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**FSA 20/03/16**  
**Performance and**  
**resources report**  
**Q3 2019/20**

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Food Standards Agency  
Business Committee  
11 March 2020



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# Foreword

BY CHRIS HITCHEN, DIRECTOR OF FINANCE AND PERFORMANCE



## The FSA's Performance in the 3rd Quarter of 2019/20 saw good progress being made against the priorities set by the Board.

On EU Exit, the FSA maintained readiness for EU exit, throughout Quarter 3. Since December, the FSA has repurposed its EU Exit activities to take into account the implications of the Withdrawal Act, including: ensuring continued readiness during the Transition Period, preparedness to contribute to trade negotiations where FSA has an interest, and preparation for the end of the transition period.

On the FSA's 2nd strategic priority of regulatory reform, the Regulating Our Future (ROF) Programme, there continues to be progress. Following the launch of an additional flexible option for LAs to sign up, the "Register a food business" (RAFB) service has seen an increase in the number of Local Authorities (LAs) using the service to 100, with more than 4500 new businesses registered using it. Work is ongoing to onboard additional interested LAs by the end of March 2020; and to generate a list of more LAs to be onboarded by March 2021. The activity to transform food standards also continues; following a number of LAs expressing an interest in being involved in piloting the new proposed model, the LA piloting phase will commence in Spring 2020. We also continue to actively work with stakeholders on proposals to trial National Inspection Strategies (NIS) in the near future, but progress is slower than we had hoped for. The overall direction for the next Phase of the Programme was discussed with the Board in January 2020, and a more detailed discussion is scheduled for March 2020.

As part of the FSA's strategic priority of doing the day job exceptionally well and ensuring food is safe and what it says it is, we are presenting information on Local Authority performance (slide 7). These are cases where performance issues were identified from the 2017/18 data, and from the 2018/19 LAEMS data for Q3 onwards, in accordance with the agreed LA performance management intervention strategy.

FSA's 'Reptrak' score (Q4 2019) remains stable and strong (76.5) and remains ahead of both Environment Agency (74.1) and Public Health England (73.7) and the UK Public Sector Average (66.9). FSA ranks as 15<sup>th</sup> out of 80 Government organisations measured. It is believed that greater familiarity with FSA would drive an 'excellent' reputation. Awareness of the FSA as measured by our Public Attitudes Tracker (Nov 2019) has remained stable at 78% since the last Wave (May 2019). Trust in the FSA (73%) is at the highest level since the question was first asked of those aware of the FSA, this represents a seven percentage point increase since May 2019. Trust in the information we provide (68%) is similarly at the highest level since this question was first asked in November 2017.

The FSA's forecasting is to be within all HMT financial limits for the year 2019/20. This represents an uplift in expenditure from the 18/19 actual outturn, primarily driven by additional expenditure on our priorities of the National Food Crime Unit, other EU Exit related activity and Risk Analysis including Science. The FSA is in the process of signing off the 2020-21 budget - Spending Review (SR) 19, and continues to prepare for SR 20 which will cover the financial period from 2021/22 to 2023/24.

## FOOD IS SAFE

73%

of respondents (who were aware of FSA) reported trusting the FSA to do its job

75%

75% of respondents trust the FSA to tell the truth

# Executive summary

## Our performance in Q3 2019/20



## FOOD IS SAFE

71.5%

of total food businesses achieved an FHRs rating of 5 ('very good')

## FOOD IS SAFE

15<sup>th</sup>

Out of 80 other government agencies for FSA's public reputation

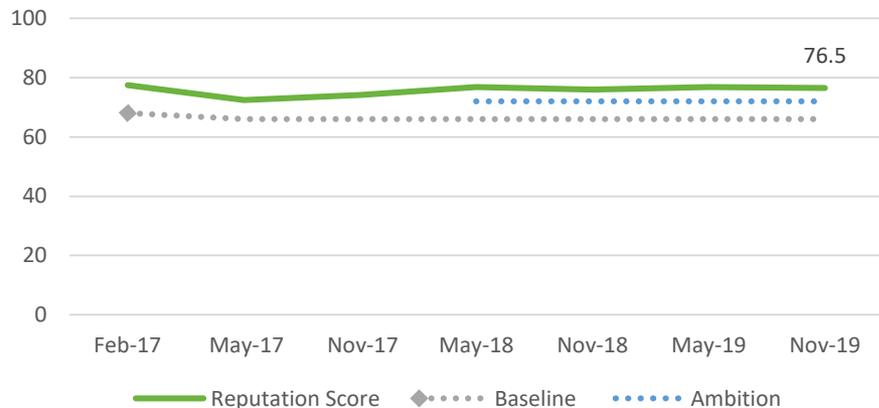
Public reputation is 76.5% this is above our ambition of 72%

## FOOD IS SAFE

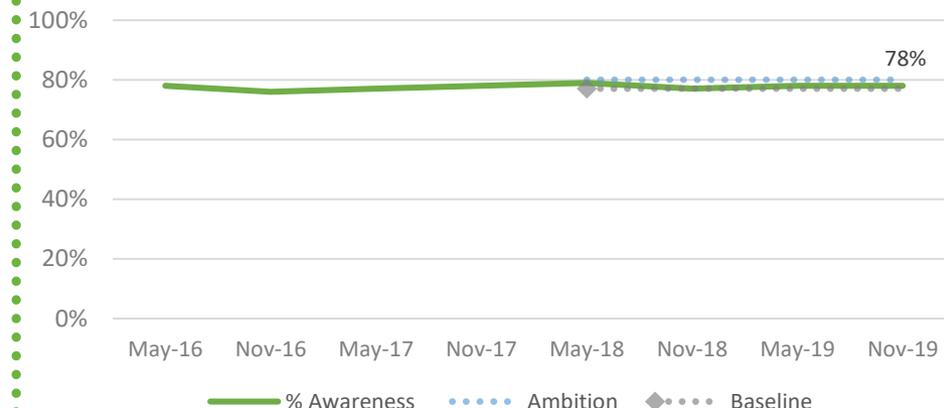
98.4%

Meat FBOs rated Satisfactory or above for compliance

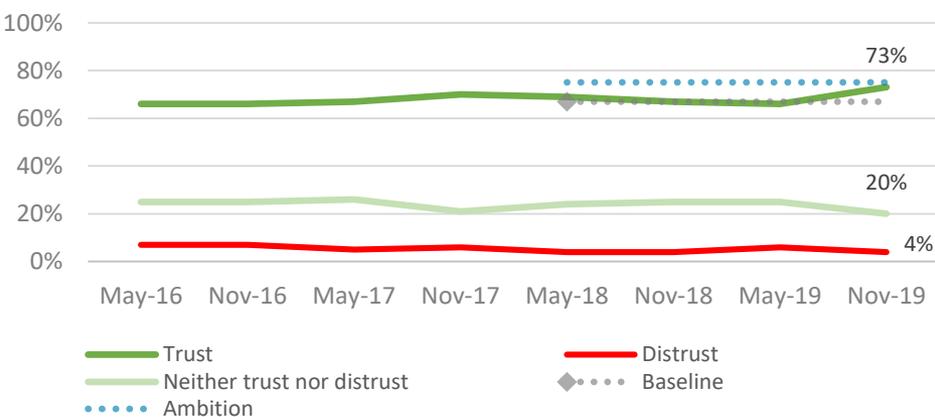
### Reputation Institute tracker score



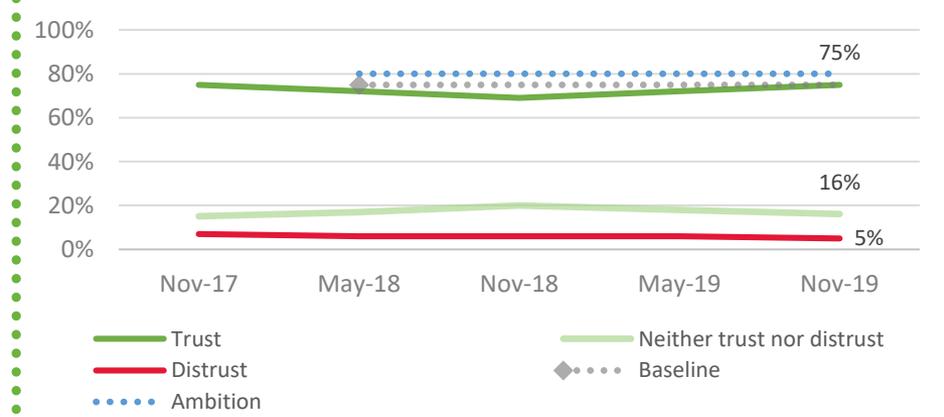
### Awareness of the FSA



### Trust among those aware of FSA



### Trust in FSA messaging among those aware of the FSA



15<sup>th</sup>

out of 80 public sector bodies surveyed by the Reputation Institute and the top regulator



-0.3  
point

decrease in Reputation Institute tracker score since Q1 19/20 at 76.5

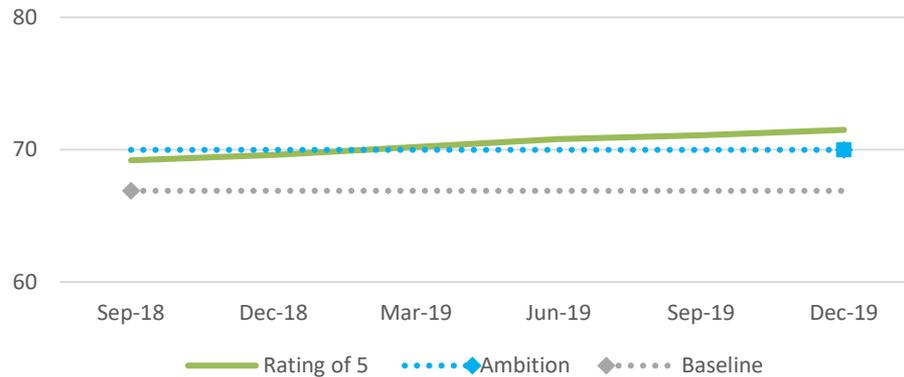
Of those aware of the FSA, 73% trust FSA to do its job, an increase of 7% points compared to Q1 19/20

FOOD IS SAFE  
AND WHAT IT  
SAYS IT IS

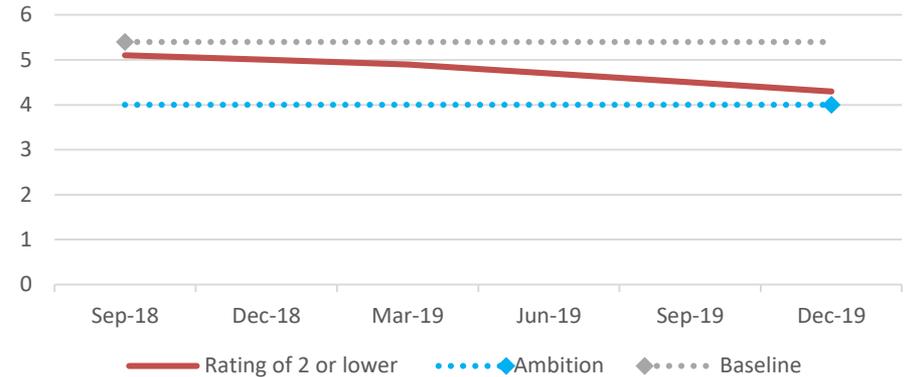
## Food hygiene rating scheme



% of food businesses within the scope of FHRs achieving FHRs rating of '5 – very good' (England, Wales and Northern Ireland consolidated)



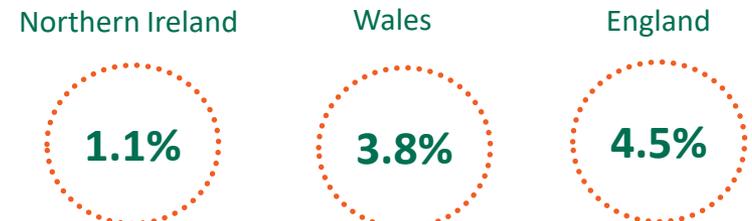
% of food businesses within the scope of FHRs achieving FHRs rating of 2 or lower (England, Wales and Northern Ireland consolidated)



% of food businesses within the scope of FHRs with a rating of 5 as at 31 December 2019 by country



% of food businesses within the scope of FHRs with a rating of 2 or lower as at 31 December 2019 by country



**+0.4% point** ratings of 5 at **71.5%** since Q2

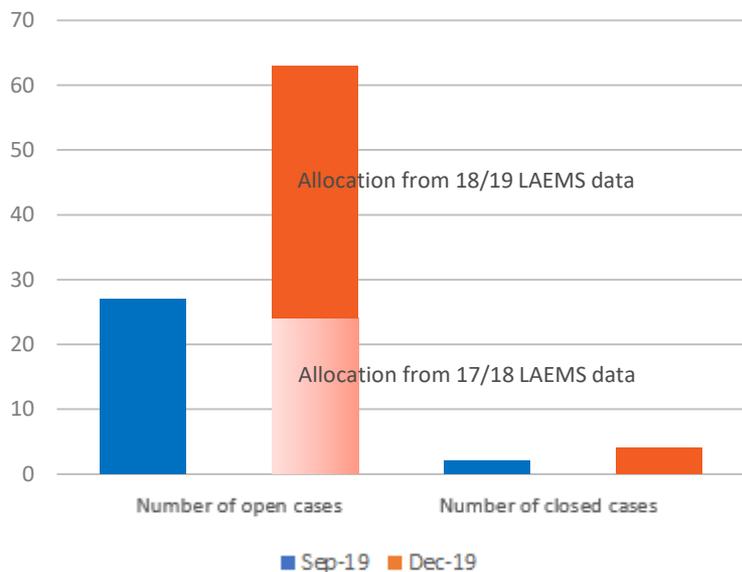
The period around the coming into force of legislation requiring the display of ratings has resulted in the largest increases in ratings of '5 – very good' in both Wales (November 2013) and Northern Ireland (October 2016).



**-0.1% point** ratings of 2 or lower at **4.3%** since Q2

## Local authority performance in England

Number of open and closed cases where we are currently or had been previously intervening with the Local Authority on food hygiene performance issues at the end of Q3 2019/20



Total number of LAs in England that have responsibility for food hygiene controls: 324

These are cases where performance issues were identified on the basis of the 2017/18 LAEMS data and 2018/19 LAEMS data. Local authorities are asked to provide a suitable time bound action plan to secure the required improvements.

Number of Local Authorities subject to escalation at the end of Q3 2019/20

No. of LAs

63

Current total  
Open cases

Local Authority identified to have performance issues (Open cases) and where the FSA is intervening with the LA on these food hygiene performance issues

7

Stage 1

Written request from Head of FSA Performance Management Team to LA Head of Service for assurance that action will be taken

Stage 2

Written request from FSA Head/Deputy Head of FSA Regulatory Compliance Division to LA Head of Service for assurance that immediate action will be taken

2

Stage 3

Written request from FSA Chief Executive to LA Chief Executive outlining expectations and requiring suitable assurances of action to meet these

LAs at stage 3: Birmingham City Council and Northamptonshire County Council

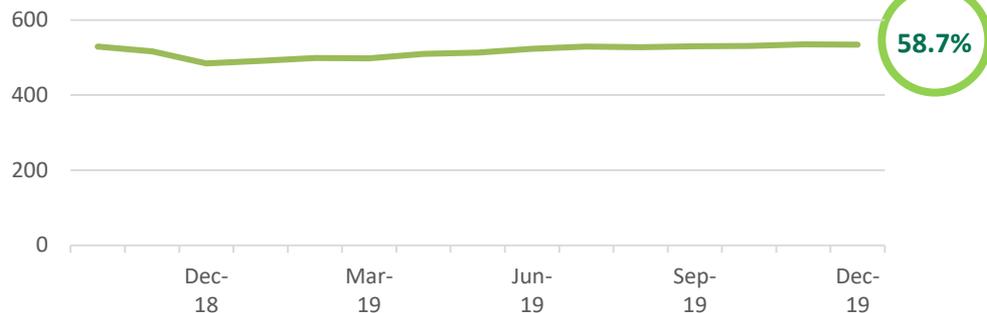
Stage 4

Written notification from FSA Chief Executive to the LA Chief Executive of the FSA's intention to notify Ministers that the FSA cannot provide assurance

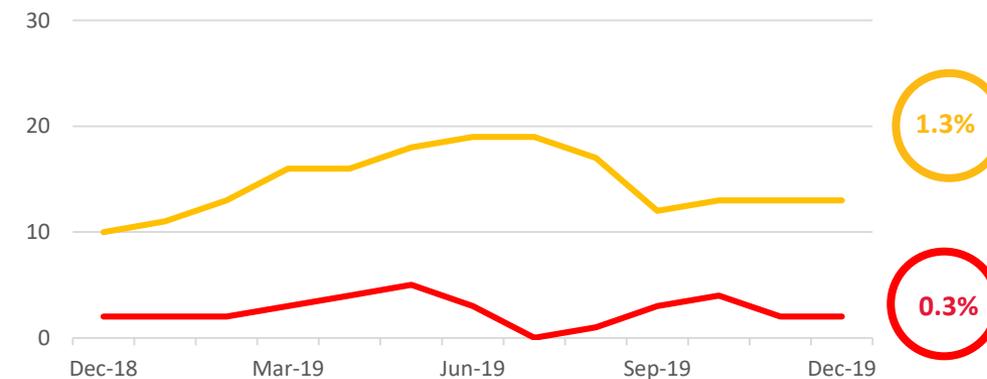
Where action is not taken by a local authority or where improvements are not sustained, we follow an escalation procedure so that public health is protected, and consumer confidence maintained – a staged approach is taken to engage involving increasingly senior levels of management within the local authority and the FSA as required, as well as other government bodies if appropriate.

# Meat food business operator (FBO) compliance

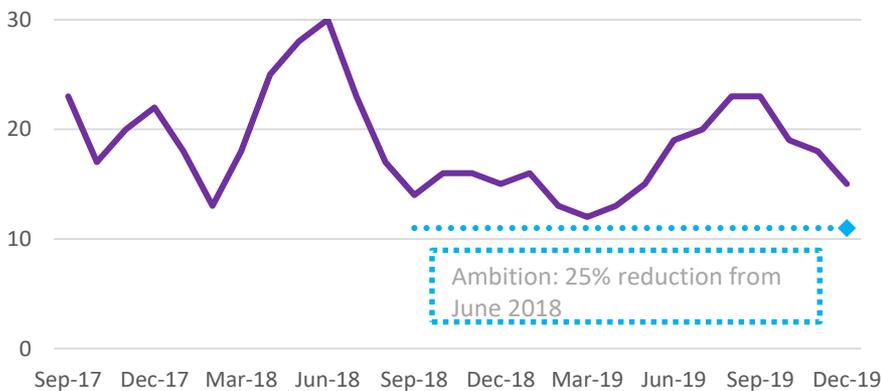
Number of Meat FBOs rated 'good' (England, Wales and Northern Ireland consolidated)



Number of Meat FBOs rated 'improvement necessary' or 'urgent improvement necessary' (England, Wales and Northern Ireland consolidated)



Progress towards ambition for a 25% reduction in improvement and urgent improvement necessary FBOs



no change in businesses rated 'improvement necessary' and 'urgent improvement necessary' from Q2 at 15. All FBOs in these categories are subject to additional audit and inspection scrutiny.



**0.6%**  
point

increase in FBOs rated 'good' since Q2.



# Modern, Accountable Excellent Regulator Forward Look to 2020



2019

2020

## Embed our RISK ANALYSIS approach into the business

- Make new food and feed risk analysis processes work and build capability
- Anticipate and bring forward priority issues driven by our new EU

## Fully functioning NATIONAL FOOD CRIME Unit

- Improved understanding of strategic threat and defined thresholds
- Requisite platforms to support intelligence and investigative functions
- Interim executive powers and progression

## REGULATION and its MODERNISATION

- Developing and introducing the UK framework for food and feed safety
- Trial Primary Authority National Inspection Strategies and Assurance Standards
- Design a new Food Standards delivery model
- Develop and progress a single, coherent, Operations Transformation Delivery Plan

## ALLERGENS in FOOD

- Develop a new Allergy strategy and supporting Allergy programme approach
- Lead the implementation of the new Allergens Labelling requirements for pre packed for direct sale foods
- Review of current methods of data capture for allergic reactions
- Engage with consumer groups, healthcare professionals and industry representatives to gain support for the strategy
- Review evidence base, working with Science Council, to ensure that we make best use of science and evidence

## Deliver our EU EXIT plan and embed

- Contingency plans for a no deal EU Exit are in place
- UK exits the EU: implement FSA exit plan with functioning domestic food law
- Ongoing implementation supporting the outcome of negotiations

## KNOWLEDGE GATHERING and SURVEILLANCE

- New surveillance / knowledge gathering / issue prioritisation embedded
- Pursue food-borne allergens as 'flagship' public health/safety challenge
- A coherent, cross-FSA framework sampling strategy

## Building our ENGAGEMENT capability

- Build and maintain our external and international affairs
- Grow influence & impact with our science
- Improved & expanded capabilities in issuing food notification
- Engage on a bilateral / multilateral basis on key FSA policy issues

## Our PEOPLE are Supported

- Delivering business-critical skills as part of our Strategic Capabilities Plan
- Our Fit for Change model is embedded and leadership strategies developed
- New Pay & Reward Strategy, Embed ASPIRE values and Diversity & Inclusion strategy

## Spending Round/Spending Review

- FSA funding for 2020/21 to be agreed with HMT in Spending Round 2019 settlement in September
- Submission allows FSA to deliver its priorities
- Continue to support FSA strategy and ensure SR20 is aligned

FOOD IS SAFE AND WHAT IT SAYS IT IS  
Food we can trust operating outside the EU

MODERNISING REGULATION  
New regulatory model launches

FOOD WE CAN TRUST

GATHERING AND USING SCIENCE, EVIDENCE AND INFORMATION  
A robust evidence base in our work applied and openly communicated to protect consumers' interests

BEING THE BEST ORGANISATION WE CAN BE  
An effective and resilient organisation, with highly skilled leaders enabling the FSA to be recognised as an excellent, accountable modern regulator

Q3 2019/20 (Oct - Dec)

Q4 2019/20



Deliver our EU exit plan and embed

Prioritised and repurposed FSA resources to ensure our EU exit plans remain valid and we continue to deliver against our statutory obligations **Ongoing**

National Inspection Strategy

Develop Oasis communications plan **Delivered**

Agree Primary Authority National Inspection Strategy proposals with the partnerships **Ongoing**

Review Primary Authority National Inspection Strategy Standards **Ongoing**



Regulation and its Modernisation

Food Standards

Senior Responsible Officer approval of tasking arrangements **Delivered**

Agree Local Authority data reporting standard for pilot **Ongoing**

Food Standards Reference Manual published **Delivered**

Deliver 9 Local Authority engagement update events (plus webinars) **Delivered**

FHRS

Progress towards mandatory display of food hygiene ratings in England **Ongoing**



Embed our Risk Analysis approach

Actively seeking opportunities to share key messages on our risk analysis process with our stakeholders **Ongoing**

Progress report in preparation for the December 2019 meeting **Ongoing**

# Delivering our corporate priorities

Q3 2019/20 (Oct - Dec)

Q4 2019/20



Knowledge Gathering and Surveillance

Horizon Scanning team has developed outline plan and strategy for implementing working group 3's recommendations **Delivered** ✓

Links with Association of Public Analysis made and initiated the first meeting for cross-government group **Delivered** ✓

Working group established, plans developed for the creation of the virtual programme **Ongoing** ●



Fully functioning NFCU

Compliance monitored through management review **Delivered** ✓

Delivery of communication plan monitored and reported to senior management team **Delivered** ✓

Support for primary legislation secured and Bill team developed **Ongoing** ●

Road map for delivery of training and content refined **Delivered** ✓

Performance framework considered alongside other similar approaches in other sectors **Delivered** ✓



Building our Engagement Capability

Second meeting of engagement forum **Delivered** ✓

work complete on stakeholder database, soft launch to forum members **Delivered** ✓

Further engagement with EMT to plan targets for Q4 **Delivered** ✓

Letters to new and returning MPs issued **Delivered** ✓

Q3 2019/20 (Oct - Dec)

Q4 2019/20



Our People are Supported

Undertake pay negotiations with the Trade Unions

Ongoing 

Work with provider to customise e-learning solution

Ongoing 

Roll-out Pilot of new Foundation days

Delivered 

Review mid-Year position in relation to Learning & Development

Delivered 

Develop Leadership Development Programme content including procurement/sourcing

Ongoing 

Publish Management Framework & commence roll-out new Management Modules

Delivered 

Review whether Fit for Change has had a positive impact through Pulse survey.

Delivered 

Review roles & responsibilities of networks/sponsors/champions

Delivered 



Allergens in Food

Key

 Delivered to schedule

 Off track but target deliverable

 Off track

Compliance guidance issued

Ongoing 

Strategy document presented to Board

Ongoing 

Quick-start guidance will now form part of technical implementation guidance to be issued by the end of the year

Ongoing 

Business case drawn up on allergy reporting options.

Ongoing 

On-going stakeholder engagement with 'Easy to Ask' campaign issued

Ongoing 

Five workstreams agreed in the working group with the workplan now presented to the Science Council

Delivered 

## Affordability – how the FSA is performing against HM Treasury limits

	2019/20 Full Year Forecast £m	2019/20 Limits £m	Fav/(Adv) Availability £m	Fav/(Adv) Variance %	RAG status
<b>FSA Total (DEL &amp; CDEL) exc AME Westminster (inc. EU Exit)</b>	<b>110.8</b>	<b>116.2</b>	<b>5.3</b>	<b>5%</b>	●
Net Administration Expenditure (excluding depreciation)	<b>46.7</b>	<b>50.0</b>	<b>3.3</b>	<b>7%</b>	●
Net Programme Expenditure (excl. dep'n)	<b>42.2</b>	<b>43.7</b>	<b>1.5</b>	<b>3%</b>	●
Resource Departmental Expenditure Limit (DEL) (excl. dep'n)	<b>88.9</b>	<b>93.8</b>	<b>4.8</b>	<b>5%</b>	●
Capital (DEL)	<b>8.5</b>	<b>8.4</b>	<b>(0.0)</b>	<b>(1%)</b>	●
<b>Wales</b>					
RDEL	<b>3.5</b>	<b>3.7</b>	<b>0.2</b>	<b>5%</b>	●
CDEL Capital – IT / Accommodation	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0%</b>	●
<b>Northern Ireland</b>					
RDEL	<b>9.8</b>	<b>10.2</b>	<b>0.4</b>	<b>3%</b>	●
CDEL Capital – IT / Accommodation	<b>0.1</b>	<b>0.1</b>	<b>0.0</b>	<b>6%</b>	●
Resource Annually Managed Expenditure (AME) - ringfenced	<b>2.2</b>	<b>9.6</b>	<b>7.4</b>	<b>77%</b>	●

## Breakdown of corporate priorities and key areas of spend

	2018/19 Actuals £m	2019/20 Forecast £m	Change £m
FSA TOTAL (RDEL & CDEL) exc AME <i>of which</i>	<b>98.7</b>	<b>110.8</b>	<b>12.1</b>
National Food Crime Unit (NFCU)	<b>3.2</b>	<b>5.5</b>	<b>2.3</b>
EU Exit excl. NFCU	<b>11.1</b>	<b>12.0</b>	<b>0.9</b>
Risk Analysis inc. Science	<b>7.2</b>	<b>11.2</b>	<b>4.0</b>
Risk Management inc. Policy	<b>3.9</b>	<b>3.7</b>	<b>(0.2)</b>
Operations excl. NFCU	<b>27.1</b>	<b>27.2</b>	<b>0.1</b>
Official Controls, Legislation & LAs	<b>8.9</b>	<b>8.8</b>	<b>(0.1)</b>
Doing the day job well	<b>37.3</b>	<b>42.5</b>	<b>5.2</b>