

# Actions Arising - June 2023 Business Committee Meeting

FSA BC 23-06-02

From the FSA Business Committee on 13 March 2023

| Index  | Action   | Due Date | Owner and progress to date   |
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| <p>Action 1 –</p> <p>Terms of Reference for the Business Committee (FSA BC 23/03/03)</p> | <p>To update the Business Committee ToR as follows:</p> <ul style="list-style-type: none"> <li>• Add confidential legal or criminal proceedings to the list of reasons not to publish Business Committee papers.</li> <li>• Add wording that the list of reasons not to publish papers is not exhaustive.</li> <li>• Amend wording to make it clearer what papers will not be published.</li> <li>• Add wording to make it clearer that Human Resources are within the remit of the Business Committee.</li> </ul> |          | <p>Board Secretariat</p> <p><b>Complete:</b> Business Committee TORs updated.</p>            |
| <p>Action 2 –</p> <p>Terms of Reference for the Business Committee (FSA BC 23/03/03)</p> | <p>To amend the Standing Orders for FSA Board Meetings and Committees as follows:</p> <ul style="list-style-type: none"> <li>• Amend wording to make it clearer that when the FSA Deputy Chair is unavailable to chair a Business Committee meeting, it will be chaired instead by the FSA Chair.</li> </ul>   |          | <p>Board Secretariat</p> <p><b>Complete:</b> Business Committee Standing Orders updated.</p> |

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| <p>Action 3 –</p> <p>Terms of Reference for the Business Committee (FSA BC 23/03/03)</p> | <p>To circulate dates for Business Committee meetings for 2023/24 to Committee Members.</p> | <p>Board Secretariat</p> <p><b>Complete:</b> Dates for Business Committee meetings for 2023/24 circulated to Business Committee members.</p> |
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Action 4 –

Chief Executive's  
Report to the  
Business  
Committee (FSA  
BC 23/03/04)

To provide detail on whether the FSA can retain seized proceeds of crime and what it does with these funds.

Junior Johnson

**Complete:** FSA can access assets via the Home Office Asset Recovery Incentive Scheme (ARIS). There's a difference to how much we can access depending of the route by which the orders have been made but it's never more than 2/3 of 50%. HM Treasury always retain 50% and the remainder is split between the agencies/bodies involved and dependent on who prosecuted. If it is a confiscation order that CPS prosecute and following a successful conviction, (such as for Op Atlas – DNP) we get 18.75% back through ARIS funding of any assets attributed to the defendant. If we were to prosecute, we could request 37.5%. The other body who have a claim are HM Courts & Tribunal Service (HMCTS), 12.5%. Payments are made quarterly and enforcement of payments is the responsibility of HMCTS.

In conclusion, we can and have been successful in being awarded funds but it is only ever a percentage of the remaining half, once Treasury have had their cut.

One final point of note, we currently don't have the power to seize tangible assets ( cars, jewellery, houses etc) but we can restrain them (via court orders). However, to be able to do this (seize these types of assets) we have recently been successful in having the legislation (S47 POCA 2002 ) amended to include the FSA which should be enacted in October 2023. A significant positive

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| <p>Action 5 –</p> <p>Performance and Resources Q3 2022-23 (FSA BC 23/03/05)</p> | <p>To come back with a better way of showing NFCU progress and achievements, to include reference to the timeliness of bringing proceedings.</p>   |  | <p>Junior Johnson</p> <p><b>Complete:</b> Reporting to the business committee will be more detailed, including an overview of progress covering;</p> <ul style="list-style-type: none"> <li>• What was recovered during the execution of the warrant;</li> <li>• Who has been interviewed/when/ and proposed future interviews and with who.</li> <li>• How many witnesses have been identified and provided statements.</li> <li>• How many of the documents have been reviewed etc.</li> </ul> |
| <p>Action 6 –</p> <p>FSA Priorities and Budget 2023-24 (FSA BC 23/03/06)</p>    | <p>To provide greater detail on how the FSA could lead the delivery of food industry outcomes within the new Northern Ireland obesity strategy to support the consumer to access a healthier diet.</p> |  | <p>Anjali Juneja</p> <p>Complete: Revised version of the paper presented to the Board at in March included greater detail on how the FSA could lead the delivery of food industry outcomes within the new Northern Ireland obesity strategy.</p>   |

## Actions from Previous meetings

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| <p>Action 2 –<br/><br/>External Review of the National Food Crime Unit (FSA 22/12/15)</p> | <p>Executive to provide costings for the implementation of the NFCU Reviews recommendations in next Business Committee update.</p> | <p>As Available</p> | <p>Darren Davies</p> <p><b>Ongoing:</b></p> <p>The NFCU is engaging with staff and wider parties to develop a plan to implement the 5 recommendations from the NFCU review. A draft plan will be ready in March and will be used to inform NFCU's Business Plan and priorities for FY 23-24.</p> <p>There will be a number of options to consider in the short, medium and longer term.</p> <p>Work is underway on about half of the more implicit 38 areas for improvement identified within the body of the Review. We have considered a broad range of actions to respond to each finding and we are now in the process of prioritising an action plan. The nature of the Review's findings and the timescale for transformation means that while some actions can be costed ahead of the next Financial year, other actions may require costing and implementation over a longer time period as part of a 3-year plan.</p> |
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| <p>Action 1 –<br/>Performance and Resources Q4 2021-22 (FSA 22/06/16)</p> | <p>The Chair noted 180 deaths from foodborne disease annually was a concern and asked for this item to return to the Board for further discussion to identify further opportunities for continuous improvement.</p> | <p>June 2023</p> | <p>Julie Pierce and Rebecca Sudworth</p> <p><b>Ongoing:</b></p> <ul style="list-style-type: none"> <li>• In the September Chief Executive Report it was noted that new work had required reprioritisation and work in some areas including the Foodborne disease framework had slowed.</li> <li>• SERD is planning to deliver a number of pieces of relevant new research before the end of the calendar year. Key outputs include a review of research commissioned under the AMR research programme, a report on the completed pilot of the IID3 project, the full results of which will inform and support the prioritisation of future intervention strategies, and a horizon-scanning workshop to understand food safety threats that will face UK consumers in the future. We also have projects going beyond the end of the year in IID3 delivery, Salient and PATH-SAFE.</li> <li>• Policy is reviewing the FSA/FSS approach to controlling foodborne disease and will update the Board on foodborne disease priorities in December 2023.</li> <li>• SERD will review and, if appropriate consider if thresholds (for key pathogens) at which the FSA would carry out action need updating – progress for December Board discussion..</li> </ul> |
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