

Food Standards Scotland – Board Governance

1. Purpose

1.1 The purpose of this paper is to secure the agreement of the Board that:

- (i) the weekly Updates between the Chair, Vice Chair, and the Chief Executive, the Depute Chief Executive and the Director of Policy, Science, Finance and HR should continue;
- (ii) for the time being meetings of the Board and the ARC will be virtual;
- (iii) the matters to be considered at such meetings will be confined to essential business; and
- (iv) the foregoing arrangements can be reviewed by the Board at any time.

2. Background

2.1 On 25 March 2020 at the conclusion of a telephone conference of members of the Board, the Board agreed that in the exceptional circumstances created by the response to the COVID 19 pandemic governance arrangements would be suspended temporarily and replaced by a weekly teleconference between the Chair, Vice Chair, and the Chief Executive, the Depute Chief Executive, with a note of the meeting being circulated to all Members. The Director of Policy, Science, Finance and HR was added to those attending and these meetings commenced on Wednesday 1 April 2020 and have been held each week ever since that date. A note has been prepared of each meeting and circulated to Board members together with any other relevant papers.

2.2 The weekly meetings which are now held via Zoom have proved useful in enabling the Executive to report on key issues with the opportunity for discussion where required but without taking up an excessive amount of management time. These meetings are, however, no substitute for a Board meeting and as the lockdown remained in place the Chair requested a Board meeting for Wednesday 10 June 2020 to be conducted via Zoom.

3. Current Position

3.1 At the meeting on 10 June 2020 the Board will consider, amongst other matters, the executive paper – Response to COVID 19. In summary the paper confirms that FSS as an organisation has responded extremely well to the various issues it has had to contend with as a result of COVID 19. Serious operational constraints remain. Pilgrim House is likely to remain closed for some time. Whilst the extreme pressure on the delivery of Official Controls has lessened the situation requires to be carefully managed and demands on other regulatory functions remains high. The demands from the Scottish Government also remain high. As lockdown is eased there are fresh demands for advice and guidance and an ever increasing demand to return to preparations for Brexit. All of this is maintaining pressure on the Senior Management Team.

3.2 Whilst the SMT is finalising its recovery plan the organisation is some way from being able to return to a “new” normal.

4. Chair's Conclusion

4.1 In the circumstances outlined above I do not think it is reasonable to return to normal governance with full Board Meetings and full meetings of the ARC. Given that we are able to access Zoom video conferencing I think we can resume the normal pattern of meetings. However, given the continuing dislocation of staff and the continuing pressures on the SMT I do not think we can yet return to normal full agendas with the attendant requirement for covering papers prepared by the SMT.

4.2 Given the ever changing demands being placed upon the organisation, I think the weekly video conference meetings still have a role to play in exercising a degree of governance and keeping the Board apprised of developments.

4.3 Taking account of the foregoing I am recommending that the Board agrees to:

- (v) the weekly Updates between the Chair, Vice Chair, and the Chief Executive, the Depute Chief Executive and the Director of Policy, Science, Finance and HR should continue;
- (vi) for the time being meetings of the Board and the ARC will be virtual;
- (vii) the matters to be considered at such meetings will be confined to essential business; and
- (viii) the foregoing arrangements can be reviewed by the Board at any time.

Ross Finnie
Chair

09th June 2020