

Review of the Food Advisory Committees

FSA 23-06-09 - Report by Anthony Harbinson, Board Member for Northern Ireland and Chair of the Northern Ireland Food Advisory Committee.

1. Summary

1.1 The Board is asked to:

- **note** the progress and discussions held to date on reviewing the FSA's Food Advisory Committees (FACs) and
- **agree** the proposed next steps and implementation plan.

2. Introduction

2.1 The Northern Ireland Food Advisory Committee (NIFAC) and Welsh Food Advisory Committee (WFAC) are established under Section 5 of the Food Standards Act 1999 “for the purpose of giving advice or information to the Agency about matters connected with its functions,” including matters affecting or otherwise relating to Northern Ireland or Wales.

2.2 Further background information on the FACs can be found in [Annex A](#).

2.3 The Chairs of the FACs are undertaking an informal review to ensure that:

- they are operating in the most efficient and effective way and
- they are best placed to provide country specific advice now that the UK is outside of the EU.

2.4 This paper provides an overview of this informal review, discussions that have taken place to date, as well as seven recommendations for the FACs.

3. 2023 Review

3.1 As outlined in the [Annual Governance Report 2021-2022](#), which was agreed by the Board in December 2022, the FSA Chair agreed to explore how we could improve how the FACs operate and interact with the Board.

3.2 The Chair tasked a small group to informally consider ways in which the value and impact of the FACs can be maximised.

3.3 This group includes myself as Chair of NIFAC, Peter Price as Chair of WFAC, Nathan Barnhouse and Andy Cole as the Directors of FSA in Wales and Northern Ireland, and Anjali Juneja as the Director of UK and International Affairs.

3.4 Peter Price, as Board Member for Wales and Chair of WFAC, is standing down this year. His replacement is due to take over in September 2023, and will replace him on this group. This will enable their views on actions and recommendations as the new Chair of WFAC to be considered.

3.5 Secretariats for both FACs have been involved to provide background on the way in which FACs have evolved over the years, and in particular since the [2018 review](#) of FACs and the associated action plan.

4. Discussions So Far

4.1 The recommendations from the 2018 review, which were agreed by the Board in June 2018, have been implemented consistently in Northern Ireland and Wales and adopted accordingly by both Secretariats. An overview of the 2018 recommendations and implementation can be found in [Annex B](#).

4.2 The FACs have been operating under the recommendations from the 2018 review. However, since that review, our operating environment has changed. Food and feed are devolved policy areas, so Ministers in the devolved administrations have significantly increased responsibility post-EU Exit. The FSA (with Food Standards Scotland) also has greater responsibilities to maintain the smooth movement of goods across the UK and operable statute books across the UK nations. New technologies and business models, and changing consumer behaviours, means that the FSA needs to think differently about how we deliver our mission. Consequently, it has become increasingly important to ensure that views from Northern Ireland and Wales are amplified.

4.3 In light of this, and the [FSA's Strategy](#), we have considered how a refresh of the operation of the FACs would best support the FSA.

4.4 The FACs are advisory, rather than decision-making bodies. They provide advice or information to the FSA on matters connected with its functions, including in particular matters affecting or otherwise relating to Northern Ireland and Wales. Taking the purpose of the FACs into consideration, we have identified a few areas where improvements can be made in the short-term and areas that have to be considered in the longer-term.

4.5 The short-term recommendations can be implemented immediately and focus mainly on the operation of the FACs. They seek to ensure that the FACs are focusing on their key remit, as well as including value-added recommendations, such as seeking to enhance the profile of the FACs in Northern Ireland and Wales.

4.6 Longer-term considerations relate to membership, including the terms and conditions for members. As noted below, any wider changes will have to be done in association and conjunction with the relevant Ministers in Northern Ireland and Wales.

4.7 The recommendations and ideas we have identified are:

4.8 Ensuring effective meetings:

- **Recommendation 1: Board paper review** – FAC members to identify the particular questions and insights they wish the FAC Chair to raise at the Board and agree these in each session. This would ensure that each FAC is focused on providing advice and consideration from its country specific perspective, especially in relation to FSA policy development and Board decisions.
- **Recommendation 2: Proactive voice** – More active input from the FACs into the Board. Currently, oral updates are provided from both FAC Chairs at Board meetings. However,

this should be more focused on the country specific advice on particular aspects from themed meetings. A targeted written summary of themed meetings should also be provided to the Board following each meeting to emphasise findings and insights. This would mirror the format of the documents that have been completed by the NIFAC Secretariat following themed meetings in recent months and which both FACs will adopt for future meetings.

- **Recommendation 3: Topic/country perspective** – FACs should be tasked with topics to consider from their specific country perspective with key stakeholder input from FAC member networks, for example divergence or labelling. This would also encourage broader stakeholder engagement in shaping the input from the FACs and subsequent advice back to the Board.
- **Recommendation 4: Public facing presence and use of networks** – The public facing presence and profile of the FACs, and external engagement can sometimes vary. Secretariats and Communications teams should work together to promote open meetings, maximising public engagement and bolstering the profile of the FACs in Northern Ireland and Wales. FAC members should also assist with facilitating visits via their networks, broadening the reach, analysis and insight for the FACs.

4.9 Effective use of FAC member time:

- **Recommendation 5: Maximise FAC expertise** – FAC members to be tasked with leading sessions on specific topic areas and facilitating discussion. This would ensure that FAC members are providing insight from their relevant networks, which can then be fed back to the Board.
- **Recommendation 6: Stakeholder engagement** – There should be an expectation for FAC members to attend non-FSA events of relevance to the FSA's remit, with a view to members providing feedback and learning to their Committee. Such insight and networking can also be shared with the Board and Executive.

4.10 The longer-term considerations are more complex to implement and will require careful consideration of the functions and support for the FACs. They have more potential to impact the terms and conditions for members and Committee membership. Any changes in relation to these areas will require engaging with Ministers in Northern Ireland and Wales to specifically gauge their requirements of the future operation of the FACs.

4.11 The 2018 review recommended that FAC members be appointed for 21 days per annum. This has been actioned and all FAC members are currently appointed on these terms and conditions. When the review was carried out, Board members were appointed for 30 days per annum. Since the review was undertaken, the time commitment for Board members has been reduced to 20 days. On this basis, we seek to gauge the views of Ministers.

- **Recommendation 7: Longer-term changes** – Approaching Ministers in Northern Ireland and Wales to discuss longer term requirements, including time commitments (in comparison to the FSA Board members) and therefore terms and conditions.

4.12 As these areas would require discussions with Ministers and could lead to changes to the constitution of the FACs, we suggest these are considered in more detail once the short-term options are implemented and have had an opportunity to embed.

5. Next steps

5.1 With the agreement from the Board, our next steps would be to incorporate the short-term recommendations outlined above into an implementation plan. The plan will be implemented across both FACs and reviewed on a regular basis by the Secretariats.

5.2 This proposed implementation plan is included below:

Recommendation	Action	Owner	Timeline
1. Board paper review	Add a standing agenda item to Board preparation meetings for NIFAC/WFAC to consolidate country specific views and questions to be reflected to the Board by the relevant FAC Chair	FAC Secretariats and FAC Chairs	Implement from the next Board preparation meetings in September 2023
2. Proactive voice	Use a streamlined template which provides the Board with an overview of FAC themed discussions, including FAC advice and views on the particular theme and factors for the Board to consider	FAC Secretariats	Implement from the next themed meetings in October 2023
3. Topic/country perspective	Board Chair and FAC Chairs to set themes for upcoming FAC discussions. Where possible, this should be coordinated in Northern Ireland and Wales to ensure that the Board is aware of the views and advice from both countries on a particular topic	Board and FAC Chairs	This already being considered for the remaining meetings in 2023 to ensure that themed meetings are reflective of FSA strategic priorities (e.g., the Border Target Operating Model) and will be built into forward plans for 2023/2024
4. Public facing presence and use of networks	FAC Secretariats and Communications teams in Northern Ireland and Wales to agree a communications template for publicising open themed FAC meetings and maximising engagement. FAC members to provide suggestions for visits and liaise with FAC Secretariats to plan and facilitate	FAC Secretariats, Northern Ireland and Wales Communications Teams and FAC Chairs	Immediately
5. Maximise FAC expertise	Introduce a standing agenda item at FAC retreats for FAC members to do a 'spotlight' on topics of interest or expertise	FAC Secretariats and FAC members	Implement from retreats in 2024
6. Stakeholder engagement	Add a standing agenda item to quarterly Board and FAC Secretariats meetings to identify and discuss engagement opportunities. Include agenda item at FAC meetings for members to feedback on stakeholder engagement	FAC Secretariats and FAC Chairs	Immediately
7. Longer-term changes	Once short-term actions have been implemented and embedded, approach Ministers in Wales and Northern Ireland to discuss potential longer-term changes	FSA Chair and FAC Chairs	Consideration will have to be given to the timing for this recommendation given the absence of the Minister in Northern Ireland

6. Conclusion

6.1 When working effectively, the FACs present a valuable asset for the Board by providing country specific advice, based on intelligence from networks and understanding of the landscape in each country.

6.2 We have sought to identify a number of recommendations that we can implement which seek to bolster the effectiveness of the Committees. These will ensure that the FACs are reaching their full potential to advise on country specific matters, as well as ensuring that the Board is kept abreast of developments in Northern Ireland and Wales.

6.3 The Board is asked to:

- **note** the progress and discussions held to date on reviewing the FSA's Food Advisory Committees (FACs) and
- **agree** the proposed next steps and implementation plan.

Annex A – Additional background information

Legislative requirements

- the FACs for Wales and Northern Ireland are a requirement of the Food Standards Act (1999):
- **Section 5(1)** requires the establishment of advisory committees for Wales and Northern Ireland “...for the purpose of giving advice or information to the Agency about matters connected with its functions” (including in particular, matters affecting or otherwise relating to Wales and Northern Ireland).
- the appropriate authority appoints the Chair and the members of the FAC. The number of members is not stated in the Act:
- **Schedule 2**
- (2) Such a committee shall consist of—
- (a) a chairman appointed by the appropriate authority from among the members of the Agency;
- (b) such other persons as may be appointed by the appropriate authority, after consulting the Agency.
- (3) No more than one member appointed under sub-paragraph (2)(b) may be a member of the Agency.
- the Terms of Reference of the FACs are defined, although they can be supplemented by the FSA with the approval of the appropriate authority.

Schedule 2

(4) The basic terms of reference of a committee to which this paragraph applies are to carry out the purpose mentioned in Section 5(1); but the Agency may, with the approval of the appropriate authority, supplement the terms of reference of any such committee.”

Membership

- although appointments to either NIFAC or WFAC do not come within the remit of the Commissioner for Public appointments in either country, FAC appointments are made using the spirit of the Code for Public Appointments.
- appointments to WFAC are made by the Deputy Minister for Mental Health and Wellbeing and appointments to NIFAC are made by the Minister of Health.
- members are usually appointed for a term of 3 years, renewable for a further term on the recommendation of the Chair and following Ministerial approval.
- both FACs have seven members plus the Chair who is the Board member for the relevant country. The quorum for FAC meetings is four members plus the Chair.
- FAC members are appointed for 21 days per annum with a remuneration of £3,885.
- full biographies of FAC members can be found here: [NIFAC](#), [WFAC](#).

FAC meetings

- following the 2018 review, the FACs now have two different types of meetings: themed meetings and Board preparation meetings.
- themed meetings take place approximately four times a year and are focused on a particular theme. These meetings are used for the FACs to consider the theme from a country specific perspective. These meetings take place in open session and stakeholders/members of the public can register to attend.
- Board preparation meetings take place approximately one week before the FSA Board meetings. These meetings are used for the FACs to consider the published Board papers from a country specific perspective. Paper authors/presenters attend these meetings to help advise members on any questions.
- Board preparation meetings are used for FACs to formulate views and advice from their country specific perspective. the views of the FACs are then fed to the Board during the Board meeting via the relevant Chair.

Annex B – Summary overview of 2018 recommendations

All of the recommendations and actions from 2018 have been completed and embedded into FAC working practices. Full details of the recommendations and associated actions can be found in [FSA Board Paper 18-06-11](#). The table below provides a summary of the 2018 recommendations as agreed by the then-Chair, and how they were then implemented. The FAC Secretariats work closely together to ensure that working practices are consistent across both nations.

Recommendation	Implementation
1: The Chair of the FSA Board with the FAC Chairs should set the FACs questions or priorities to consider within a set time frame.	Board Sec lead on setting up meetings between the Chair and FAC Chairs.
2: The FACs should plan their work based on the forward look of future Board papers and engagements, to allow sufficient time to provide advice.	Where possible, the Board forward look is taken into consideration when planning themed meetings. The forward look remains a standing agenda item at Board and FAC Secretariat meetings.
3: To establish more meaningful interaction with the FSA Board and country executives, the work of the FACs should be re-focused and the format of the FACs meetings should be re-shaped.	Meetings have been operating in the new format since 2019, with four themed meetings a year as well as four Board preparation meetings which take place ahead of each Board meeting. Chairs meet with their Committees at the beginning of each year to horizon scan and identify key themes to be explored.
4: Identify wider opportunities for FAC engagement with the FSA Board, on matters relating to specific devolved matters.	Meetings take place in either Northern Ireland or Wales every year. Where possible, FAC members are invited to stakeholder visits with the Board. FAC members are also invited to the stakeholder dinners.
5: Existing guidance to officials drafting Board papers should be strengthened to emphasise country-specific issues, highlighting areas where policy or practice is different across the three nations.	Board Sec undertook this action. The teams in Northern Ireland and Wales work to ensure that all papers are seen by relevant colleagues in Northern Ireland and Wales. This is also discussed regularly at FAC and Board Secretariat meetings.
6: Data pertaining to key FSA priorities or programmes should be routinely available or analysed to highlight country specific issues and be made available to the FACs and the Board.	Relevant updates are shared with the Committees. For example: new publications including copies of public consultations.
7: The briefing on national perspectives from the FAC to the Board at Cardiff and Belfast meetings should continue.	A paper from either Northern Ireland or Wales is considered at each Board meeting – either the Report from the Director of Northern Ireland or Wales or the Report from the Chair of NIFAC or WFAC.
8: The FAC Annual Report to the Board should continue but should in future be shaped around the themes outlined in Recommendation 3.	As above.
9: The FAC Chairs, country executives and the Chair of the Board should review the current capabilities and expertise of FAC members and future needs, to achieve an optimal mix of skills for the respective Committees.	This is considered and completed before each recruitment campaign to ensure that the FACs are representative of a variety of expertise. Following appointments, the expertise of Members is considered to note their available networks that could be of benefit to the Committee.
10: FSA officials to provide support and, where appropriate, access to specialist expertise to enable the FACs to fulfil their roles.	Experts from across the FSA present at both Board preparation meetings and themed meetings. External experts/stakeholders are also invited to present at themed meetings.
11: FAC members should contribute intelligence from their networks to the Board.	Members contribute both expertise and intelligence during both themed and Board preparation meetings. This is then reflected by the FAC Chairs during Board meetings.
12: FAC Chairs to develop an annual plan with the national executives to improve engagement with FAC networks and complement FSA engagement with FSA stakeholders to increase knowledge of relevant issues and raise visibility.	Chairs meet with their Committees at the beginning of each year to horizon scan and identify key themes to be explored. The relevant SMT are involved in these discussions. Both Committees also hold meetings outside of the FSA offices to engage with stakeholder and raise visibility of the FSA/FACs.
13: New FAC members should be contracted to serve 21 days per annum.	Complete.