in the operational management process will vary depending on the nature and severity of the incident.

Each Incident Manager must identify a deputy with the authority and responsibility to take decisions in their absence. In cases where the Incident Manager changes during the investigation, it is vital that there is a seamless handover. Consequently, the new Incident Manager must be fully briefed by his/her predecessor. Where appropriate, the Incident Manager shall decide whether any further accommodation or resource issues need to be addressed, for example, when planning for activity out of normal office hours.

4.4. INVESTIGATING OFFICER

The Investigating Officer is the main contact within the Incidents Branch 'leading' the incident. The Head of Incidents Unit or deputy will determine who takes on this role, taking into account officials' workloads at the time. The Investigating Officer will ensure that the incident is dealt with in a timely manner, key stakeholders (internal and external) are updated on developments and that all staff dealing with the incident follow the protocol. An Investigating Officer's tasks will include:

- information gathering (liaising with a range of external stakeholders including FBOs, LAs and other Government departments)
- seeking legal advice, where the legal position is unclear
- arranging and attending OIMT meetings
- taking notes of meetings (see also 4.7)
- co-ordinating briefing
- drafting food alerts, allergy alerts and product withdrawal/recall information notices
- preparing RASFF notifications
- logging data on the Incidents Database
- answering calls and correspondence¹⁴ regarding the incident.

¹⁴ Including Ministers' Correspondence cases, Freedom of Information requests and Parliamentary Questions

It should be noted that communication with external stakeholders regarding technical questions and policy advice will be dealt with by the relevant policy division.

4.5 PRESS OFFICER

The Press Officer's role will be to deal with any queries from the media regarding the incident. All calls from journalists must be forwarded to the Communications Division¹⁵ press officer for his/her attention. The FSA's press officer will also attend OIMT meetings and draft news stories as appropriate (see Appendix 9 for further information regarding how FSA communicates during an incident).

4.6 LEGAL ADVISER

The FSA Legal Adviser, or equivalent in devolved offices, will advise on any legal aspects of the incident (e.g. where clarification is required re: legal basis for our actions) and, where necessary, attend OIMT meetings.

Where legal advice is being sought, the Incidents Branch must ensure that this is made explicitly clear in the e-mail to Legal Services (preferably in the e-mail title).

The Legal Adviser will also lead¹⁷ on the production of Orders under the Food and Environmental Protection Act (FEPA), where applicable, emergency declarations or other legislation required to be introduced as part of the incident response.

4.7 OFFICIAL NOTE TAKER

Every incident involving an OIMT will have an official note taker assigned to it, taken from within the Incidents Branch.

The note taker will attend all OIMT meetings and, where appropriate, SIMT meetings relating to that incident.

¹⁵ Whenever the term Communications Division is used in the document this is a reference to the Communications Division and its counterparts within the devolved offices, unless otherwise stated.

¹⁷ In NI the order is prepared by policy staff and cleared by Legal and in Scotland the Order is prepared by Enforcement Branch, Scotland in conjunction with the Scottish Government Legal Directive.

Within an hour of the meeting the official note taker will issue an e-mail to all attendees setting out the actions from the meeting and who has been allocated to take these tasks forward. The note taker will also prepare a formal note of the meeting in accordance with agreed time-scales, which will be commented on by attendees and cleared by the Chair of the meeting.

4.8 TECHNICAL SUPPORT OFFICER

Every incident will have a technical support officer assigned to it, taken from within the Incidents Branch. This official will be responsible for all video/tele-conferencing arrangements relating to Operational, Strategic, Scoping Group and Stakeholder meetings held during that particular incident.

4.9 OPERATIONAL INCIDENT MANAGEMENT TEAM

The Incidents Manager will ensure that the Incidents Branch identifies the members of an OIMT to progress the incident investigation.

The Group will consist of representatives from the Incidents Branch, all of the relevant Policy Divisions, Communications Division, Legal Services, representatives from the devolved offices and any other relevant FSA officials, as appropriate. For incidents with a European dimension, EU and International Strategy team representatives need to be involved at an early stage and be included within the OIMT. Once the membership is set, the Incidents Branch will ensure that a mailing list is set up and kept up-to-date, to ensure that no one is inadvertently left off a meeting invite or update.

The OIMT will take tactical level decisions, discharge actions needed to collect information and formulate proposals for risk management options or strategic decisions for the Incident Manager to agree. The OIMT should critically review precedents for action or inaction to establish whether they continue to be appropriate. It should also consider the consequences of action or inaction and these deliberations must be recorded as part of the official record. This should be an ongoing part of the incident investigation.

The OIMT will, at the outset, document the legal basis for action or inaction, the factors relied on and the weight given to each factor. It will also clarify the role of enforcement authorities, recognising the authorities' other statutory responsibilities and the need to prioritise resources.

Notes of OIMT meetings must be accurate, covering all key points of discussion, action points and all decisions. Incident Managers are responsible for clearing final drafts of meeting notes and ensuring they are appropriate.

The Incident Manager, in conjunction with the relevant Policy division(s), shall ensure that members from the latter have the authority and resources to propose, accept and discharge actions that fall under their remit. The OIMT shall be maintained for the duration of the incident investigation and shall not be replaced by sub-groups. Any "off-line" discussions must be documented and brought back to the OIMT for further discussion. Whilst a meeting can be requested at any time, the decision to hold that meeting will rest with the Incident Manager.

The Incident Manager shall ensure that individuals identified to take forward agreed actions deliver within the agreed time-scales. The Incidents Manager shall also ensure that external stakeholders (eg other Government departments, food business operators, consumer groups) are notified and fully engaged, as and where appropriate.

All OIMT members generating a new piece of work, such as an e-mail, note of meeting etc should update the incident log accordingly. This will ensure a full audit trail and assist with the production of time-lines. The Investigating Officer has ultimate responsibility for ensuring that the incidents database record they are working on is kept up-to-date (see section 4.4).

4.10 STRATEGIC INCIDENT MANAGEMENT TEAM

The purpose of the SIMT is to set the overall strategy¹⁸ for responding to a 'high' level incident. As part of this function, the team should

¹⁸ For example, investigate, contain, control, protect consumers and reassure.

consider and agree an appropriate communications strategy. The overall strategy will then be passed to the OIMT for implementation, who will regularly report back on progress.

Once the strategy is set, the SIMT will ensure that the strategy is effectively implemented by directing and supporting the OIMT. Any “off-line” discussions must be documented and brought back to the SIMT for further discussion.

The decision to activate the SIMT will be made by the Chief Executive or nominated deputy, who will determine who acts as Strategic Director, heading up this team during the incident.

4.11 STRATEGIC DIRECTOR

The Strategic Director, or nominated deputy, will head up the SIMT.

The Strategic Director, shall Chair SIMT meetings. The Chief Executive will choose the Strategic Director¹⁹ in each instance.

4.12 STRATEGIC ADVISER

The Strategic Adviser’s role is to assist the Strategic Director in structuring the SIMT and assisting in the effective application of the protocol, at least in the early stages of the incident response. A senior member of the Incidents Branch in London²⁰ would normally carry out this role.

4.13 FSA IN A SUPPORTING ROLE

There are occasions where the FSA will not be ‘leading’ an incident (e.g. flooding, chemical fire/spill), but will nevertheless have a key supporting role, usually to another Government Department, providing food safety and standards advice and ensuring that any remediation action takes account of food safety issues.

When acting in a supporting role, it is important to clarify at the outset what the FSA’s role is and to ensure that other parties are clear on the FSA’s role and responsibilities.

¹⁹ Normally Director of Food Safety

²⁰ Normally G7 level or above

Where the severity of the incident has led the Police to set up a Strategic Co-ordinating Centre or Gold Command, the Incident Manager shall determine whether the FSA needs to send staff to the Centre, or whether the FSA's needs can be met by another organisation present (e.g. DEFRA, HPA).

Similarly, consideration by the Incident Manager will need to be given to FSA representation at Outbreak Control Team (OCT) meetings during a national/regional foodborne illness outbreak.

Where malicious tampering with food or drink is confirmed, the Police will 'lead' these incidents, with the FSA acting in a key supporting role²¹.

The Incident Manager shall ensure that officers are adequately supported, briefed, and that such deployment takes account of relevant personnel and health and safety criteria.

4.14 INCIDENTS WITH AN INTERNATIONAL DIMENSION

During incidents with an international dimension the FSA works closely with the European Food Safety Authority (EFSA) which is the European risk assessment body whose opinions on scientific issues drive decision-making at EU level. EFSA is looking to improve the speed at which it responds to requests for urgent advice in emergency situations. However, there may still be occasions where it is necessary, pending an EFSA opinion, for national bodies such as the FSA to make quicker risk assessments in order to inform the public and industry about risk.

The FSA also works closely with the European Commission during incidents and will update the latter via the RASFF system. The Commission has powers to introduce emergency measures, if necessary, to protect consumers and avoid inconsistent decisions being taken within the EU.

²¹ An FSA Malicious Tampering Incident Protocol was finalised in 2008.

5.0 MEETINGS

The various internal/external meetings²² that FSA staff may participate in during incidents are summarised below:

5.1 OPERATIONAL INCIDENT MANAGEMENT TEAM MEETINGS

For all but the most straightforward of incidents, the Incident Manager will call an OIMT meeting (or series of meetings) to discuss resolution of the incident.

The purpose of the meetings is to:

- **agree** on the main issue(s) of concern in relation to food safety;
- **decide** what action has been or needs to be taken by the FSA and other organisations to deal with the incident; and
- **consider** what advice, if any, needs to be given to the general public, farmers etc.

The membership of the meeting will generally consist of members of the OIMT, including members from devolved offices. For incidents with a multi-Agency dimension, consideration should also be given to inviting representatives from other Government departments, agencies and/or LAs, who can attend either in person or via teleconference/video conference.

The Incident Manager will always seek to ensure that officials (internal and/or external) with the correct expertise for that particular incident are invited to each OIMT meeting. Duplication of expertise at meetings should be avoided where possible. The Incident Manager will agree membership of meetings and act as Chair.

To ensure an effective incident battle rhythm, during high level incidents there should always be a gap of at least half an hour between the end of operational meetings and the beginning of strategic meetings, to allow for the dissemination of information and for tasks to be allocated.

²² This is not an exhaustive list

Meetings will aim to achieve collective decisions. A list of potential issues/questions to be considered at OIMT meetings are summarised in the process map at Appendix 5. In addition, a standard OIMT agenda is attached at Appendix 6.

5.2 STRATEGIC INCIDENT MANAGEMENT TEAM MEETINGS

During high level incidents, SIMT meetings will be held to determine the overall strategy for managing the incident. This strategy will then be communicated to the OIMT for implementation by them.

These meetings will normally be chaired by the Strategic Director. Other potential members include the Chief Executive, Chief Scientist, Incident Manager²³, Director of Communications, Director of Operations, Director of Legal Services, Head of EU and International Strategy, Strategic Adviser, Directors in devolved offices and senior representatives from relevant policy divisions²⁴. The Incidents Branch will always seek to ensure that FSA officials with suitable expertise are available, as required, for SIMT meetings. The Strategic Director will ultimately determine who attends each meeting.

The Incidents Manager will ensure Incidents Branch staff in London will organise these meetings and ensure that an official note taker records all discussions and promptly disseminates the outcomes of discussions to those who need to know. A standard agenda for SIMT meetings is enclosed at Appendix 7. Apart from the agenda, other key documents required for SIMT meetings are the Incident Situation Report (ISR), timeline and distribution flow chart (see Section 7 for further details).

The frequency and number of these strategic meetings will depend largely on the scale of the incident and the degree of FSA involvement.

²³ Who will update attendees on the current state of play

²⁴ Normally at Head of Division or equivalent level.

5.3 SCOPING GROUP MEETINGS

Purpose

Scoping Groups are intended to gather information from FBOs and their representatives, as a valuable component of the risk assessment process, to inform subsequent risk management decisions. Scoping groups are not briefing sessions, for communication of information/decisions to wider stakeholders or for decision making. The Incident Manager will ensure that the purpose of the Scoping Group is clearly communicated to all potential members when they are invited to attend.

The Scoping Group will:

- establish the nature and scale of the issue; and
- map out the part of the supply chain involved.

When to use Scoping Groups

A Scoping Group should be considered, particularly during high level incidents, when further information is required from food business operators (and/or their representatives) to:

- inform the FSA risk assessment,
- ensure relevant commercial stakeholders are aware (e.g. so they can carry out enquiries through the supply chain)
- identify cascade/communication mechanisms available to trade, including SMEs; and
- establish supply chain and distribution chain information.

The Incident Manager will determine when a Scoping Group is necessary, consulting the OIMT and SIMT, as appropriate.

Timing

Scoping Group meetings are generally most useful during the early stages of an incident, but the need for such a meeting may not be identified until an incident has developed/escalated.

Membership

It is important that Scoping Groups gather the most comprehensive data set available to inform incident response. Some FBO representatives have indicated that the presence of enforcement representatives and non Governmental Organisations dissuades them from openly sharing commercially sensitive information with the FSA. Therefore, in most cases a wider stakeholder meeting is the more appropriate forum for communication with non-industry stakeholders.

The Incident Manager shall ensure appropriate FBOs or representative groups are invited to the Scoping Group. Communications Division will compile a list of industry stakeholders taken from the FSA stakeholder database with an interest in the area concerned, any businesses directly involved, trade organisations and sector specific trade bodies. Representatives from related businesses/organisations may be invited if they may have additional information e.g. freight clearance agents, specialist hauliers, farming unions etc.

Meeting arrangements

The Incident Manager will ensure that all logistical arrangements are in place, including room booking, invites²⁵, note taking and recording etc.

Location

Scoping Groups will normally take place at Aviation House in London. Attendees would normally be expected to attend in person. However, for stakeholders in devolved countries, where the meeting is held in London, it may be possible to arrange a video-link to the devolved offices. Teleconference is not considered suitable for Scoping Group meetings.

When arranging the meeting specific care needs to be taken to ensure that invited stakeholders are given sufficient notice to enable them to get to the venues (including those in devolved countries) on time. Due to the fast moving nature of incidents the amount of notice given is likely to be hours rather than days.

²⁵ Invites should clearly set out the purpose of the meeting and the issues to be discussed

5.4 STAKEHOLDER MEETINGS

Function

The FSA may wish to hold a stakeholder meeting (or series of meetings) during an incident to communicate consistent information about the incident to external stakeholders. This would complement other external communications such as news stories, alerts etc. The Incident Manager will ensure that the purpose of the Stakeholder meeting is clearly communicated to attendees in the invitation.

Stakeholder meetings would be used to update external stakeholders on the information the FSA has, in line with our openness policy. For example, stakeholder meetings would update members on the current state of play, the FSA's assessment of the risk to consumers from the incident and the actions taken by the FSA to protect consumer health. The meetings could also include a Q&A session to answer specific questions from stakeholders.

These meetings should not be confused with Scoping Group meetings, where the objective is to gather information from industry stakeholders to inform the incident response/management.

When to use stakeholder meetings

Due to the large number of incidents the FSA deals with and the impracticality of convening Stakeholder Groups for all of these, Stakeholder meetings will normally only be considered during high level incidents. The FSA may wish to hold more than one stakeholder meeting at relevant times during an incident, at the discretion of the Incident Manager in consultation with SIMT/OIMT. The first stakeholder meeting will normally be convened only after the FSA has had sufficient time to discuss and agree its internal strategy.

Membership

The Incident Manager shall ensure appropriate stakeholders are invited to the meeting. Communications Division will compile a list of stakeholders taken from the FSA stakeholder database with an interest in the area concerned, any businesses directly involved, trade organisations, NGOs, LGR and other enforcement partners and consumer groups.

Meeting arrangements

The Incident Manager will ensure that all logistical arrangements are in place, including room booking, invites, note taking and recording etc.

Attendees from trade associations should be made aware that it is not the FSA's intention to invite all their members to the stakeholder meetings. Instead the intention is that the trade association attending subsequently cascades messages back to their members, as appropriate.

Location

Stakeholder groups will normally take place at Aviation House in London. Attendees would normally be expected to attend in person. However, for stakeholders in devolved countries, where the meeting is held in London, it may be possible to arrange a video-link to the devolved offices. Teleconference is not considered suitable for Stakeholder meetings.

When arranging the meeting specific care needs to be taken to ensure that invited stakeholders are given sufficient notice to enable them to get to the venues (including those in devolved countries) on time. Due to the fast moving nature of incidents the amount of notice given is likely to be hours rather than days.

5.5 OUTBREAK CONTROL TEAM MEETINGS

During a foodborne illness outbreak an Outbreak Control Team (OCT) may be set up by the Health Protection Agency (or equivalent in devolved nations) to ensure that the outbreak is appropriately handled. FSA representation at OCT meetings will be required during a foodborne illness outbreak.

5.6 STRATEGIC CO-ORDINATION CENTRE MEETINGS

These meetings would be held during high level environmental contamination incidents (e.g. 2005 Buncefield fire). Where, during emergencies, the Police have set up a Strategic Co-ordinating Centre or Gold Command, the Incident Manager shall determine whether the FSA needs to send staff to the Centre, or whether the FSA's needs can be met by another organisation present (e.g. Defra, HPA).

6.0 INCIDENT ESCALATION

Under the protocol all incidents will essentially be treated in the same way, with the FSA scaling up or down as appropriate. To support this process, criteria or 'triggers' have been developed for the escalation of incidents. These 'triggers' are detailed in Appendix 1. To ensure that during complex, 'High' level incidents, the management structure is strengthened accordingly, a high level SIMT will direct and support the OIMT.

When an incident has been assessed as potentially 'High' level, the relevant Director, or nominated deputy, should be alerted immediately by the Incident Manager. The Director will then consider the case for escalation and, if they agree that there is a case, they will alert the Chief Executive accordingly.

The decision to activate the SIMT will be made by the Chief Executive or nominated deputy, who will also designate an appropriate Director (normally the Director of Food Safety) to act as Strategic Director, leading the team.

Battle Rhythm

For all incidents, particularly high level incidents, it is important that the Incident Manager rapidly establishes an appropriate battle rhythm. The battle rhythm, which will differ for each incident, can then be shared

with internal and external stakeholders, as appropriate, so that they know when meetings (including those held out-of-hours) will be taking place and when the FSA website will next be updated. It is recognised that the battle rhythm needs to be routinely reviewed and, where possible, any changes notified accordingly to stakeholders.

7.0 RESOURCING 'HIGH' LEVEL INCIDENTS

During incidents, particularly any designated as 'high', it may be necessary to call in additional resource to deal with the overall response.

For example, the Incident Manager may wish to consider whether additional staff are needed and/or out-of-hours arrangements²⁶ are required.

Consideration will be given by the Incident Manager, in consultation with the Operational and Strategic Incident Management Teams, to any changes to normal out-of-hours procedures (e.g. the level of weekend cover, meeting arrangements and the establishment of a suitable rota).

Crisis Line

The Incident Manager will consider whether or not to open up the FSA Crisis Line to deal with an expected influx of calls from members of the public during the incident. Activating the Crisis Line will also ensure that FSA staff investigating the incident are not diverted from this essential task.

The Incidents Manager would ask the Incidents Branch to activate the Crisis Line. Crisis Line staff will need an initial FSA statement, followed by a detailed Q&A, to help them answer queries.

²⁶ Devolved offices will need to respond to local arrangements for civil contingencies during high level incidents e.g. water crisis in NI in 2010 and the need for attendance at Civil Contingencies Group NI.

Briefing Cell

During a high level incident, it may also be appropriate for the Incident Manager to set up a dedicated 'briefing cell' run by Incidents Branch London and staffed by them and others (e.g. Comms). This is to ensure that the information management function is fully resourced, allowing resource to be freed up for the management of the operation. The Incidents Manager will identify a member of the Incidents Branch to take on the role of leading the briefing cell. The Incidents Manager will ensure that the briefing cell is adequately resourced.

The briefing cell will:

- co-ordinate briefing and/or submissions (e.g. to Directors, FSA Board and Ministers);
- liaise with devolved offices to ensure that Ministers are being briefed simultaneously;
- prepare an Incident Situation Report (ISR);
- prepare a timeline;
- where necessary, prepare a distribution flow chart, mapping out the distribution of the potentially affected product(s);
- co-ordinate the production and maintenance of a Q&A²⁸ brief;
- co-ordinate responses to Ministers Correspondence Cases, Parliamentary Questions and Treat Official letters;
- co-ordinate responses to Freedom of Information requests;
- keep FSA staff, including those within the devolved offices, updated on developments and ensure early and regular stakeholder contact.

A diagram illustrating the role of the Briefing Cell during 'High' incidents is attached at Appendix 10.

²⁸ In drafting the Q&A, FSA staff must seek to ensure that messages of this kind to consumers are clear and jargon free.

8.0 UPDATES

The Incidents Branch in London will provide FSA Directors with a weekly table updating them regarding ongoing incident investigations. A senior representative from the Incidents Branch, London shall be available to brief Directors, if necessary, on the progress of incidents at their weekly meeting and shall act as the central point of contact for all internal enquiries related to incident responses. The respective devolved offices may need to consider whether their Director requires briefing on a particular incident for the weekly meeting²⁹.

In addition to the weekly briefing, for high level incidents Directors will be provided with daily briefing (as appropriate).

9.0 DISPUTES

In general, action points will represent an FSA consensus, taking into account the views of all relevant internal and external stakeholders.

Wherever possible, the Incident Manager shall resolve disputes (with internal stakeholders) during OIMT group meetings. Where this cannot be achieved, the Incident Manager shall discuss the issues with relevant Directors and seek their views. Similarly disputes with external stakeholders that the Incident Manager is unable to resolve alone should be brought to the attention of relevant Directors so that advice can be sought.

10.0 RECORD KEEPING

All papers relating to an incident shall be held on an official file³⁰. The Incidents Manager shall ensure that the Incidents Branch maintains this record.

²⁹ In Scotland the Incidents Manager will wherever possible be available to brief Director FSAS on the progress of incidents prior to the Tuesday morning Weekly Director's Meeting. In NI the Incidents Manager or deputy will provide a briefing to the FSANI Director each Monday afternoon in advance of the Tuesday morning weekly Directors' meeting.

³⁰ This can be either a hard copy file or an electronic file (e.g. on the Incidents Database)

Incidents Database

Once the Investigating Officer has arranged for a new incident record to be created on the Incidents Database, all members of the incident management team are responsible for maintaining the incident log (see Section 4.9). However, it is the Investigating Officer who has ultimate responsibility for ensuring that the Incidents Database record for the incident they are dealing with is kept completely up-to-date.

Incident management team members adding new information to the incident log will make sure that log entries are correctly titled, ensuring that the title in each case is suitably descriptive of the e-mail's content. This will help staff search the log and delineate the incident timeline.

Incident Reviews

Lessons identified from incident reviews shall be translated into action plans by the Incidents Branch in London for future consideration by the Incidents Review Group (section 14.0 refers).

11.0 OUT OF HOURS

Where incidents arise out of hours, or circumstances preclude a meeting being set up, the on-call member of staff from the Incidents Branch, consulting the Incident Manager where appropriate will determine which core staff need to be consulted, to ensure an initial risk management strategy is implemented. This may involve one-to-one meetings or telephone calls. Further details regarding out-of-hours contact details are contained in Appendix 3 (Local Variations).

Key Contact lists for internal and external stakeholders that may need to be contacted during incidents both in and out-of hours are held, maintained and updated every six months by the Incidents Branch.

For high level incidents occurring out-of-hours consideration should be given by the Incident Manager, in consultation with the Strategic Director, to calling FSA staff (from the Incidents Branch and policy division(s)) into the London office to deal with the incident and holding a SIMT meeting either in person or remotely. If out-of-hours working is

required, the Incident Manager will ensure that all the necessary arrangements are made³¹.

12.0 CLOSURE

The Incidents Branch will determine, in consultation with OIMT and SIMT (for high level incidents) and external stakeholders (e.g. local authority, OGD) as necessary, when the FSA has taken all necessary action and an incident investigation can be closed. The justification for closure shall be documented and form part of the official incident file.

Where appropriate, Directors and other stakeholders shall be informed that the FSA has completed its investigations and be given any further information deemed necessary.

13.0 INCIDENT REVIEWS (FORMAL AND INFORMAL)

Routine Reviews

All incidents will be routinely reviewed (by the relevant Incident Manager) prior to official closure. For any given incident, the Incidents Branch will have determined when the FSA has taken all necessary action, so that an incident investigation can be closed. Justification for closure will be documented and form part of the official file.

Routine reviews may generate lessons learned, which will be recorded and shared throughout the FSA and beyond, if appropriate, for any given incident. Lessons will be recorded on a rolling basis and combined, where appropriate, with lessons learned from exercise programmes.

Formal Reviews

The Incidents Review Group (IRG) will select a subset of UK incidents for a wider, formal review within the FSA³². Candidates for formal

³¹ For example, staff are contacted beforehand regarding their availability and informed about the detailed arrangements for the weekend working and the security section is notified accordingly.

³² In Scotland, the FSAS Emergency Planning Working Group will complement the formal review process and the Enforcement Branch Scotland shall organise and document focus meetings on a twice-yearly basis. These meetings will allow wider internal FSAS incident review discussions to take place and actions to be agreed. In NI the Incident Manager will complement the formal review process by organising internal review meetings on a bi-annual basis, which will allow wider review discussions to take place and any subsequent actions to be agreed. All outputs will be fed back to IRG.

'internal' review will be selected, based on a number of criteria including:

- Classification level⁸
- Unresolved issues or questions
- Dissatisfied stakeholders and/or cross-cutting stakeholder issues
- Clear successes or failures of process
- Political or presentational implications

The Chief Executive or Directors may also ask for a formal internal review of a specific incident to be held.

The Incidents Branch in London will conduct formal 'internal' reviews rapidly while the incident remains 'open', obtaining feedback from those FSA officials who have participated in the incident response and then translating the outputs from this process into an action plan for consideration by the IRG. The Incidents Branch in London will also consider, as part of this process, holding hot wash-ups (at OIMT and SIMT meetings) to capture lessons early.

The action plan for IRG may include recommendations to revise the protocol in the light of comments received and/or to hold a meeting with external stakeholders to 'externally' review the incident and jointly learn lessons. Outputs from external review meetings are also notified to IRG and fed into the incident review process.

A flow diagram summarising the incident review process is included at Appendix 11.

⁸ All high level incidents will be internally reviewed

14.0 INCIDENTS REVIEW GROUP

The FSA's Incidents Review Group (IRG), provides a forum for a strategic overview of the FSA's work on incidents and emergencies, ensuring the delivery of a fully integrated programme. The group's membership consists of senior representatives from all divisions in FSA London involved in incidents, as well as senior representatives from the devolved offices.

The IRG has responsibility, inter alia, for selecting the incidents to be formally reviewed (Section 13.0 refers), auditing the outcome of the incident reviews and ensuring that lessons learned are applied consistently across the FSA.

APPENDICES⁹

APPENDIX 1: INCIDENT CLASSIFICATION SYSTEM & 'TRIGGERS'

The following are definitions covering the classification levels applicable to incidents involving potential implications for food safety and/or standards dealt with by the FSA:

Low

Minor incidents, with localised effects and few, if any, food safety implications. Examples of such incidents would be barn fires, vehicles in rivers, minor oil spills. These would be dealt with as routine incidents, at Branch/Divisional level.

Medium

Incidents involving evidence of illness (e.g. food poisoning), impact on vulnerable groups (babies, pregnant women, or the elderly), breaches of statutory limits e.g. mycotoxins. In some cases the public or the media are likely to express some concerns. They could generally be dealt with at Divisional Level, led by an Incident Manager. Drivers to "High" would include scale or increased level of public or media concern.

High

Severe incidents (e.g. potential to cause deaths, serious illness), complex (e.g. a large number of products affected, a high level of resources required to manage), widespread and likely to generate a high level of concern in public and media perception of the issue. These incidents tend to involve more senior managers, normally Directors but also the Chief Executive.

⁹ The contents of these appendices are not intended to be prescriptive but should be treated as an aide memoir

Candidate Triggers for Escalation

Criteria can be used for the escalation of incidents (called 'triggers') to rapidly identify that an incident has 'High' attributes, so that the FSA can plan and resource accordingly. These candidate triggers are as follows:

- Likely severity of public health risk (low for many, high for few, impact on special groups)
- Size and scale of incident (local/national/international; number of companies and products potentially affected; resource required to manage)
- Potential level of media interest
- Public perception of the risk or likely acceptability of the risk
- Precedents in similar cases, earlier risk management decisions
- Natural disasters
- Novel or unusual aspects

A 'High' incident is likely to score highly on two or more of the triggers. It is important to note that whilst these triggers provide an important checklist for aiding decisions, judgement and experience will always be brought to bear on the process.

Translating overall score to Classification level
 0-5000 = Low level
 5000-25000 = Medium level
 >25000 = High level

APPENDIX 2: CLASSIFICATION MATRIX

Severity	Health Effects	Consumers Affected	Risk Assessment	Perceived Risk (Consumers)	Perceived Risk (Media)
1	No effect	None	No risk	No Risk	No concern
2	Self Medication	Single Consumer	Minimal Risk	Very Low Risk	Slight concern
3	GP Presenter	Few Consumers	Short-term effects. Mitigation measures feasible	Low Risk	Limited/Localised concern
4	Hospital Presenter	Local Community	Long-term Potential Effects	Moderate Risk	Regional concern
5	Hospitalised	Vulnerable/Ethnic Group	Long-term Direct effects	High Risk	National concern
6	Death	All Consumers	Acute effects	Very High Risk	International concern

Complexity	Number of Reports	Number of Products	Number of Agencies Involved	Traceability
1	No previous report	Single Product/single location	Single Food Business	All Products Identified and Withdrawn/No food safety implications
2	Less than 10 previous reports	Single Product/Multiple Locations	Single Local Authority	All Products Identified and Recalled
3	Greater than 10 previous reports	Single Batch	Multiple Food Businesses	All Products Identified. Withdrawal/Recall Action Started
4	Local/Regional Report	Multiple Batches	Multiple Local Authorities	All Products Identified. Recall/Withdrawal Action Imminent
5	Widespread National Reports	Multiple Products/Single Batches	Devolved Offices	Some Products Identified. Further Tracking Being Carried Out
6	Widespread International Reports	Multiple Products/Multiple Batches	Other Government Departments	No Products Identified. No Action Taken

Note: Multiply scores for each column under Severity and Complexity. Cross-multiply these results to obtain overall weighting for incident.

APPENDIX 3: LOCALISED VARIATIONS

All parts of the FSA adhere to the principles laid out in the Protocol. However, there are localised variations reflecting the different management structures and functions in place. These are detailed, as follows:

1. England

Role/Function	Name
Incident Manager	Low/Medium incidents: Head of Incidents Unit in London or deputy ³³ 'High' incidents: As above
Strategic Director	Director (normally Director of Food Safety)
Strategic Adviser	Incidents Branch, London (G7 or above)
Notification Point (including out-of-hours)	Incidents Branch, London (out-of-hours FSA on-call staff can be contacted via Defra Duty Room 0845 051 8486)
Food Alerts (prep & issue)	Incidents Branch, London
RASFF notifications (receipt & issue)	Incidents Branch, London
Reviews – routine Reviews - formal	Incidents Branch (G7 or above) Incidents Branch London will arrange these and outputs will be considered by IRG.

³³ Normally G7 level

2. Wales

Role/function	Name and number
Incident Manager	Low/Medium incidents: Head of Enforcement Strategy, Audit and Incidents Team, (ESAI) FSA in Wales or deputy High incidents: Head of Incidents Unit, London or deputy.
Strategic Director	Director (normally Director of Food Safety)
Strategic Adviser	Incidents Branch, London (G7 or above)
Notification point (including out of hours)	Incidents Branch (Out of hours on-call staff can be contacted on 07789 926573)
Food Alerts (prep & issue)	Incidents Branch
RASFF Notifications (receipt & issue)	Incidents Branch, London
Reviews – routine	Head of ESAI Team, FSA in Wales
Reviews – formal	Conducted by staff at HoD or equivalent level. Incidents Branch, London will organise the meeting.

3. Northern Ireland

Role/function	Name and number
Incident Manager	Low/Medium incidents: Head of Incidents Standards and Science, FSANI High incidents: High incidents: Head of Incidents Unit London or deputy.
Strategic Director	Director (normally Director of Food Safety)
Strategic Adviser	Incidents Branch, London (G7 or above)
Notification Point (including out-of hours)	Out of hours incidents received via the FSANI out of hours number and initial investigations handled by the FSANI on call officer. Out of Hours number is 07884 473022
Communication with the Food Safety Authority of Ireland (FSAI)	Communication and co-operation arrangements between FSANI and FSAI (in the event of an incident with potential impact on either/both jurisdictions) are detailed in the written agreement between FSAI and FSANI in relation to food incidents, hazards and alerts.
Food Alerts (prep & issue)	Head of Incidents Standards and Science, FSANI
RASFF notifications (receipt & issue)	Incidents Branch, London
Reviews – routine	Head of Incidents Standards and Science, FSANI
Reviews – formal	Conducted by staff at HoD or equivalent level. Incidents Branch, London will organise the meeting.

4. Scotland

The Incident Protocol provides staff with a guide to procedures that should be followed in the event of an incident. The FSAS Contingency Handbook provides more detailed response arrangements for staff.

Role/function	Name and number
Incident Manager	Low/Medium incidents: Head of Enforcement Branch, Scotland or nominated deputy. High incidents: High incidents: Head of Incidents Unit, London or deputy.
Strategic Director	Director (normally Director of Food Safety)
Strategic Adviser	Incidents Branch, London (G7 or above)
Notification Point (including out-of-hours)	Enforcement Branch, Scotland Duty on-call officer: 07881516867 In Scotland out-of-hours reports are received via the FSAS out-of-hours number and initial investigations handled by the FSAS on-call officer.
Food Alerts (prep & issue)	Enforcement Branch, Scotland
RASFF notifications (receipt & issue)	Incidents Branch, London
Reviews – routine Reviews - formal	Head of Enforcement Branch, Scotland Conducted by staff at HoD or equivalent level. Incidents Branch, London will organise the meeting.

APPENDIX 4: INCIDENT MANAGER CHECKLIST OF INITIAL SET OF ACTIONS³⁴

CLASSIFICATION/TRIGGERS

Does initial assessment suggest that this is a high-level incident. If **YES**

- Has Strategic Director been advised?
- Confirm a deputy Incident Manager
- Consider whether an initial FSA statement is required
- Organise mapping of product distribution details, as appropriate
- Agree membership/constitution of OIMT
- Has the Chief Executive appointed a Strategic Director?
- Agree with Strategic Director constitution/membership of SIMT
- Arrange meetings of OIMT and SIMT

If **NO**

Is a meeting of the OIMT necessary? If

YES

- Arrange meeting
- Confirm a deputy Incident Manager
- Consider whether an initial FSA statement is required
- Organise mapping of product distribution details, as appropriate

PLANNING & RESOURCES

- Define and allocate roles and responsibilities
- Are extra resources needed³⁵ (e.g. extra staff, Crisis Line, Briefing Cell)?
- Consider whether FSA staff should be used to support on-site investigations.
- Define overall strategy for managing the incident? If large, consult SIMT.

³⁴ Ongoing tasks set out on meeting agendas

³⁵ Review regularly

- Do we need a Scoping Group and/or Stakeholder Group meeting?

COMMUNICATIONS

- Has a Communications Strategy been agreed and documented?
- Is a timeline required?
- Is briefing required for Directors/CE/ Board/Ministers
- Is a Food Alert/Product Recall/Withdrawal Information Notice/Allergy Alert required?
- Is a RASFF required?
- Does FSA official at UKREP need to be contacted, in order to utilise their services?
- Is a News story required?
- Would certain information relating to the incident, if disclosed, prejudice the ongoing investigation?
- Do you need to alert key stakeholders

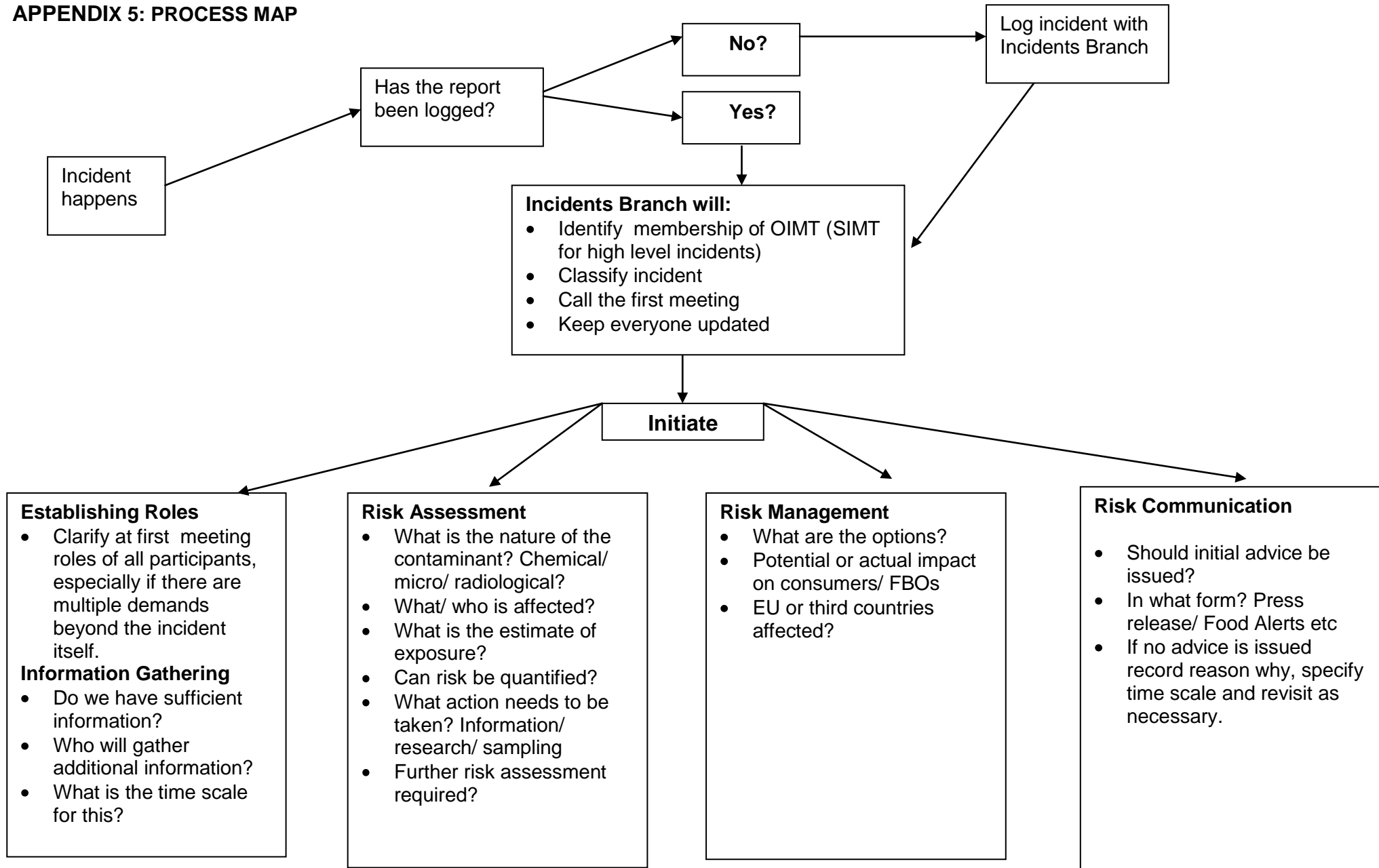
BRIEFING

- Consider need to alert and brief a range of internal and external stakeholders (please refer to checklist at Appendix 8)
- Resourcing - do you need a dedicated person to lead a Briefing Cell?
Discuss with Director

RECORDS

- Arrange for notes of meetings to record key decisions and rationale/data to back these up?
- Has legal basis and risk assessment been documented and kept under review?
- Has the database been kept up-to-date?
- Are decisions proportionate and in line with strategic aims of incident?

APPENDIX 5: PROCESS MAP



APPENDIX 6: OPERATIONAL INCIDENT MANAGEMENT TEAM MEETING AGENDA

1. What do we know³⁶- general ?
2. What do we need to know³⁷- general ?
3. Roles and Responsibilities – at initial meeting (kept under review)
4. Legal basis for action - at initial meeting (kept under review)
5. Distribution/traceability details, if appropriate - what do we know/need to know?
6. Risk Assessment and independent advice (kept under review)
7. Risk Management options (kept under review)
8. Communications Strategy (risk communication)
9. Communication with stakeholders
10. Provision of timeline, ISR, Q&A, “distribution flow chart”, brief (if needed), submission etc
11. Allocation of actions & time-scales
12. AOB

³⁶ Consider whether Stakeholder Group is required

³⁷ Consider whether Scoping Group is required

APPENDIX 7: STRATEGIC INCIDENT MANAGEMENT TEAM MEETING AGENDA

1. Incident status report – update from Incident Manager
2. Any items for immediate action
3. Role of FSA in the incident (initial meeting, kept under review)
4. Establish strategic aims for incident (initial meeting, keep under review at subsequent meetings)
5. Review of progress towards meeting strategic aims
6. Legislative issues (complexities)
7. Risk management decisions
8. Review of communications strategy¹⁰
9. If appropriate, Scoping Group/Stakeholder meeting arrangements
10. Consideration of resources
11. AOB
12. Date and time of next meeting

¹⁰ Should cover not just media messaging, but the approach that will be taken by the FSA for all stakeholder communications during the management of the incident.

APPENDIX 8: CHECKLIST OF STAKEHOLDERS TO BE CONTACTED

Consideration would be given to alerting the following stakeholders following a high level incident³⁸:

Internal

- Colleagues in devolved offices
- Heads of Division
- Directors
- FSA Chair, Deputy Chair and Board
- UKREP
- FSA Helpline

External

- Department of Health (DH) Ministers
- Other Government Departments and Agencies, including:
 - Department for the Environment, Food and Rural Affairs (Defra)
 - animal welfare, provision of food supply
 - Animal Health and Veterinary Laboratories Agency (AHVLA), Scottish Agricultural College (SAC) – on-farm incidents
 - Health Protection Agency (HPA) , Health Protection Scotland (HPS), Public Health Wales or equivalent – human health
 - Environment Agency (EA), Scottish Environment Protection Agency (SEPA) – environmental contamination incidents
 - Civil Contingencies Secretariat (CCS) within Cabinet Office - ‘high’ level incidents and clusters of incidents
 - Centre for Environment, Fisheries and Aquaculture Science (CEFAS), Marine Management Organisation (MMO), Marine Scotland – marine pollution incidents
 - Department for Business, Innovation and Skills (BIS) – FBOs
 - Health & Safety Executive’s Chemicals Regulation Directorate – pesticide and biocide issues
 - Veterinary Medicines Directorate (VMD) – veterinary medicines issues
 - Rural Payments Agency (RPA) – incidents involving sampling
 - Egg Marketing Inspectorate (EMI)

³⁸ The precise list to stakeholders to be notified in each instance will depend on the nature of the incident.

- Devolved administrations (e.g. Health and other appropriate directorates or departments of the Scottish and Welsh Governments and the Northern Ireland Assembly)
- Department of Agriculture and Rural Development (DARD)
- Public Health Agency (PHA)
- Northern Ireland Environment Agency (NIEA)
- Chairs of Advisory Committees (e.g. to endorse risk assessment)
- Allergy Support Organisations (e.g. Anaphylaxis Campaign, Allergy UK, Alert4Allergy, Coeliac UK) – food allergy incidents
- Consumer Bodies (e.g. WHICH, Consumer Focus)
- Medicines and Healthcare Products Regulatory Agency (MHRA) and DH supplements team – where clarification is sought re: status of product (e.g. food or medicinal product)
- Chief Medical Officer and counterparts in devolved countries
- Chief Veterinary Officer and counterparts in devolved countries
- Chemical Hazard Identification and Risk Surveillance (CHAIRS) Group – for chemical incidents only
- Commission (DG SANCO) - via RASFF system
- UKREP
- European Food Safety Authority (EFSA)
- Trade Associations³⁹
- National Farmers Union and counterparts in Wales, Scotland and NI
- Local Government Regulation (LGR), Convention of Scottish Local Authorities (CoSLA), Welsh Local Government Association (WLGA), Northern Ireland Local Government Association (NILGA)
- Trading Standards Institute, Chartered Institute of Environmental Health, Royal Environmental Health Institute of Scotland, Association of Public Analysts, public analysts
- Association of Port Health Authorities
- Serious Organised Crime Agency (SOCA)
- Home Office

³⁹ For example, British Retail Consortium, Food and Drink Federation, British Hospitality Association, Federation of Small Businesses, British Frozen Food Federation, Federation of Wholesale Distributors

APPENDIX 9: HOW THE FSA WILL COMMUNICATE DURING AN INCIDENT

1.0 COMMUNICATING DURING A FOOD OR FEED INCIDENT

Communication during an incident is key; not just to the public but to other stakeholders too, whether they are industry, consumer groups, the media, Local Authorities or other national or international agencies. The FSA is committed to dealing fairly with all these groups and being as open as possible about what we do and why we are doing it. The FSA will, as a principle:

- Give consumers information when they need to act
- Be open about potential incidents and what the FSA is doing to investigate them, even if we don't know the source
- Strive to give helpful information
- Protect enforcement action or legal proceedings by not publishing information that may prejudice investigations

This paper outlines how the FSA will communicate during an incident with its stakeholders and what people can expect from the Agency.

2.0 ISSUING A NEWS STORY

Every food or feed incident is different, bringing with it its own set of issues and challenges. The question of whether to issue a news story is decided with reference to the principles outlined above. News stories appear on the FSA website as well as being proactively sent to the media. Many journalists have also subscribed to the FSA's email alerts and therefore automatically receive all news stories. The FSA will share its media distribution lists with organisations involved in an incident when asked to do so.

Some of the more common reasons for the FSA to issue a news story are outlined below.

2.1 HIGH RISK INCIDENTS

When an incident is considered serious and the risk posed immediate, the FSA may issue a news story in the first instance and proactively engage the public through the media. The intention would be to reach a greater number of consumers rapidly and to give context and further explanation of the risk. This

action would complement the FSA's more formal Food Alert that might accompany this news story.

2.2 INCIDENTS WITH HIGH PUBLIC INTEREST

On occasion the FSA may feel it necessary to publish a news story when the relevant companies are taking all the appropriate action in withdrawing or recalling an affected product (for example, by placing advertisements in local news and or displaying point of sale notices). This may be the case if, for instance, public interest is high.

News stories may also be issued to avoid unnecessary alarm and to provide reassurance to the public. In these circumstances the news story would complement the Product Withdrawal Information Notices (WIN), Product Recall Information Notices (RIN) or Food Alert by presenting the facts in language that is, while based on sound science, like all news stories, simple in its language and tailored to the public's needs.

2.3 DEVELOPING OR POTENTIAL INCIDENTS

The FSA will also consider informing the public about an ongoing incident the cause of which is at the time unknown but which the FSA, sometimes in conjunction with other bodies, is investigating. A good example of this might be an outbreak of food poisoning spread over several weeks or months where there is a spike in cases linked to a common strain of pathogen. Often, such as in the 2011 *E.coli* O104 outbreak in Germany and subsequently associated with fenugreek seeds, the actual source takes time to investigate and even establishing a link to food can be difficult to prove. However, in line with its stated policy on openness, information should be given to the public about the outbreak and what government agencies are doing to discover the cause.

Although the FSA remains of the view that it is *preferable* to give consumers specific information that they can act on, it may not be possible to give specific information, especially during an ongoing outbreak, and it is clearly unhelpful to give information which later turns out to be wrong.

The FSA has a commitment that the: "Disclosure of information will be the norm. We will aim to publish actively any information or advice we provide to others"⁴⁰. The FSA aims to tell consumers the facts about an ongoing

⁴⁰ http://www.food.gov.uk/aboutus/how_we_work/copopenbranch/

incident, even if sometimes it is not able to identify specific products or recommend specific actions.

3.0 TIMING

The FSA is committed to giving people the facts about any particular food incident as quickly as possible while at the same time ensuring that it meets its obligations to consult manufacturers, retailers, importers and other relevant organisation before putting information into the public domain. The FSA has systems in place which mean that news stories can be published both in and outside of normal working hours

4.0 NEWS STORY CONTENT

The FSA will be open and factual in its communications about the potential risk, the products affected and the advice given. The FSA will state what actions the company (ies) involved have taken/are taking (e.g. to remove the product from sale) and what advice has been given to consumers if they have the affected product or have already consumed it.

The content of news stories will be presented in a consumer-friendly manner and may elaborate on what has been issued in any respective WIN/RIN or Food Alert. This would include putting the risk may in context, providing extra information and giving comments or quotes from experts, such as the FSA's Chief Scientist.

5.0 STAKEHOLDER INVOLVEMENT IN THE PRODUCTION AND TIMING OF THE NEWS STORY

The FSA will always show news stories to relevant companies in advance of publication. On occasions where news stories are to be published out of normal working hours, the FSA will endeavour to give extra time for companies to comment. In major incidents the FSA will also inform the relevant local authority what the FSA is going to be saying, so it can prepare for, and respond, to media enquiries.

Under normal circumstances the FSA will share news story content with the relevant companies at least two hours before publication. However, this time frame can be greatly shortened when a high level incident occurs and the FSA acts quickly to alert consumers to a possible risk to health. In these circumstances companies will still be contacted regarding story content before publication and the FSA will explain why the time frame has been reduced.

5.1 STAKEHOLDER COMMENT ON NEWS STORIES

All information sent to companies before going into the public domain is supplied to confirm factual accuracy. The FSA will be prepared to consider new information or additional comments if they are relevant, but will retain full editorial control.

The FSA will correct any factual errors on its website or in printed material when managing an incident. This can be done both during and out of office hours.

6.0 NAMING OF ORGANISATIONS

The FSA is committed to being open and transparent. This means that when a WIN/RIN Alert or news story is issued the FSA will, where the information is useful to consumers, normally name those companies involved; even those which have sold products on in good faith or are unwitting receivers of affected goods. In addition the FSA will aim to include details of the exact nature of the problem. Consumers should be given as much meaningful information as possible, so that they can know who produced the product and can take appropriate action.

7.0 HIGH LEVEL INCIDENTS

When a food or feed incident is particularly widespread and/or poses an immediate risk to people's health, the FSA will co-ordinate communications. This will involve being the focal point for advice to the public, industry, NGOs and local authorities and keeping the public informed via the web, press releases and FSA spokespeople. The FSA's role would not extend to compiling or assembling lists of affected products, but the FSA would consider publishing any lists provided on its website.

8.0 PRESS CONFERENCES

The FSA may hold press conferences during an incident to explain to the media what is happening. Press conferences would only normally be considered during high level incidents.

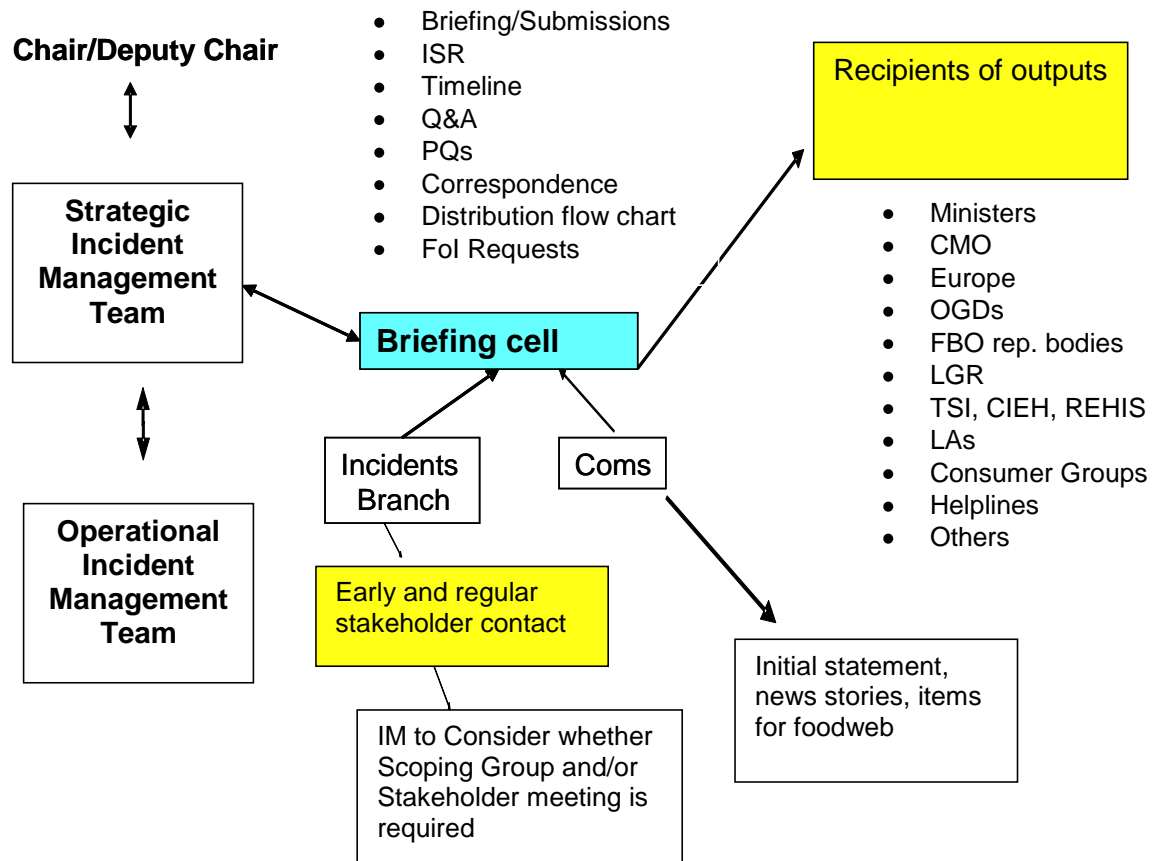
9.0 SHARING OF Q&As

The FSA produces questions and answers (Q&As) for most incidents that are likely to receive press coverage. On occasion, when an incident is complex and high profile, Q&As are put on the FSA website to provide additional information for consumers, the media etc. However Q&As are usually produced for internal use. During major incidents internal (and external) Q&As change and numerous versions can be produced. It will be the job of the Briefing Cell during an incident to have control of the different versions of the Q&A and to ensure only the most up to date is used. The FSA will consider sharing its internal Q&As on request with companies, local authorities and other relevant bodies involved in an incident. It will, however, not share information, the disclosure of which may be prejudicial to current or future investigations.

10.0 CONSISTENCY OF COMMUNICATIONS ACROSS NATIONS

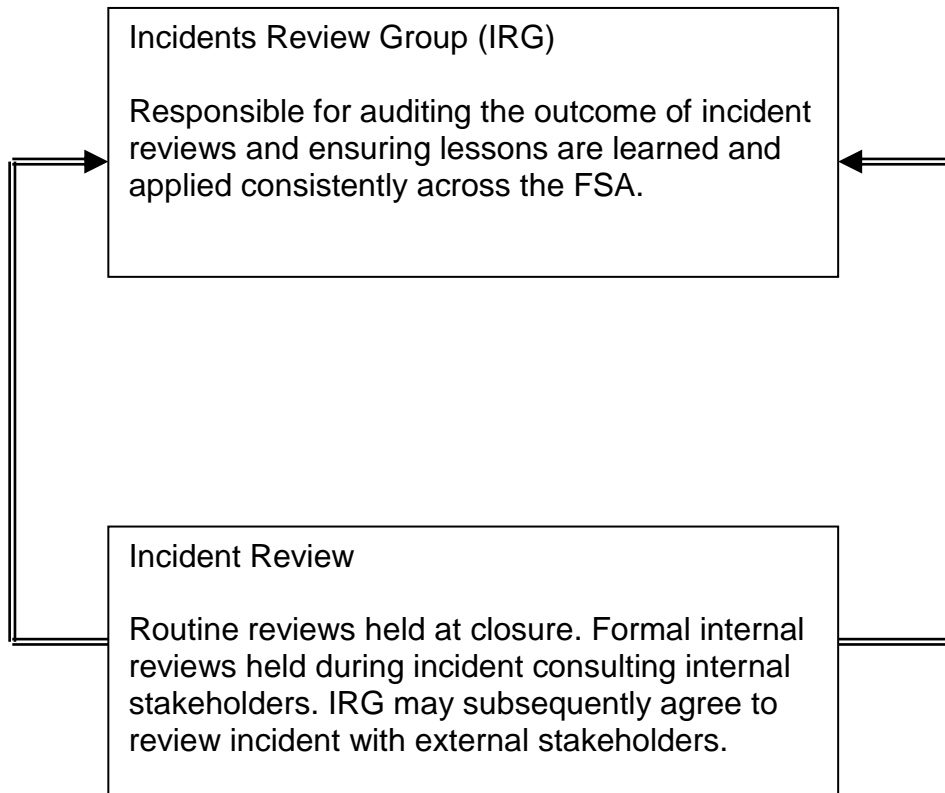
The FSA applies the same approach to risk assessment and risk management across the UK and will manage its communication in the same proportionate and considered manner, co-ordinating communications across all UK nations to ensure that there is uniformity of approach.

APPENDIX 10: INCIDENT MANAGEMENT & COMMUNICATIONS FLOW DIAGRAM



APPENDIX 11: REVIEW PROCESS FLOW DIAGRAMS

Incidents Review Group Role



Review cycle

