

Report from the Director for FSA in Wales

FSA 24/09/10 - Report by Nathan Barnhouse

1. Summary

1.1 This paper provides a high-level overview of the work of the FSA in Wales over the last year.

1.2 It provides an update on the specific priorities in Wales and the Wales team's contribution to the FSA's corporate priorities, and a forward look at the FSA in Wales priorities for the coming months.

1.3 The Board is asked to:

- **assess** the effectiveness of the work in Wales to deliver FSA priorities;
- **consider** the alignment of this work with the FSA's strategic direction; and
- **provide feedback** on the identified priorities.

2. Introduction

2.1 The FSA in Wales contributes to the FSA's policy responsibilities for all aspects of food and feed safety and hygiene, with the additional remit of food compositional standards and labelling in Wales.

2.2 The FSA has a statutory responsibility for advising and making recommendations on food and feed policy and legislative changes to Welsh Ministers. The team of 63 people deliver functions which have been agreed with the Welsh Ministers in the form of our annual funding letter, and the FSA and Welsh Government concordat. Within this context, the FSA in Wales has embedded the principles of the two UK common frameworks that it is subject to as part of its policy making functions, ensuring that Welsh interests are appropriately considered. These two frameworks are the UK Common Frameworks for Food and Feed Safety and Hygiene and the Food Compositional Standards and Labelling Framework.

2.3 During the period covered in this report, we have seen several Ministerial changes in Wales. The Chair wrote to the Prif Weinidog (First Minister of Wales) Eluned Morgan MS as well as each Cabinet Secretary and Minister on their appointment, has met with the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs, the Cabinet Secretary for Housing, Local Government and Planning, and has a meeting in place for 7 October with the Minister for Mental Health and Early Years.

3. Progress against our priorities over the last 12 months

3.1 The previous report presented by the Director for Wales highlighted four priority areas of work: supporting the work of local authorities in Wales; delivering functions relating to our commitments made under a s.83 agreement with respect to market authorisations; supporting the delivery of broader Welsh Government priorities, in line with the Wellbeing of Future Generations Act; and continued engagement across Wales including the Royal Welsh Show, meeting with shellfish harvesters in the Menai Strait, and working closely with Food Innovation Wales.

3.2 We continue to **support the work of local authorities (LAs)** in Wales. We provide training and funding for targeted sampling in Wales in line with the statutory Food Law Code of Practice (FLCoP), which sets out requirements for continuous professional development. Over the last year, we have held 14 food hygiene and food standards courses, with 287 delegates taking part. In addition, we have provided animal feed training to 141 LA officers on feed legislation, medicated feeds, feed registration, raw pet food and feed sampling. Delegate feedback indicates the courses have been very well received.

3.3 As part of the Achieving Business Compliance (ABC) programme, a six-month pilot of a proposed new **Food Standards Delivery Model (FSDM)** was conducted in Wales from September 2023 to February 2024. Four LAs participated in the pilot, with two acting as Pilot LAs operating the proposed new model, and two acting as Control LAs continuing to operate to the current model. The pilot was established to test the FSDM recently introduced in England and Northern Ireland and determine whether it would operate in the Welsh delivery context. An evaluation report on the pilot in Wales is being finalised that will inform the next steps. If conclusions establish that the model was a success, we will seek the agreement of Welsh Ministers to consult on changes to the Food Law Code of Practice that would allow its delivery in Wales.

3.4 Over the past year the **audit programme** has included auditing LAs on their progress against previously identified actions and planning and delivering their services in accordance with the law and the FLCoP. We also undertake **performance monitoring of Welsh LAs**. The findings of the audit programme and the performance monitoring, as discussed in [FSA 24-09-04 Local Authority Performance Update](#), indicate that Welsh LAs are taking a risk-based, intelligence led approach to their prioritisation of interventions and continue to make progress across all categories of establishments for food hygiene and A rated establishments for food standards. However, some LAs do not have the resources to realign with the requirements of the FLCoP in a timely manner with resources being identified as a major influencing factor. The team in Wales are contributing to the wider work of the FSA to address these concerns as it is an issue that impacts LAs in England and Wales.

3.5 The team also work on legislation to ensure **Market Authorisations** of regulated products can be brought into force in Wales. We have taken all 66 GB applications through to authorisation in Wales since the service went live in January 2021.

3.6 Continuous improvement remains a vital part of the market authorisation service and the team in Wales have been part of the development of the Case Management System (CMS). We have led on continuous improvement drives, most notably the recent root and branch review of process and documents aligned with the service. This work has led to streamlining processes and documents and allows for greater efficiencies as work begins on the next round of applications.

3.7 We are also pleased to have worked with the Welsh Government to get Ministerial agreement to eight weeks as the standard timeline for consultations.

3.8 In relation to **market authorisation reform**, the team in Wales are part of the project team to ensure proposals reflect the four-country approach and are implemented with the support of Welsh Ministers, particularly in respect of using a single UK statutory instrument.

3.9 In terms of **broader Welsh Government priorities**, we work in accordance with the [Minister's statement](#), and the collaborative agreement between Welsh Government, the Welsh Local Government Association, LAs and the FSA in relation to the review and reform of food business regulation in Wales. This is further detailed in section 4 below around our work on Achieving Business Compliance (ABC).

3.10 We advise Ministers on **labelling and compositional standards** matters, working on a four-nation basis under the terms of the Food Compositional Standards and Labelling provisional common framework. An example of this is the proposed changes to bread and flour legislation, which will include the addition of folic acid to flour. The general election delayed the making of legislation to implement these changes, which is now planned for November 2024.

3.11 In everything we do, **engagement with our stakeholders** across Wales remains key. In the past year, this has included a Senedd event to mark the publication of [Our Food 2022 – An annual review of food standards across the UK](#) where we engaged with 30% of the Members of the Senedd (MSs). The launch event was an opportunity for our Chair and CEO to engage with MSs, LA representatives and other industry and consumer stakeholders in Wales.

3.12 We have supported the Chair and Board Member for Wales' engagement in this year's **Royal Welsh Agricultural Show** where we organised meetings, events and briefings covering a cross-section of key stakeholders ranging from the Welsh farming unions to relevant Welsh Ministers. It was an opportunity to further build relationships, address queries and concerns and discuss areas of common ground. We also had a corporate stand at this year's **National Eisteddfod** which is an opportunity to speak to consumers and stakeholders and raise awareness of the FSA's work. The stand included interactive modules sharing information on areas such as meat hygiene inspection, the National Food Crime Unit and the flagship Food Hygiene Rating Scheme (FHRS).

3.13 We share the FSA's messaging in Wales **via campaigns held across a variety of channels**. These have included targeted messaging on alerts and recalls, safe summer eating and the FHRS to audiences in Wales. Last year we celebrated 10 years of the statutory FHRS in Wales with a joint campaign with Welsh Government highlighting the success of the Scheme in Wales and sharing jointly branded assets and press content which were subsequently widely shared. In addition, over the past few months we have taken part in the Ask the Regulator podcast produced by the Shared Regulatory Services in Wales, talking about the work of the FSA, and have also provided a Welsh language interview on the BBC's [Bore Cothi programme](#) sharing food safety advice which led to a corresponding spike in visits to the Home Food Fact Checker pages on [food.gov](https://www.food.gov).

3.14 The team in Wales directly support the **Welsh Food Advisory Committee (WFAC)** to deliver its important advisory function and so that it is an effective forum for engagement. In the last year we have arranged for a range of internal and external presenters to attend half-day themed discussions focussing on Science and Innovation in Wales, Market Authorisation Reform, the food landscape in Wales and its challenges for growth and innovation, and FSA Incidents and Resilience. These meetings have provided valuable engagement opportunities with academics at Aberystwyth and Cardiff Metropolitan Universities, LAs, Welsh Government and food business operators.

4. Delivering corporate priorities in Wales

4.1 Alongside work on Wales-specific areas, we are integrated into wider FSA priorities and programmes and work with colleagues in England and Northern Ireland.

4.2 The **Genetic Technology (Precision Breeding) Act** applies to England only, with the Welsh Government continuing to adopt a precautionary approach and the Genetically Modified

Food regulations continuing to apply in Wales. We recognise the interaction between the legislation in England and Wales, and we have maintained a strong and close working relationship with Welsh Government counterparts during the development of the FSA's proposed regulatory framework for precision bred food and feed.

4.3 The team in Wales supports the Chair's engagement with Welsh Ministers. We supported the Chief Scientific Adviser, Professor Robin May, in delivering a Q&A session with Welsh Government officials to better understand the nature of Precision Breeding and help inform their discussions on their future approach. At an official level, we hold regular meetings with Welsh Government counterparts to ensure they are aware as precision breeding policy and legislation develops with the UK Government.

4.4 Of significant interest in Wales is the work we do to support the Welsh Government in addition to LAs and UK Government departments on the **Border Target Operating Model**. We have advised Welsh Ministers on priority workstreams including pre-notification of Sanitary and Phytosanitary (SPS) goods from the Republic of Ireland, streamlining Export Health Certificates, and the implications of the target operating model with respect to the Windsor Framework. The team in Wales frequently participate in working groups to assess evidence and data to determine the risk categorisation of imports from the EU and the rest of the world, alongside contributing to the development of trusted trader schemes and ensuring that the development of the model is informed by the LA delivery landscape.

4.5 As outlined in [FSA 24-09-04 - Local Authority Performance Update](#), we support colleagues centrally with the LA resourcing project. We will maintain discussions with Directors of Public Protection Wales to ensure that the project supports and aligns with the work of LA colleagues as identified in their [Public Protection Services in Wales – Building for the Future](#) report.

4.6 An **in-person engagement event** was held in May with Welsh LAs. This was hosted in collaboration with colleagues in the Regulatory Compliance Division. As in England and Northern Ireland, the purpose of these events was to shape and inform our thinking around key policy areas including the LA resourcing project, the LA data project and key performance indicators. The event allowed us to engage with 40 officers and we received positive feedback on the opportunity to engage.

4.7 We have been working with colleagues in England and Northern Ireland on the project to develop and establish **FSA LINK**, the new system for communicating and sharing information with LAs. This has included providing input to ensure the system meets our statutory requirement to communicate bilingually with LAs in Wales, developing 3-country guidance on creating and adding consistent and accessible content to the new platform, and migrating key content from the outgoing platform, Smarter Communications. We have also led on drafting guidance and templates for using the system across Wales, England and Northern Ireland.

4.8 The **consumer protection team** in Wales have been involved in the preparation of the Incident and Resilience annual report for 2023/24 which was published in July. During this time, the team were directly involved in 156 incidents reported in Wales, including 18 outbreaks. The team were involved in 202 incidents reported in Wales during the previous year, and whilst incident numbers are lower this year, we have seen an increase in the number of incidents requiring multi-agency or complex investigations on a national scale.

5. Forward Look

5.1 There are several priorities that the FSA in Wales intend to work on in the next six to twelve months, in addition to continuing to work on those areas identified above. These areas of focus are outlined below for the Board to consider and agree or comment as appropriate.

5.2 We recently welcomed the publication of [Food Matters: Wales](#), which draws together the Welsh Government's main food related policies and activities and how they relate to each other. We have been invited to sit on the Welsh Government's in-house Food Forum to advise where and how the FSA's work contributes to these food related policies, and how we can continue to align our work. For example, there is a direct link between our work and the Welsh Government's Healthy Eating in Schools Regulations, as we recently designed and delivered a pilot with the Department for Education to monitor compliance with the School Food Standards in England. There may be opportunities to contribute to the Welsh Government's strategic vision for the Food and Drink Industry, the Wales Procurement Policy Statement Principles and the Beyond Recycling Strategy. We will support WFAC's discussion of the report at a forthcoming meeting as a stimulus to thinking about how the FSA can make further contributions within our remit.

5.3 In a similar vein, the team have been involved in revising the **Concordat setting out a framework for co-operation between the FSA and the Welsh Government**. This framework has not been updated since it was first published in 2016 and no longer accounts for the additional roles and responsibilities of the FSA and Welsh Ministers post EU exit.

5.4 We will nurture our relationship with the **Future Generations Commissioner for Wales** in the coming year following the Chair's meeting with him at this year's Royal Welsh Show. We have discussed our shared interest in shaping the food environment and we have offered to support their work on producing the forthcoming Future Generations Report by offering relevant data, evidence or insights that might contribute to the recommendations. This includes data collected in Wales on subjects such as food security as part of the FSA's flagship [Food and You survey](#), our work in England on monitoring compliance with Schools Food Standards, and experience from our work in Northern Ireland in working closely with government and industry bodies to improve nutritional standards in vending machines, encouraging reformulation of foods high in fat, salt and sugar, and developing an obesity strategy with a systems approach to obesity prevention.

5.5 The UK government has shared its ambition to improve trade and investment relationships with the EU, including seeking to negotiate an SPS agreement. We have been working with other government departments to understand the implications of an SPS agreement and will ensure to update Welsh Ministers with further information as this work develops.

6. Conclusions

6.1 This paper provides a high-level overview of work that has been undertaken since the last update to the Board in September 2023 as well as current and future priorities for the FSA team in Wales.

6.2 Overall, the Board is asked to:

- **assess** the effectiveness of the work in Wales to deliver FSA priorities;
- **consider** the alignment of this work with the FSA's strategic direction; and
- **provide feedback** on the identified priorities.