

Progress Update and Future Handling: Implementing the Recommendations of the Scudamore Expert Advisory Group Report

1. Purpose

- 1.1 This information paper provides a further update on progress, a year on from the last Board update (16 September 2015), against each of the 68 recommendations from the Scudamore review accepted by the Scottish Government in 2013. It also sets out how the remaining work has been incorporated into existing work programmes, developing strategies and routine work of FSS.
- 1.2 The Board is asked to:
- **Note** progress over the last year
 - **Agree** that the Chair will update Scottish Ministers accordingly
 - **Agree** that no further specific Scudamore progress updates will be provided. Work will continue under relevant work programmes and strategies, with progress reflected in related Board papers or highlighted to the Board through established risk management procedures or as appropriate.

2. Background

- 2.1 The Scudamore Expert Advisory Group was established by Scottish Ministers in February 2013 to review lessons learned from the horsemeat incident and identify the ways improvements could be made to food and feed standards in Scotland. The Group reported its findings in June 2013¹, and the Scottish Government and FSA published joint responses to each recommendation in November 2013². These were taken into account in the Food (Scotland) Act 2015 and informed the development of initial FSS work programmes.
- 2.2 The Report of the Scudamore Expert Advisory Group identified a wide spectrum of lessons, and the recommendations aimed to improve the safety of food, protect the reputation of Scottish food production and enhance attempts to avoid food fraud wherever possible. The Report's key conclusions included:
- the need to understand supply chains and how best to regulate them
 - the ability to identify the points where fraud is most likely to occur and implement measures to reduce this risk
 - the development of horizon scanning methodologies and effective intelligence gathering
 - creation of a world-leading food surveillance system that encourages business operators to share their testing programmes
 - a range of new statutory powers to implement effective, robust and proportionate enforcement of food standards and safety requirements

¹ <http://www.gov.scot/Resource/0042/00426914.pdf>

² <http://www.gov.scot/Topics/Health/Healthy-Living/Food-Health/NewFoodBody/JointResponse>

- development of contingency plans and improved clarity of communications and targeted consumer engagement.

2.3 The report's recommendations were structured within 5 chapters. Work to progress these recommendations within FSS is being taken forward within eight workstreams. The approximate mapping from the report to workstreams and recommendations is illustrated in Table 1 below. Also included is the overall objective of the each workstream which describes what the end point of full delivery will look like.

Table 1

Scudamore Report Structure	FSS Workstreams	Overall Objective	Recommendation numbers
Meat supply chain and fraud Horsemeat incident and responses	1 Surveillance Strategy	Scotland will have an effective and integrated food surveillance system	8, 12, 17, 18, 19, 23, 24, 33, 40, 41, 42, 43
Risk assessment	2 Testing Methods for Food Authenticity	Scotland will have a strong analytical capacity to support surveillance and controls aimed at identifying food authenticity issues	31, 32, 34, 35, 36, 37, 38, 39
	3 Traceability and Fraud Prevention	FSS will understand the food chain structure and will have developed traceability guidance for industry and enforcers, as well as a system for monitoring and sharing intelligence about emerging risks to the food industry	1, 2, 3, 5, 16, 20, 50, 52, 53
Risk management	4 Regulation and Enforcement	FSS will have developed an effective regulatory strategy which follows the principles of better regulation to support and incentivise business compliance and target interventions to areas of greatest need, for example tackling food fraud. It will also have a capable and effective food law enforcement infrastructure	6, 10, 11, 30, 44, 45, 46, 47, 48, 49, 51, 54, 55, 56, 57, 58, 59, 60
	5 Public Procurement	FSS will have developed guidance and support systems for those responsible for public procurement	13
	6 IT Systems	FSS will have developed an integrated IT system (Scottish National Database) for recording all local authority data relating to official controls	25, 26, 28
	7 Contingency Planning	FSS will have an effective food crime and incidents unit capable of detection and investigation of issues related to food safety, standards and feed	7, 22, 27, 61, 62, 63
Communication of risk	8 Communications	FSS will be engaging appropriately with consumers and stakeholders	4, 9, 14, 15, 21, 29, 64, 65, 66, 67, 69

- 2.4 Individual recommendations were made principally for action by FSA and/or SG but action by other bodies such as the Convention of Scottish Local Authorities (COSLA) and the Scottish Food Enforcement Liaison Committee (SFELC) and also by industry are included in the scope of the recommendations. All recommendations originally addressed to the FSA are now the responsibility of FSS.
- 2.5 At last September's Board meeting, Board members noted the range and level of work being undertaken and agreed to a further update in twelve months with an expectation that by then these recommendations would be absorbed into routine business. Following that meeting the Chair provided a written update to Scottish Ministers.

3. Discussion

FSS Strategy and Corporate Plan

- 3.1 The Scudamore recommendations have helped to shape the approaches taken by the FSA and, since April 2015 FSS, to develop measures to ensure food authenticity and tackle food fraud. Work to deliver on the Scudamore recommendations remains high priority for FSS. The spirit of the recommendations can be seen in FSS's Vision to *'create a food and drink environment in Scotland that benefits, protects and is trusted by consumers'*, and the five key values against which everything FSS does will be judged.
- 3.2 FSS's Corporate Plan (April 2016 to April 2019), published with the FSS's first strategy *Shaping Scotland's Future to 2021*³, sets out the work that will be undertaken to help deliver against six Strategic Outcomes. Trust and confidence are themes that run throughout the Plan. FSS was created in the shadow of the horsemeat incident and, as such, it is recognised that for consumers to have confidence in the food supply chain, it is crucial that the food they buy is safe and authentic.
- 3.3 Strategic Outcome 2 'food is authentic' is focussed on ensuring that food is of the nature substance and quality as described by the supplier and that consumers have confidence that food information is accurate and clear. The work under this outcome is based on the issues highlighted by the Scudamore Expert Advisory group and commits FSS to fully implementing the Scudamore recommendations, including:
- ensuring Scotland has the capability and resilience to tackle food crime
 - developing a robust evidence base on the authenticity of the Scottish food chain
 - working to align the priority of food information official controls more closely with food safety
 - working to provide clarity for consumers in relation to food labelling, and helping and encourage consumers to understand and use food information to make confident informed decisions.

³ <http://www.foodstandards.gov.scot/shaping-scotlands-food-future-our-strategy-2021>

Integration of Scudamore recommendations into FSS strategies and work programmes

3.4 A number of strategies are being developed to support delivery of the six Strategic Outcomes, of particular relevance to the Scudamore recommendations are:

- Regulatory Strategy which will outline how FSS will fulfil its role as a national regulator in Scotland, and provide a high level framework to inform the targeting of regulatory interventions in a proportionate and risk based manner. This approach was agreed by the FSS Board in March 2016.
- Food Surveillance Strategy which will be capable of generating the intelligence required to identify the risks to the health of consumers in Scotland and the reputation of Scottish produce. This intention is to present this to the Board for its agreement in February 2017.
- Communications Strategy which aims to influence consumer behaviours using tailored messaging which is targeted to the intended population groups based on their particular risk, behavioural and demographic profiles. This was agreed by the Board in March 2016.

3.5 Table 2 illustrates how the Scudamore workstreams and all recommendations are being incorporated into strategies and work programmes. It also shows the relationship with the FSS Strategic outcomes. The table includes completed actions to demonstrate that, although the initial delivery is complete, the work areas continue to be considered and developed as part of the wider work of FSS.

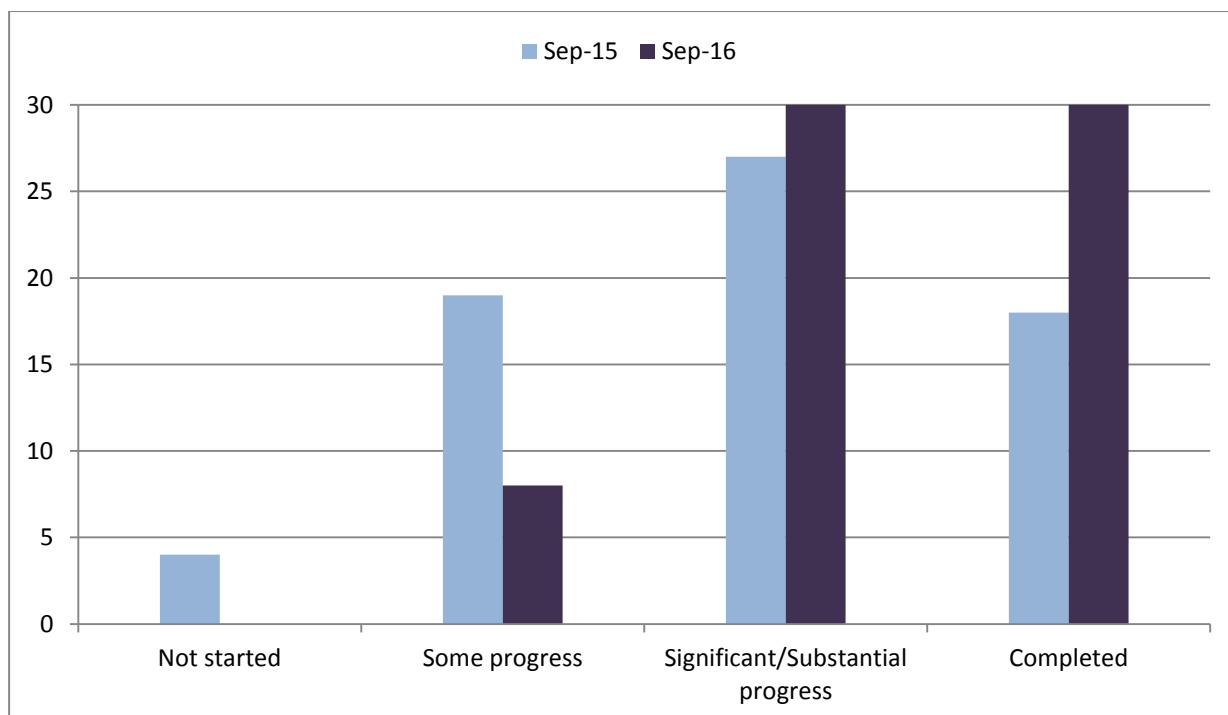
Table 2

Scudamore Workstream	Scudamore Recommendations (completed)	FSS strategies / on-going work programmes	Strategic Outcome
Workstream 1: Surveillance Strategy	8, 12, 17, 18, 19, 23, 24, 33, 40, 41, 42, 43	<ul style="list-style-type: none"> Development of a new food surveillance strategy for Scotland 	Outcome 2: Food is Authentic
Workstream 2: Testing methods for food authenticity	31, 32, 34, 35, 36, 37, 38, 39	<ul style="list-style-type: none"> Development of a new food surveillance strategy for Scotland 	Outcome 2: Food is Authentic
Workstream 3: Traceability and Fraud Prevention	1, 2, 3, 5, 16, 20, 50, 52, 53	<ul style="list-style-type: none"> Development of industry traceability guidance FSS Regulatory Strategy work programme Establishment of Scottish Food Crime and Incident Unit 	Outcome 2: Food is Authentic
Workstream 4: Regulation and Enforcement	6, 10, 11, 30, 44, 45, 46, 47, 48, 49, 51, 54, 55, 56, 57, 58, 59, 60	<ul style="list-style-type: none"> Addressed through enabling powers provided in the Food (Scotland) Act 2015 Further work to progress these powers is within the FSS Regulatory Strategy work programme 	Outcome 1: Food is Safe Outcome 2: Food is Authentic Outcome 4: Responsible Food Businesses Flourish
Workstream 5: Public Procurement	13	<ul style="list-style-type: none"> Established FSS Incident Management Plan On-going development of Incident Standard Operating Procedures Development of Scottish National Database 	Outcome 1: Food is Safe Outcome 2: Food is Authentic
Workstream 6: IT Systems	25, 26, 28	<ul style="list-style-type: none"> FSS Regulatory Strategy work programme Development of Scottish National Database 	Outcome 2: Food is Authentic Outcome 4: Responsible Food Businesses Flourish
Workstream 7: Contingency Planning	7, 22	<ul style="list-style-type: none"> Establishment of Scottish Food Crime and Incident Unit 	Outcome 1: Food is Safe Outcome 2: Food is Authentic
	27, 61, 62, 63	<ul style="list-style-type: none"> Established risk management procedures Established FSS Incident Management Plan On-going partnership working 	
Workstream 8: Communications	4, 9, 14, 15, 21, 29	<ul style="list-style-type: none"> On-going partnership working Development of a new food surveillance strategy for Scotland 	Outcome 2: Food is Authentic Outcome 5: FSS is a trusted organisation
	64, 65, 66, 67, 69	<ul style="list-style-type: none"> FSS Communication Strategy 	

Progress with delivery

3.6 Table A1 in Annex A of this paper, reproduces each Scudamore recommendation together with the respective responses agreed between the FSA and Scottish Government in late 2013. Where the original responses have since been extended by FSS, the supplementary objectives are included in bold under the original response. A description of progress to date against each recommendation and an indicative progress category, as assessed by FSS officials, is also provided. Overall progress, including a comparison with progress at the last Board update a year ago, is summarised in Figure 1 below.

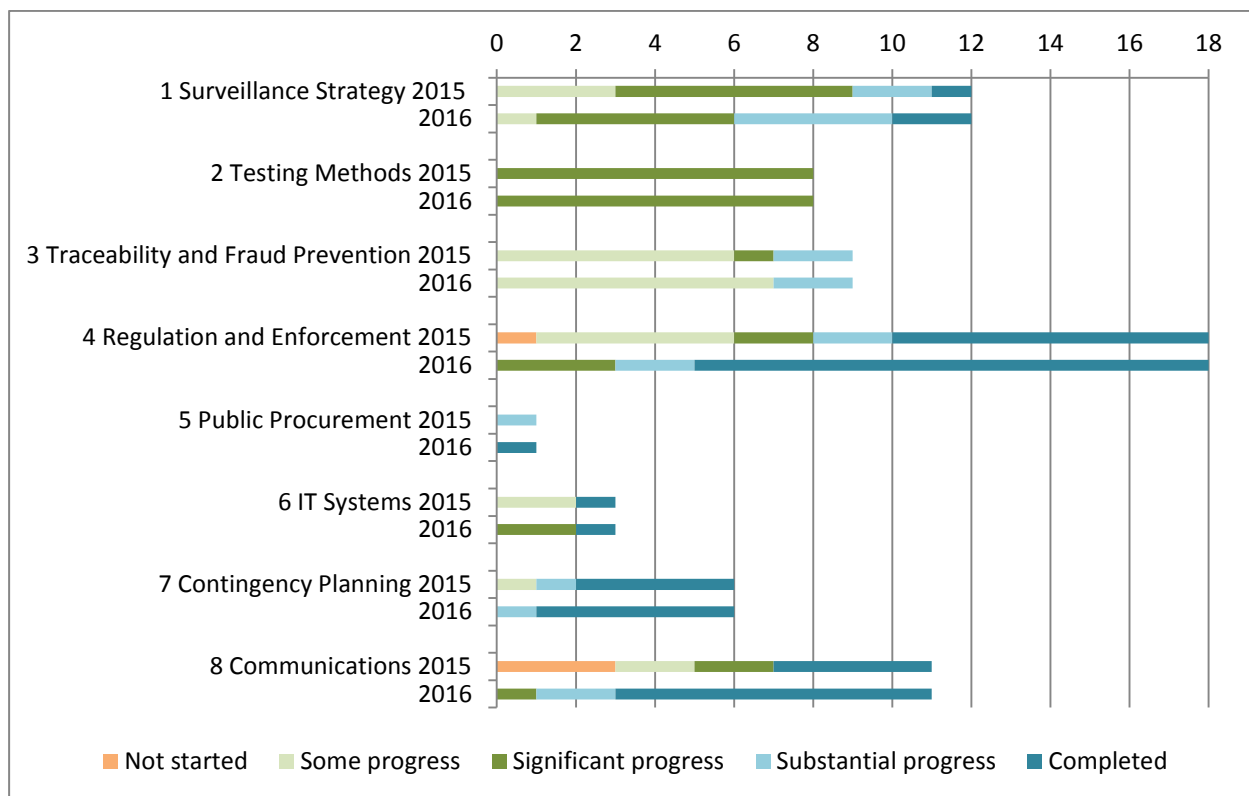
Figure 1



3.7 Figure 1 shows there has been continued progress over the last 12 months; 12 more recommendations are now complete (30 completed in total) and there has been at least *some progress* for every recommendation (compared to 4 not started a year ago).

3.8 Figure 2 below provides more detail, illustrating the distribution of progress within each workstream. It should be noted that all 8 recommendations in workstream 2 (testing methods for food authenticity) are categorised as significant progress, and this may be as complete as they will get. The nature of these recommendations means they are on-going, however all 8 recommendations are addressed, and progress is on track.

Figure 2



3.9 The Executive’s view is that overall given the progress that has been made there are no significant risks or threats that exist even with those recommendations where *some progress* has been made. Those recommendations that were most important to address have been addressed.

Recommendations in the *some progress* category

3.10 Progress with delivery of the recommendations has been good and there are now just 8 recommendations where only *some progress* has been made (compared with 19 a year ago). More detail on these 8 recommendations and the reasons for the categorisation is provided in Table 3 below.

Table 3

Recommendation	Purpose	Issues relating to timing
33 (WS 1)	Ensure that Scotland has an integrated laboratory infrastructure equipped to provide the range of tests and scientific advice required to meet current needs and to adapt to meet foreseeable needs.	<p>Since 2013, FSA, and subsequently FSS, have been working with the Shared Scientific Services Project Board (led by Improvement Services Scotland) to identify where there is scope to strengthen and improve co-ordination of current analytical services for official controls on food safety and standards. Current progress with this project presents a risk to the delivery of this recommendation and a revised timeframe for conclusion is during Q1 or Q2 of 2017.</p> <p>FSS continues to engage with other partners too in relation to strengthening the co-ordination and resilience of laboratory services in Scotland.</p> <p>Due to delays with the Shared Services project and the need to consider analytical capacity more widely in the context of FSS resilience for future food surveillance and incident response, this work will now be carried into 2017/18 and requires significant FSS resource and cross government support. See also paragraph 4.4 below.</p>
1, 2, 3, 5, 50, 52, 53 (WS 3)	Work with industry to understand and control complex food chains and to establishing a world recognised surveillance system.	<p>These are long-term objectives that require significant evidence-gathering before testing any potential solutions. Buy in from industry will also be required for successful delivery.</p> <p>Despite an initial delay due to other priorities, work has been progressing for each of these recommendations and will inform the development of industry traceability guidance. The forecast completion date for the guidance is summer 2018, with full implementation by 2025 as embedded practices will need to be changed.</p>

3.11 It should be recognised that although progress against individual indicators can provide a helpful guide to how work is progressing to meet individual recommendations, it does not provide a comparison of the relative resource or time required to meet each of the recommendations.

4. Identification of risks and issues

4.1 A small proportion of recommendations are currently with other bodies to take forward. FSS will continue to monitor progress in such cases and may put alternative steps in place to mitigate risk if necessary. For example, recommendation 58, which relates to local authority workforce planning, is being taken forward by COSLA. However, the Board has started consideration of associated issues including its decision to centralise feed controls and its recent discussion of sustainability of Official Controls.

- 4.2 Although FSS is leading in taking forward all work previously assigned to the FSA, there are many areas where close cooperation and continued joint working with the FSA will be very important for optimal outcomes. Key areas include the interoperability of incident management plans and arrangements for sharing intelligence. This risk was identified in the last update but there has been significant progress in areas such as food crime prevention and intelligence sharing.
- 4.3 Establishment of formal Memorandums of Understanding (MoUs) with Defra and the Department of Health has not progressed. FSS will continue to maintain joint working arrangements but it should be recognised that there is no active workstream in place to progress a more formal arrangement.
- 4.4 Access to state of the art laboratory services in Scotland is key to the success of FSS's food surveillance strategy and incident response capability. There has been *some progress* with the relevant recommendation (recommendation 33) as detailed in Table 3 above (and in more detail in Annex A), and the Executive had been content with how this work was progressing. However, experience with recent incidents means that this is now more of a priority and it will be given greater focus going forward.
- 4.5 The Board will wish to note that in terms of its assurance role the future handling of Scudamore recommendations from a strategic perspective will continue and will be taken forward as set out in the Corporate Plan and within the broad programmes of work as set out in Table 2. However, the Executive will highlight any significant risks to the Board through FSS's established risk management procedures should they arise.
- 4.6 The implications of the UK's exit from the European Union will need to be considered in due course particularly in relation to recommendations that refer to European Food Law and to international relations.

5. Conclusion

- 5.1 The work of the Scudamore Expert Advisory Panel has informed the approach being taken by FSS to improve the safety of food and avoid food fraud wherever possible, as set out in the Strategy and Corporate Plan. FSS work programmes, incorporating the on-going delivery of the Scudamore recommendations, are now well established. Embedding the work into business as usual in this way will allow the recommendations to be progressed in a way that is responsive to current needs. The Scudamore Report has been a significant piece of work and in many ways has driven our direction of travel, for example in setting up the Scottish Food Crime and Incident Unit. However, now FSS is established those recommendations need to be contextualised against where we find ourselves now.
- 5.2 Therefore, it is recommended that this is the last update in this format. There will no longer be central co-ordination of the updates and, in future, these will be covered through related work areas and Board papers as appropriate as well as through risk management procedures.

5.3 There has been continued good progress with delivery of Scudamore related activities. It is recommended that the FSS Chair updates Scottish Ministers on progress, as well as reaffirming FSS's continued commitment to fully implement the recommendations as set out in the Corporate Plan.

6. Recommendation

6.1 The Board is asked to:

- **Note** progress over the last year
- **Agree** that the Chair will update Scottish Ministers accordingly
- **Agree** that no further specific Scudamore progress updates will be provided. Work will continue under relevant work programmes and strategies, with progress reflected in related Board papers or highlighted to the Board through established risk management procedures or as appropriate.

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