

Minutes of the FSA Business Committee Meeting on 12 June 2023

Via Teams

Present

Ruth Hussey, Chair; Lord Blencathra; Hayley Campbell-Gibbons; Fiona Gately; Susan Jebb; Peter Price; Mark Rolfe

Boardroom Apprentice

Judith Hanvey

Officials Attending

Emily Miles - Chief Executive

Laura Blair - Deputy Director International, Trade & Devolution

Junior Johnson - Director of Operations

Robin May - Chief Scientific Adviser

Narriman Looch - Head of Food Hygiene and Foodborne Disease Control
(For FSA BC 23-06-04)

Katie Pettifer - Director of Strategy, Legal, Communications and Governance

Julie Pierce - Director of Information and Science

Natasha Smith - Deputy Director of Food Policy (FSA BC 23-06-05)

Tara Smith - Director of Resources & People

Ann Stirling - Head of Secretariat

Rebecca Sudworth - Director of Policy

1. Welcome and Introductions

1.1 The Chair welcomed everyone to the meeting. No new interests were raised by Business Committee Members. Mark Rolfe declared an interest in elements of the Performance and Resources Q4 2022-23 (FSA BC 23-06-04) relating to laboratories given his position as Head of Scientific Services at an Official Control Laboratory.

2. Minutes of 13 March 2023 Business Committee Meeting (FSA BC 23-06-01)

2.1 The Chair invited comments on minutes of the previous Business Committee meeting.

Hayley Campbell-Gibbons said that the word "Marketing" in paragraph 1.2 should be changed to 'Consulting' and that the name Margaret Gilmore in paragraph 5.6 should be changed to Hayley's. No further amendments were requested and with these changes the minutes were approved as an accurate record of the meeting.

3. Actions Arising (FSA BC 23-06-02)

3.1 The progress with the Actions from previous meetings was noted. No comments were raised from the Business Committee.

4. Chief Executive's Report to the Business Committee (FSA BC 23-06-03)

4.1 The Chief Executive (CE) gave an overview of her report including the launch of the People plan, including refreshed ASPIRE (Accountable, Supportive, Professional, Inclusive, Ready, Evolving) values.

4.2 In response to a question from Peter Price, the CE explained any increase in cases of avian influenza (AI) would be for Defra as the lead department on animal health issues and noted that AI was a global issue affecting the poultry industry everywhere.

4.3 Peter noted the direct communication to staff of the offer of a fixed payment to lower grades from the Cabinet Secretary and asked what the 'FSA pay awareness sessions' were that were mentioned in the report. These sessions had been arranged to communicate to staff what was within the gift of the FSA to deliver in terms of pay awards.

4.4 Responding to Hayley Campbell-Gibbons' question around resource capacity following changes to the Retained EU Law (REUL) Bill, the CE said that a very small amount of resource had been freed following the changes, but this had now been re-allocated to the priority areas of the Windsor Framework and the Border Target Operating Model (BTOM). Much of the work, which would have been needed had there not been changes to the Bill, had already been completed when the changes to the Bill were announced.

4.5 Lord Blencathra asked whether desk-based staff would be brought back into offices from home given concerns about lower productivity rates from home working. The CE explained that for FSA home-based staff, home was specified as their work location in their contracts. There was also no current metric within the FSA to determine productivity levels for home workers and it would be difficult to construct one given that the 'unit' of output for, for example, science or policy, was difficult to define. In staff engagement surveys, staff said they felt able to dedicate more time to their work when not having to travel to the office and they appreciated the ability to fit their work around caring responsibilities. Also working days lost due to sickness had improved.

4.6 Katie Pettifer said the three work areas emerging from the Operation Hawk roundtable meetings with industry were planned for completion in September.

4.7 In response to points raised by Lord Blencathra and Susan Jebb about third-party assurance schemes, Julie Pierce said the FSA was actively working on sampling and sharing intelligence to help maintain direct contact with industry and to address issues around food standards and authenticity. She noted that some of the products, notably honey, could be particularly challenging to verify.

5. Performance and Resources Q4 2022-23 (FSA BC 23-06-04)

5.1 Tara Smith presented this Report mentioning the challenges throughout the financial year; the surpassing of the target for meat food business audits; local authority performance and food law code of practice expectations; Risk Analysis and Regulated Products; foodborne disease and gastrointestinal pathogens; sampling activities and KPIs for measuring the status of science in the FSA; budget planning; HR information and the People Plan; and health and safety figures.

5.2 In response to a question from Mark Rolfe about a risk-based local authority escalation process for food standards, Katie Pettifer said that data from multiple sources, as well as on-the-ground intelligence would be required to take a local authority into the escalation process. The surveys had been designed with questions that would flag concerns around standards. Katie offered to provide further information on the data used to inform the escalation process for food standards.

Action 1 - Katie Pettifer to provide further information on the data used to inform the escalation process for food standards.

5.3 Julie Pierce responded to a question from Mark about FSA funding of sampling saying that directed sampling was funded by the FSA and she would provide further detail on this.

Action 2 - Julie Pierce to provide further information on funding for directed sampling.

5.4 The CSA added there had also been investment in method development and staff training in public analyst laboratories as well as support provided for equipment. A variety of tests were conducted, some of which required funding locally and others that could be done with one, central, national facility and the FSA was mindful of the user requirements in allocating funding.

5.5 The CE said the recovery plan had set a less stretching set of expectations on local authorities in the light of their constrained resource during the pandemic. The recovery plan had now been closed and local authorities were back to being measured against a higher standard than they had been under the flexibilities that were put in place during the COVID-19 pandemic.

5.6 Hayley Campbell-Gibbons congratulated the FSA on the launch of the People Plan and noted that within the CE report, the bullying and harassment figures had looked high most of that bullying was coming from outside the FSA.

5.7 On regulated products, the Committee noted the substantive paper on regulated products included in the papers for the upcoming Board meeting and suggested it would be useful to see the numbers of Cannabidiol (CBD) cases going through the regulated products system separately to allow the total caseload of regulated products to be better understood.

5.8 Several questions were raised about the foodborne disease figures and Rebecca Sudworth reminded the Committee that this remained the core work of the FSA. Incidence of foodborne illnesses were generally returning to pre-pandemic levels, and it was unclear exactly what factors were influencing the data. Julie Pierce added that behaviour carried forward since the pandemic could be a factor in current statistics. Rebecca also noted that particular weather conditions emerging from the impacts of climate change on Shiga toxin-producing E.coli (STEC) had caused a specific outbreak.

5.9 In response to a question from Peter Price, Julie said that the FSA did still have access to the Rapid Alert System for Food and Feed (RASFF), though not in the level of detail that had previously been the case as an EU Member State. Other sources of information had been found to fill any gaps and the current system was considered to be effective.

5.10 The CSA answered a question from Fiona about laboratory analysis, saying that there were some methods that were conducted in the EU and that are not currently available in the UK. Getting that expertise within the UK was a priority across government. Authentication methods such as for Genetically Modified (GM) foods would also require UK lab capacity. It was also the case that economies of scale meant that there would be instances where outsourcing testing internationally was simply more cost-effective.

5.11 The Committee sought clarification on CDEL funding and the HMT limits of the £2m headroom requirement outlined in the finance section of the Report. Tara explained that some capital budget was ring-fenced and could not be spent on anything else meaning that the headroom would be small.

5.12 Julie agreed to provide further information on how the satisfaction target for the science Key Performance Indicator (KPI) was determined.

Action 3 - Julie Pierce to provide information on the science satisfaction KPI.

5.13 The Chair thanked the Executive for the Report and noted there would be a comprehensive discussion around regulated products at the Board meeting the following week.

6. Food Hypersensitivity Programme Update (FSA BC 23-06-05)

6.1 Natasha Smith gave the Committee an overview of key issues that were contained in the paper including progress made since the Board's consideration of papers on Food Hypersensitivity (FHS) in 2022 and proposals for the next tranche of work.

6.2 Peter Price noted that in a Parliamentary Health Select Committee debate on FHS, Chairperson Steve Brine MP had asked to ensure that the FSA was aware of the strength of feeling around the issue. The Chair noted that the FSA Chair had now written to both Steve Brine and Neil O'Brien, the Parliamentary Under-Secretary of State for Primary Care and Public Health and had offered to meet them to discuss work on FHS.

6.3 Mark Rolfe said at a recent stakeholder event, he had encountered frustration from some stakeholders over the pace of change. It was suggested that the team provide an update on the timeline for a proposal on provision of information to Ministers within a year, including Board consideration to approve the approach.

Action 4 - Food Hypersensitivity team to provide an update on the timeline for a proposal to Ministers within a year, including Board consideration to approve the approach.

6.4 In response to a question about available resource for FHS following changes to the REUL Bill Katie Pettifer explained that most of the work necessary for sunsetting the legislation had already been completed when the changes to the REUL Bill took place, meaning that little additional resource had been made available.

6.5 Fiona Gately asked whether training for staff would be carried out and whether there would be a programme that would be accredited by the FSA. It was explained that issues around accreditation and charging would be explored among the options for the training programme.

6.6 The Committee raised questions about the priority given to Precautionary Allergen Labelling (PAL) over written information on labels and menus. Natasha explained that since the size of the FHS team had been reduced there would be risks due to the capacity of the system to implement changes. It was suggested that some communications work to set parameters for the standardisation of written information, even if it were done on a voluntary basis by food businesses, could be a useful step. Rebecca Sudworth added she had discussed the likely timescales for implementation of written information with Neil O'Brien and this had been accepted. The FSA Chair said she hoped to meet with Neil O'Brien soon and would appreciate detail of the pathway to implementation ahead of that.

6.7 The Chair said the Committee noted the work that was being done on FHS; and the timelines proposed in the paper for the provision of information and the development and delivery of training. It was emphasised that many of the issues around the FHS programme were being worked through with consideration of the best approach for people with food hypersensitivities.

7. Any Other Business

7.1 No other business was raised, and the meeting was closed. The next meeting of the Business Committee would take place on 11 September 2023.