

# Memorandum of Understanding: Annex C- science and evidence protocol

This Memorandum of Understanding (MoU) sets out the working relationship between the Food Standards Agency (FSA) and Food Standards Scotland (FSS) and the principles that FSA and FSS will follow in the course of day-to-day working relationships.

## 11. Purpose and scope

The FSA and FSS undertake to collaborate on their respective activities relating to the commissioning, analysis, and publication of scientific research, surveillance and other forms of evidence needed to support their work. Both parties will promote co-operation in the development of new requirements for research and surveillance and ensure that opportunities for collaboration and joint funding are identified and exploited wherever possible. The FSA and FSS will also seek to share evidence and the outputs of research across all areas that are relevant to the remits of both parties.

This collaboration will cover all science and evidence relating to the natural, physical and analytical disciplines (social sciences, economics, statistics and data science), and will ensure co-operation in each of the areas of work set out below. Section 9 provides further detail on working arrangements needed to support these areas of work.

- Sharing the development, implementation and review of the science governance and assurance strategies of each organisation.
- Developing requirements for research and other evidence-gathering activities.
- Sharing the outputs of research, surveillance and horizon scanning activities relevant to the remits of both organisations.
- Collaborating and engaging with other research funders and the wider scientific community in the UK and internationally.
- Referring issues to Scientific Advisory Committees and their sub-groups and joint expert groups.
- Undertaking risk assessment functions in line with the approaches described in the 'Risk Analysis Protocol' (Annex G).

## General principles

In all of these areas the FSA and FSS will ensure:

- That there are processes and cultures in place within both organisations which promote information sharing and collaboration in the planning and development of new science activities;
- That their plans for commissioning science activities, and any data, evidence and information generated by these activities, are shared with the other organisation in an open and timely manner;

- That approaches for identifying and commissioning of new science activities, and the analysis of evidence required to support the functions of both organisations, are mutually supportive and take full account of the interests of both parties.

When undertaking these activities, both parties will have due regard for the relevant provisions on data governance and ethics, data protection, confidentiality, intellectual property and information security. These provisions are outlined in detail within the 'Data Sharing Protocol' in Annex B.

## 13. Specific provision

### **Detail on specific considerations relating to collaborative working arrangements and mechanisms for commissioning research and other evidence gathering activities**

The FSA and FSS will share information on all of their activities relating to the identification, prioritisation, planning and commissioning of new scientific research and other evidence-gathering activities. Where appropriate, both parties will also co-operate in any administrative procedures required to support these activities such as tendering and evaluation/peer review.

This covers all evidence gathering and analytical functions undertaken within FSA and FSS in addition to activities commissioned externally including: research, surveillance, monitoring, secondary analysis, and data-gathering. It also includes the provision of support for science expertise and capabilities (through official control and national reference laboratories, centres of excellence, fellowships, studentships, secondments etc.), and participation in work to be undertaken by either organisation jointly with, or through, other funders.

The FSA and FSS will engage on the development of their respective evidence prioritisation cycles and on ad hoc proposals for new work. This will be done according to timescales and format that allow each body to comment on ideas and priorities for new work planned by the other, to identify:

- existing data that is capable of addressing evidence needs;
- opportunities for collaboration, co-ordination or joint funding;
- scope to refine specifications and approaches to new work based on the knowledge and expertise of both organisations; and
- appropriate procedures for commissioning new evidence needs.

The FSA and FSS will similarly consult and collaborate to identify opportunities for co-ordinating their food and feed surveillance and monitoring programmes, sampling strategies, and horizon scanning activities to ensure effective use of resources and adequate coverage of UK-wide interests.

#### **Sharing the outputs of research and other evidence gathering activities**

Wherever possible, the FSA and FSS will collaborate to ensure a consistent, UK-wide approach to the synthesis, evaluation and review of evidence generated by research, surveillance and horizon scanning activities undertaken by either organisation. Wherever possible, the FSA and FSS will collaborate to ensure a consistent, UK-wide approach to the synthesis, evaluation and review of evidence generated by research, surveillance and horizon scanning activities undertaken by either organisation.

The FSA and FSS will ensure provisions for a secure collaborative forum to share specific information for the duration of any incident, (for example, incident situation reports, distribution lists, press releases etc.) as necessary. The extent, nature and format of such information sharing should be determined by incident managers on a case-by-case basis, according to the nature of the incident.

The FSA and FSS will always consider mechanisms for sharing the data and evidence when planning new data and evidence-gathering activities.

## **14. Accessing Scientific Advisory Committees (SACs) and Joint Expert Groups**

These provisions apply to the SACs for which FSA is sole or lead sponsor and leads the Secretariat (as set out below), and any Joint Expert Groups which have been convened from these Committees to support specific areas of work, as described in the Risk Analysis guidelines. They will also apply to any new SACs set up to provide advice to UK food authorities for which FSA becomes sole or lead sponsor and leads the Secretariat:

- Advisory Committee on the Microbiological Safety of Food (ACMSF).
- Advisory Committee on Novel Foods and Processes (ACNFP).
- Advisory Committee on Animal Feedingstuffs (ACAF).
- Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment (COT).

For regulated products, two Joint Expert Groups (JEGs) are in place to take on the bulk of this work:

- Food contact materials
- Additives, flavourings, enzymes and other regulated products.

These are joint expert groups of COT and ACMSF which is consistent with the existing remits of those parent committees. ACNFP will provide advice on approvals of novel foods and Genetically Modified food and feed.

These provisions do not apply to the FSA's Advisory Committee for Social Sciences (ACSS) and the Science Council. The ACSS provides expert strategic advice to the FSA on its use of the social sciences including new and emerging methods, processes and systems to interrogate data, to deliver the FSA's objectives. The function of the Science Council is to advise the FSA on the FSA's use of science to deliver FSA objectives, and as such is not directly applicable to any other body. Notwithstanding, the ACSS and Science Council Secretariats will ensure regular communication with FSS on its work programme and outputs as appropriate.

SAC Secretariats will share information with the FSS on:

- committee agendas, forward work plans and new agenda items;
- recruitment and reappointments; and
- Tailored Reviews of SACs.

FSS may nominate an observer to attend SAC meetings and will be invited by the secretariat to represent Scottish interests where appropriate.

Where FSS wishes to refer an issue to the relevant SAC for inclusion on its work plan:

- The Secretariat and FSS will discuss the approach, scheduling and priority, with the aim of ensuring that such issues have a fair allocation of Committee time and resource, within the overall work plan of the Committee.
- FSS will be responsible for drafting and presenting relevant papers and will do so in consultation with the Secretariat to ensure that these are consistent with the Committee's remit, its approach to defining new Committee tasks, and to the presentation and assurance of work and the agreed timescale.

- FSS will be responsible for SAC costs that relate to any meetings specifically held to consider issues that only affect Scotland.

Reciprocal arrangements will be agreed in the event that the FSS establishes any SACs or other expert advisory mechanisms in areas of interest to the FSA.

## **15. Designation and management of laboratory services to support legal obligations with regard to the delivery of Official Controls on Food and Feed**

As Competent Authorities for the delivery of food and feed official controls in the UK, the FSA and FSS are responsible for the designation and oversight of laboratory services needed to carry out analyses, tests and diagnoses on samples taken for this purpose, and for designating National Reference Laboratories (NRLs) in the UK, including those that support the authorisation of food and feed products.

The FSA and FSS will jointly designate official control laboratories (OCLs) across the UK to facilitate co-ordination and access to scientific services for all food and feed enforcement functions. Both parties will also co-operate on arrangements for auditing OCLs to ensure the reliability and consistency of analytical and diagnostic tests and results.

## **16. Working arrangements**

Three levels of working arrangements will support implementation and review of this 'Science and Evidence Protocol':

- FSA and FSS science and risk assessment teams will maintain regular contact at working level in each of the six areas outlined at 11.2 above, and in accordance with procedures outlined in the 'Risk Analysis Protocol' (Annex G).
- FSA and FSS senior science leads will meet quarterly to review cross-cutting strategic and governance matters. These meetings will:
  1. share forward planning of research, surveillance and horizon scanning activities to be taken forward by each organisation;
  2. review the operation of the MoU 'Science and Evidence Protocol' across the six areas outlined in 11.2 above;
  3. identify any amendments that need to be made to the protocol and the updating of WLAs listed in Annex H and ensure these are undertaken during the annual MoU review process (see 'MoU Review' section in the body of the MoU); and
  4. agree actions and the resolution of issues raised at working level.
- FSA and FSS Chief Scientific Advisors will meet biannually to discuss strategic issues around science collaboration and governance.

If either the FSS or FSA wishes to commission scientific services from the other body in support of work falling within its own areas of responsibility, then the two bodies will discuss and agree in advance the arrangements for this in a separate agreement (for example, a Service Level Agreement or WLA). Such arrangements will also cover services procured by either organisation to support risk assessment functions (any such WLAs will be listed in Annex H).

The FSA and FSS will keep each other apprised regarding forthcoming social science and consumer research and offer to work jointly on areas of mutual interest. Where a research project may involve respondents from within each organisation's geographical area, the rationale for this should be discussed at an early planning stage and agreement reached as to whether this is

appropriate or not between the FSA's Head of Social Science and FSS's Head of Social Science.