

Intelligence-Led Working and Rollout of the New Food Standards Delivery Model

FSA BC 24/09/05 - Report by Rebecca Kirk, Deputy Director, Regulatory Compliance

1 Summary

1.1 The Business Committee is invited to note and comment on:

- progress to date in developing an intelligence led approach to support local authority (LA) targeting of official controls, including the publication of the of the National Food Standards Priorities;
- ongoing work to drive a more coordinated and effective approach to intelligence-led working across the FSA;
- progress made to implement the new Food Standards Delivery Model.

2 Introduction

2.1 This paper updates the Business Committee on an ongoing programme of work to build internal and external capability to adopt a more intelligence-led approach to identify and deal with developing threats in the food and feed chain. It also provides an update on the rollout of the new Food Standards Delivery Model.

3 Background

3.1 The new Food Standards Delivery Model was introduced through revisions to the Food Law Codes of Practice in England and Northern Ireland in June and May 2023, respectively. A key component of the model is the increased role of intelligence to better support LAs in prioritising their limited resources to where they can add greatest value in protecting consumers. A brief update on the implementation of the model since the Codes were introduced is included at Annex 1. A six-month pilot of the model has been undertaken in Wales, concluding at the end of February 2024, with evaluation of the pilot currently underway to determine next steps.

3.2 The creation of the Local Authority Intelligence Coordination Team in the FSA's Regulatory Compliance Division in August 2022 reflected the need for the FSA to move towards an intelligence-led approach. It was also to implement the capabilities needed to support the increased use, sharing and analysis of intelligence both within the organisation and with external delivery partners, most notably LAs. The team supports LAs in their implementation of the model by ensuring intelligence received from over 40 different sources is analysed and disseminated in a coordinated and effective way. It works closely with the FSA's National Food Crime Unit (NFCU) and Incidents functions to ensure that issues of non-compliance not routinely falling into their scope are given appropriate consideration.

3.3 The range of information and intelligence on food and feed supply chains received by the FSA is continually growing, with over 40 different sources feeding the intelligence flow. It is critical that the organisation can analyse and share credible outputs from this to inform policy and delivery and to support partners, including LAs, in protecting the public. Effective use of intelligence enables non-compliance to be identified as soon as possible and for informed

decisions to be taken on any required remedial or preventative action. Importantly, it also supports the efficient use of limited resources, with the right authority applying a single control on a product at point of import or manufacture rather than multiple authorities and controls at different points of sale to the final consumer. A focused, proactive, and preventative approach to the use of intelligence enhances our ability to protect the public by addressing issues in an efficient and timely manner.

4 Building Internal Capability

4.1 Intelligence is information that has been evaluated to assess its relevance and reliability and verified where possible. Within the FSA this can incorporate information such as structured data sets and insight, including reports from LAs, industry signals to sector/commodity-specific issues identified through sampling activity.

4.2 The Intelligence Considerations Meeting (ICM), established in Summer 2022, is coordinated by the LA Intelligence Coordination Team. It is a fortnightly internal forum that enables colleagues from multiple teams across the FSA and three nations, and from Food Standards Scotland, to raise issues that sit outside of the immediate remits for Incidents or NFCU teams to lead, but which nonetheless present developing and/or cross-cutting food and feed standards challenges, and which require a broader consideration than from any one team. The ICM enables us to draw together the threads of intelligence which exist across the FSA, embedding a more holistic and collaborative approach to how we make use of intelligence, and determine the most appropriate course of action. The outputs of the group are reported to the FSA's Business Delivery Group on a 6-monthly basis.

4.3 A more senior level of governance above the ICM has also been established through the Business Delivery Group. This provides a more formal role as an escalation mechanism for any issues that cannot be progressed at the ICM level for any reason. This includes, for example, a decision at a more senior level to enable in respect of prioritisation and resourcing, or where ownership of the issue may not be immediately apparent.

4.4 We have mapped intelligence flows and products across the FSA, identifying sources and inputs as well as outputs. We have also started to benchmark how intelligence is used within the FSA across different teams/directorates. It is clear that a lot of work is being done in this space across the FSA. We have made significant progress in understanding this and will continue developing in this area to ensure we become more efficient and effective in our use of intelligence, within available resource.

5 Building Partner Capability

5.1 We have developed training products for FSA colleagues and external partners to develop their intelligence awareness and capability. In 2023, an existing eLearning intelligence product on food crime was refreshed following user feedback to make it more relevant the role of intelligence in respect of food standards controls. As of April 2024, 503 LA officers had completed this training, with 78 internal FSA officials having also completed the course.

5.2 The FSA have developed specific products to upskill partners in understanding the new Food Standards Delivery Model so that they are familiar with its principles and have the confidence to apply it. To date, 267 officers have attended interactive online training on the Model, with attendance being scheduled in line with the phased rollout. The online seminar provides further training on intelligence principles and their relevance to food standards and uses case studies to promote discussion on implementation.

5.3 Whilst a final decision on implementation of the Model by Welsh LAs is still to be made following evaluation of the separate Pilot in Wales, a series of intelligence training events to the

22 Welsh LAs has been scheduled for October 2024. This demonstrates the growing recognition of the role of intelligence to support partners in delivering official controls.

5.4 Formalising the use and application of intelligence requires continuous development and review, particularly where this represents a significant change in culture for partners and colleagues. Through attending food liaison groups and other forums, for example the national Food Standards and Information and Food Hygiene Focus Groups and sharing the progress and ongoing development work around intelligence with partners, we continue to develop and promote that intelligence-led approach to food standards regulatory delivery.

6 Outputs

6.1 The development of intelligence-led principles and application has started to show value at a national level in respect of being more targeted and co-ordinated. Some examples of the practical impact of the new approach are detailed in Annex 2. That list is not exhaustive. It is encouraging that at this relatively early stage we can already see the benefits of improved collaborative working being realised. However, we also recognise the need to continue to evolve and develop our capability to support delivery partners in maintaining food and feed standards.

6.2 In line with the objectives of the Food Standards Delivery Model, the first set of National Food Standards Priorities was published in May 2024. These have been developed to support LAs by providing a national picture of emerging risks and common, or serious, issues which have been identified through analysis of a range of intelligence available to the FSA. The national priorities, which are not intended to be an exhaustive list and should supplement any local priorities, are:

- Authenticity in take away meals.
- Additives and unauthorised ingredients in soft drinks.
- Allergen information at catering establishments; and
- Food supplements.

6.3 Initial feedback indicates that this initial set of Priorities have been well received by LAs, but it is too early to fully evaluate their impact. Our ambition is that they will provide a helpful resource for LAs in targeting their limited resources to where they can effect positive change in the areas of greatest risk. We will continue to engage with LAs to assess the value that the priorities report has given them and to also seek further feedback to inform future iterations of the priorities.

6.4 In developing and publishing the Priorities, we have worked collaboratively with colleagues leading on the National Enforcement Priorities for Animal Feed and Food Hygiene at Primary Production and the annual priorities for the NFCU (as set out in their annual control strategy). This has enabled us to ensure a more coordinated approach, particularly in respect of our communications with LA partners. We will continue to explore further opportunities for alignment of processes and communications as this work progresses.

6.5 We have also introduced an intelligence-led directed sampling programme, which is now into its fourth annual cycle. The programme enables the FSA to fund LA partners for the sampling of food where research and analysis of intelligence identifies suspected non-compliance with food law. The sampling gathers confirmatory evidence and action is subsequently taken to protect consumers where non-compliance is discovered, and feeds back into the intelligence gathering cycle. This programme complements the other FSA-funded sampling programmes, such as those relating to Retail Surveillance and Imported Foods, by enabling a more targeted approach to address specific identified priorities.

6.6 Sampling costs for the programme in 2023/24 were £96,000, which was below the allocated budget. Despite this underspend we successfully worked with 23 LAs in that period (up from 14 in 2022/23) and procured 323 samples (an increase from 263 the previous year). The indication from 2023/24 results received to date show a non-compliance rate of 67%. We do remain concerned LAs have capacity issues in delivering a sampling programme and as we come to the end of Q2 we have allocated £21K of spending. It should be noted that LAs are already committed to their own sampling programmes and this is an extra level of sampling, and our funding does not extend to follow up enquiries and the cost of that officer time. We are continuing to monitor the budget and have retained an element within our budget to fund further sampling in response to emerging intelligence.

7 Next Steps

7.1 The steps we have outlined above to develop internal and external capability, the governance processes we have put in place, the suite of training and guidance and our work to engage with LA partners are all intended to deliver a cultural shift in how we collectively use intelligence to target our activities. We know that this is an already established approach for a number of LAs, particularly at a local and maybe even regional level, but we also know that this is not the case for many LAs and also that there is value to be added from a national and international perspective.

7.2 We continue to refine our approach to directed sampling and we will also review the national Priorities, updating them based on our research and analysis of intelligence, as necessary. We will continue to work to achieve a baseline level of shared understanding and embed intelligence-led ways of working to inform controls inland and as part of the new border regime. We recognise the role that the FSA can play at a national level to support this approach.

7.3 There is significant expertise within the FSA and a range of existing workstreams underpinned by the same principle of using intelligence to inform activities that can deliver better safeguards for consumers. The work we have started and will continue to build on is critical to ensure that we can work smartly and efficiently to make best use of available intelligence to deliver a more consistent and coordinated approach. This is vital not only within the FSA, but to ensure that our communications to LAs/Port Health Authorities on intel-led priorities are coherent.

7.4 The Business Committee is invited to note and comment on:

- the progress to date in developing an intelligence-led approach to support local authority (LA) targeting of official controls including the publication of the National Food Standards Priorities; and
- the ongoing work to drive a more coordinated and effective approach to intelligence-led working across the FSA; and
- progress made to implement the new Food Standards Delivery Model.

Annex 1 – Food Standards Delivery Model Implementation

1. This Annex provides an update on the progress made on implementation of the Food Standards Delivery Model ('the model') across England and Northern Ireland since our previous FSA Board update in December 2023.

2. Since our previous update, our focus has been to ensure that LAs have access to the tools and support they need to successfully implement the model within their local systems, and the training and guidance needed to understand the changes and the impact these will have on their working practices.

Management Information System Development

3. Management Information Systems (MIS) are the databases LAs use to record food official control data. We have worked extensively with colleagues across the FSA to develop data and functional requirements for the model, to enable MIS providers to update their systems in accordance with the Food Law Codes of Practice.

4. This has been a significant undertaking given the scale of the change and unfortunately there have been some delays to our original implementation schedule due to the need to ensure absolute confidence in updates before they are rolled out. All MIS providers have now given assurances that they will have completed the changes needed to their customers' systems within a timeframe that allows us to ensure all officers can work to the model arrangements by 31 March 2025, when the transitional arrangements provided in the Code come to an end.

5. Despite these challenges, as of 1 July 2024 Blackpool have implemented the model within their local systems and have commenced operating under the new regulatory framework. Blackpool have been complimentary about the model and the level of support they received during the implementation process, which provides confidence in our approach going forward. The current implementation schedule, based on our most recent discussions with MIS providers, is provided below:

Cohort	MIS Provider/s	Number of LAs (footnote 1)	Implementation to Commence from
1	Pentagull, Arcus Global	13	July 2024
2	NEC	12	September 2024
3	Civica (App & Cloud)	64	October 2024
4	Idox (Uniform & Cloud)	63	November 2024
5	Non upgradable systems / Versions	2	Ad hoc

Training and Guidance

6. We have developed a suite of training and supporting materials to assist LA officers, and other interested parties, in better understanding the model and the key changes to official control delivery. These have been developed in line with a three-nation approach, helping to ensure that the training and guidance is relevant to officers across England, Wales, and Northern Ireland. LAs have access to the following training products:

- [FSA explains key elements of the FSDM](#) (Food Standards Delivery Model) – A series of five short, animated clips hosted on the FSA secure YouTube channel, each lasting 1-2 minutes, aimed at LA senior management and providing a high-level overview of the model and its impacts.
- [FSDM eLearning module](#) - Online on-demand training module providing a baseline understanding of the FSDM for officers and other interested parties.
- Food Crime Intelligence eLearning module - provides an understanding of the basic principles of using intelligence in a food regulatory context.
- FSDM Webinar – More detailed, in-depth training on the model, including a number of interactive case studies, delivered by the Chartered Trading Standards Institute (CTSI) to officers prior to their LA implementing the model.
- Data recording eLearning module - focused on data collection and recording arrangements under the model. This training will be ready shortly and will be hosted on the CTSI

Regulators' Companion site.

7. In addition to training, we have established the 'FSDM Resources Folder' on the Smarter Communications network for LAs and developed a number of useful documents to further support understanding and implementation, including a Guide to the Model, an onboarding pack (shared with LAs before implementation begins) and a set of frequently asked questions.
8. We will continue to evaluate any feedback we receive on these training and guidance materials to help ensure that they continue to meet user needs.

Implementation Support

9. We have engaged extensively with LAs throughout the development, introduction and now implementation of the model, as LAs are our key stakeholders for this project, and will be vital to the success of the model once implemented. Regular Smarter Communications letters have kept LAs updated, and more recently we have attended food standards group meetings on a regional basis to provide an update to LA officers and provide an opportunity to ask any questions or raise any concerns they may have directly with the team. Our attendance has been well received and has helped to provide a degree of reassurance to officers in preparation for rollout.
10. In Northern Ireland, we have organised fortnightly drop-in sessions for District Councils. The drop-in sessions allow the FSA and MIS providers to share updates and provide a valuable forum for DCs to raise questions.
11. A few weeks prior to each LA implementing the model, a letter is sent to the Head of Service to introduce a designated 'Single Point of Contact' (SPoC) at the FSA and request that a SPoC is appointed for the LA, to enable a clear line of communication throughout the implementation process. In addition, a letter is sent from the FSA Chief Executive to each LA's Chief Executive, to raise the profile of the model, communicate the changes being made and to signpost further information.
12. We have established, and widely publicised, a dedicated email address for all enquiries relating to the model (FSDMEnquiries@food.gov.uk), and for any feedback on the implementation process or the support and training provided in preparation for rollout.
13. To support discussion amongst LAs, we have established a series of MIS-specific groups within the FSA Network on the Knowledge Hub platform. This is a well-established online platform for LAs to share views. The MIS-specific groups are intended to:
 - Provide LAs with a 'safe space' to discuss implementation of the model, raise any concerns or issues they have, or share success stories or examples of good practice.
 - Enable LAs to communicate with other users of similar MIS products on product-specific feedback and insights.
 - Enable LAs to learn from and support each other with MIS-specific issues.
14. We will continue to use established methods of communication including the recently launched FSA LINK system (replacement for the Smarter Communications platform) as the primary mechanism for official FSA communications, but the Network will allow for more informal discussions with, and between, LAs.

Annex 2 – ICM Case Studies: High Level Summary

These examples are not exhaustive of the work that has originated from discussions at the Intelligence Considerations Meeting, but they are illustrative of the added value of the developed approach.

1. Grey Market Goods

Identified Issue

Grey market goods were considered as a case study at the FSA Board meeting in June. They are foods formulated and intended for non-UK markets that are being imported into, and distributed across, the UK even though they are not compliant with domestic labelling legislation and/or they include unauthorised ingredients and/or excessive or unauthorised additives. The importation of such goods is not necessarily identifiable through declaration on manifests and such goods will often be in a composite loading arrangement in shipping containers making identification at ports difficult.

In addition to suspected non-compliance of food standards, long term exposure to such ingredients can present health issues to consumers. Research and analysis of intelligence identified the increased demands on LAs and the FSA with a number of reported incidents and requests for additives advice.

Actions to date

The ICM and parallel development of intelligence-led approaches across a broader number of teams in the FSA identified the need to address the issue and created an opportunity to co-ordinate an appropriate response.

ICM discussions resulted in the establishment of a working group of FSA teams with relevant expertise across the three nations, and with representation from Food Standards Scotland.

A detailed assessment of the issue was carried out to establish a baseline understanding of key areas of concern, routes to supply and opportunities for targeted action.

The working group has met twice with the local authorities/district councils who host the importing businesses identified as being at the origin of the UK supply chain. This is with a view to assessing their understanding of the issue, the significance of the non-compliance of the business(es) in their area and to encourage a co-ordinated approach to improve compliance.

We have also written to the 49 businesses identified as being importers of such goods to educate and better inform/remind them of their responsibilities. The relevant LAs are sighted on this correspondence. By doing so we are using the available intelligence to better target resources at the source of the issue.

Next steps

We are developing a toolkit to support LAs in making effective decisions on appropriate enforcement action.

We continue to work with the LAs on this issue. Through scanning and analysis of intelligence, including HMRC data, we continue to look to identify continued suspicious behaviour from those who have come to our attention before for non-compliance, as well as those who may come to our attention on a first occasion.

A typical response to such findings would be to consider sampling through partnership working with a relevant local authority at such a business. Soft drinks at small and medium retailers feature within the published national priorities and we are testing for non-compliance on these drinks through the directed sampling programme for 2024/25. We are also running a sampling programme to work with primary authorities focused on major retailers to use their influence to improve compliance along the supply chain.

FSA colleagues have raised our concerns on these imports with counterparts in the US Food and Drugs Administration (FDA). Whilst the FDA understand our concerns, their ability to act in the USA is limited as the goods we are seeing have been manufactured for the US market and so the

manufacturers are compliant with US food law.

Longer term options are also being considered by colleagues leading on imports to introduce grey market goods into the high-risk foods of non-animal origin (HRFNAO) controls. This would provide a statutory basis for a higher level of checks at ports. However, HRFNAO controls rely upon notification codes to identify commodities of interest and these codes are very broad. There is an identified risk that we could inadvertently control imports that we do not need to look at and create unnecessary burden for Port Health Authorities.

2. Vegan Food Communications Campaign

Identified issue

The ICM escalated this issue to the Business Delivery Group due to concerns identified through research and analysis, that people with allergies to animal-based ingredients were consuming vegan products thinking it was “automatically” safe for them to eat and without taking further precautions to check. These precautions would include checking the label for ingredients and the presence of allergens and/or any cross-contamination risks.

Actions

The LA Intelligence Coordination Team coordinated work with FSA Communications and Hypersensitivity teams to develop and implement the Vegan food and allergens campaign. The campaign reached over 1 million people and had 1.3 million impressions, making it the most successful FSA campaign on allergens to date. Our updated web guidance had over 10,000 visitors and 11,065 page views, representing a 7000% increase in visitors and 3274% in page views compared to the previous week.

Our campaign messages were shared by the three main allergy charities (Allergy UK, Anaphylaxis UK, and the Natasha Allergy Research Foundation) as well as the Vegan Society.

Whilst no further action is anticipated at this time, we continue to scan for intelligence in respect of this issue and will act appropriately, such as through commissioning a sampling programme where appropriate to look to confirm or negate any non-compliance by those supplying such foods.

3. Wonka chocolate bars

Identified Issue

The FSA previously issued a letter to LAs in 2022 on the risks associated with counterfeit Wonka bars on sale in the UK. This advice had been issued on the back of the early work of the ICM during the pilot of the food standards delivery model, which brought together intelligence from Incidents, NFCU and LAs to inform targeting of non-compliant foods. Of specific concern was the risk posed to consumers with food sensitivities, due to potentially inaccurate labelling of products.

The issue arose again in Autumn 2023, with the ICM identifying that the new Wonka film due to be on general release in December 2023 could result in increased sales of both genuine and counterfeit Wonka products due to the raised profile.

Actions

The LA Intelligence Coordination Team worked with FSA Communications and Hypersensitivity teams to develop appropriate messaging to inform consumers of the risks and worked with the brand holders to gain their support.

A successful campaign was run by FSA targeting audiences in the run up to the film’s release in early December 2023, and ahead of the Christmas holidays, supplemented by the provision of

advice to LAs through our Smarter Communications platform and through regular engagement with regional food groups.

Figures from FSA Communications demonstrated the positive results in respect of the hits and interest that the material produced generated. Colleagues recorded an increase of 73% in coverage of their products on social media and an increase of over 40% to 4800 pieces of activity in that comms space. Their estimate for potential reach was 1.5 billion.

The proactive use of intelligence with a preventative focus enabled us to share information with the public so that they had the information required to make better informed decisions on how to avoid counterfeit products.

No further action is anticipated at this time.

1. Number of LAs by cohort may be subject to change, for example due to switching MIS providers.