

Performance Reporting

1 Purpose of the paper

- 1.1 This paper provides the quarterly update for the Board on the FSS performance in delivering key activities and provides some additional context in support of the metrics detailed in the attached Annex A.
- 1.2 The Board is asked to:
 - **Consider and comment** on reported performance metrics

2 Strategic Aims

- 2.1 This work supports the FSS Strategic Outcome 6 – FSS is efficient and effective.

3 Background

- 3.1 This paper builds on the Board discussion on performance monitoring and proposed metrics in May 2017. The FSS Board Terms of Reference (ToR) confirm that the Board has overall responsibility for the actions and decisions of FSS, and is ultimately accountable to the Scottish Parliament for policy delivery, compliance with statutory duties and performance against agreed strategic objectives.

4 Discussion

- 4.1 Following consideration at the October 2016 Board meeting, agreement was reached on the reporting format and content and that work would continue to develop the FSS reporting capability. A project is underway to streamline operations data reporting by refining our SQL reporting system and that will complete by the end of 2017.

5 Annex Metrics

5.1 Animal Welfare

- 5.1.1 A key function of FSS is to ensure that animals are protected by Food Business Operators (FBOs) prior to and during slaughter and killing. FBOs have a duty under the Welfare of Animals at the Time of Killing (WATOK) Regulations 2012 and welfare controls in approved meat establishments are delivered by the FSS veterinary and inspection personnel on behalf of Scottish Government (SG). FSS also plays an important role in relation to assisting the Animal and Plant Health Agency (APHA) and Local Authorities (LAs) through providing information relating to potential animal welfare incidents attributable to conditions or treatment on farm and/or during transport.
- 5.1.2 The Board will consider a paper on animal welfare at the 15th November meeting which details our action plans and describes in detail our controls.

- 5.1.3 The welfare metrics now cover the period from Vesting Day to September 2017. FSS has continued to refine the reporting procedures and veterinary personnel in slaughterhouses reported 341 incidents in the first year and 490 incidents in the second year. From January to September 2017, we have reported 382 incidents. Of these incidents, 70 were attributed to abattoirs in the first year and 148 in the second year and 118 for 2017 to date. This equates to 0.0003% of total red meat and poultry throughput in 2017. The increase in reports follows intensive work on creating guidance and supporting frontline staff on accurate and more consistent reporting and raising the profile on animal welfare. We are refining our metrics to report on a ratio of incidents per livestock unit and this will be presented to the Board at the next performance report.
- 5.1.4 During Q2 there were 110 incidents detected at slaughter house level. 72 (65%) of them were attributable to on-farm and/or on-transport possible breaches and were reported to the relevant Competent Authority. These types of incidents are discussed at a strategic level by the Scottish Livestock Welfare Group involving all enforcement authorities relevant to animal welfare. At a local level APHA and LAs risk assess incidents reported to them and investigate accordingly. Out of the 38 incidents linked to abattoir operations, 14 involved evidence of animal pain and suffering (i.e. score 4). The main issues detected were related to stunning/killing operations (8 out of 14) with the other 6 being linked to lairage operations and handling of animals before stunning.

5.2 Shellfish Sample Compliance

- 5.2.1 FSS carries out an annual review of all Scotland's shellfish production area classifications using the previous three year data-set, or less if not available, from the production areas to inform classification award decisions for the coming classification year. This process is carried out in accordance with EU guidance. FSS monitors these classified production areas for the presence of marine biotoxin producing phytoplankton in waters and marine biotoxins in shellfish flesh.
- 5.2.2 Changes in the number of classification awards will vary due to the following reasons:
- Changes in levels of E.coli reported throughout the year
 - Decisions, taken by harvesters, not to continue with the classification
 - Insufficient samples submitted to either maintain the same level of classification award i.e. 10 samples required for Class A or a minimum of 8 samples to retain a classification award

5.2.3 New classification awards

Shellfish sampling is contracted to HallMark Veterinary & Compliance Services and Highland and Argyll & Bute Councils who are responsible for shellfish sampling within their LA areas. FSS Operations staff undertake sampling at the three remaining shellfish LA areas, North and South Ayrshire and Dumfries & Galloway.

5.2.4 During the course of the year, sampling contractors collect monthly *E.coli* samples according to the sampling plan and compliance can be routinely affected by a number of factors including the following:

- Inactive harvesting
- Availability of vessels
- Poor weather and/or
- Logistical issues – performance of carrier

5.2.5 Levels of marine biotoxins in shellfish samples from shellfish production areas determine whether an area should be open or closed for harvesting. From April 2017, across 186 production areas, 97 biotoxin representative monitoring points have provided 1271 samples. Throughout the period April to September 2017, across nine local authority areas, four sampling contractors planned a total of 1358 biotoxin samples, 1271 of which were received at the laboratory for testing. Sampling compliance for the period is 94%. As stated at 5.2.4, sampling can be routinely affected by a number of factors.

5.3 Visible Contamination

5.3.1 Incidence of visual contamination presented at the final carcass inspection point has been recorded since 2013 and are taken as a proxy measure of hygienic production. Scotland has historically recorded lower contamination levels than other UK countries through an active programme of industry and individual plant engagement and ensuring consistency and accuracy of recording through regular assessment and monitoring of the FSS systems applied. The Board previously noted that the FSS use of a Scottish average by which to measure performance may give the impression of this being an acceptable target. However, plant level management of contamination monitors trends in daily contamination as the primary means of control rather than performance against a Scottish average.

5.3.2 Other EU countries do not record contamination of every carcass, preferring to rely on assurance sampling by the FBO and verification of such during audit. During Q2, bovine contamination is broadly similar to the previous year, pig and sheep contamination is slightly lower. Pig contamination data is also skewed by the closure of Brechin slaughterhouse following a fire. This plant had marginally higher contamination levels than other Scottish pig plants and due to its size had a major influence on the data at a Scotland level.

5.3.3 As the Board will recall, this recording of contamination takes place at the final inspection point before a health mark is applied. As an added assurance we also check a sample of carcasses after post mortem inspection to satisfy ourselves that appropriate inspection standards are being applied. This is far more rigorous than the previous approach of assurance sampling for a particular period of time.

5.4 Veterinary Audit

5.4.1 Veterinary audits of approved meat establishments are part of a suite of official controls carried out by FSS. The audit arrangements apply to all approved meat establishments under veterinary control in Scotland and include:

- Red meat / farmed game slaughterhouses
- Poultry meat slaughterhouses
- Cutting plants
- Wild game handling establishments
- Minced meat, meat preparations and mechanically separated meat plants co-located with slaughterhouses or cutting plants
- Meat product plants co-located with slaughterhouses and cutting plants co-located cold stores

5.4.2 Audits are risk-based as required by Article 4 of Regulation EC No 854/2004, and take into account the following:

- Public health risks
- Animal health risks (where appropriate)
- Animal welfare risks (where appropriate)
- Type of process carried out
- Throughput
- FBOs past record of compliance with food law

5.4.3 The aim of veterinary audit is to verify compliance with legal requirements and to ensure adequate FBO standards in relation to public health, animal health and welfare. Sections of the audit are based on the priorities that have been agreed between FSS and SG as we carry out on a wide range of controls on their behalf. Audit findings aim to provide individual FBOs as well as the relevant competent authority (FSS and SG) with information on areas for correction or improvement as well as providing assurance that performance and compliance is as required.

5.4.4 In addition to the audit of good hygiene practice, the auditor must verify the FBOs continuous compliance with their own procedures for, amongst others, all aspects of animal by-product handling (including Specified Risk Material (SRM) controls for BSE), animal identification, animal health and welfare, etc.

5.4.5 During audit of HACCP-based procedures, the auditor must check that the operator's systems of work and food safety management provide assurance that meat is free from pathophysiological abnormalities or changes, faecal or other contamination and SRM.

5.4.6 Following audit, plants are awarded an Audit Outcome as detailed below:

Audit Outcome	Tolerance for audit outcome	Standalone Cutting Plants	Slaughterhouses/ Game Handling Est. /Co-located Cutting Plants	Follow Up Partial Audits of critical and major NCs
Good	No majors or critical on day of audit or during audit period	12 months	18/12 months	N/A
Generally Satisfactory	No more than 2 majors during audit or during audit period rectified promptly No critical during audit period	12 months		Within 3 months
Improvement Necessary	3-6 majors during audit or during audit period No critical during audit period	3 months		Within 1 month
Urgent Improvement Necessary	1 critical or >6 majors during audit or during audit period	2 months		Within 1 month

5.4.7 Subsequent audits are therefore scheduled on the basis of the audit outcome.

5.4.8 Reports are produced following each audit and sent to the FBO. The report details the non-compliances identified and provides an indicative timescale for the business to address them. Audit reports will be published on the FSS website after the period for appeals has expired. Where applicable (in accordance with the table above), an additional partial audit may be carried to assess the actions taken to address the non-compliances raised at audit. Where significant non-compliance is noted additional checks on performance may be undertaken in the form of Unannounced Inspections

5.4.9 The most frequent major non-compliances raised against requirements during audits from April this year in all plants are as follows:

- Monitoring procedures are effective and supported by records – CCP monitoring
- Controls ensure that risk of cross contamination is minimised, prevented or reduced to acceptable levels during operation and appropriate action taken should contamination occur
- The implementation of the operating procedures is effective and supported by records – maintenance
- Animal By-Products, including SRM, are dispatched to approved premises with correctly completed commercial documentation
- Animals spared any avoidable pain, distress or suffering during their killing and related operations
- All handling and processes from slaughtering to dispatch are done in a way that avoids the contamination of meat and offal entering the food chain

- FBO traceability system allows identification of any person from whom they have been supplied with food products, and businesses to which their products have been supplied
- The implementation of the operating procedures is effective and supported by records - cleaning
- The implementation of the operating procedures is effective and supported by records – Staff training and supervision

5.4.10 Overall, the compliance trend remains fairly stable with the majority of establishments reporting good or generally satisfactory compliance levels. Work is on-going within Field Operations to review the enforcement regime with the intention to place greater emphasis on addressing the root cause of non-compliance.

5.5 Local Authority Audit

5.5.1 The power to set standards, monitor and audit the performance of enforcement authorities was conferred on Food Standards Scotland by Sections 3 and 25 of the Food (Scotland) Act 2015 and Regulation 7 of The Official Feed and Food Controls (Scotland) Regulations 2009. Similar functions are also contained within section 7 of The Official Feed and Food Controls (Scotland) Regulations 2009 which implement the requirements of Regulation (EC) No 882/2004.

5.5.2 As a designated competent authority as defined within Schedule 5 of the Official Feed and Food Control (Scotland) Regulations 2009, LAs are required to comply with Article 4(6) of Regulation (EC) No 882/2004 (audit of official control delivery). In order to help LAs fulfil this requirement, (as part of our central role as described above) FSS will continue to deliver external audit arrangements in addition to the above.

Capacity and Capability Audits main findings relate to the following areas:

5.5.3 To date, 8 audits have been completed under the capacity and capability audit programme, findings continue to be consistent with those reported in May, and examples are:

- Service Planning – the main issues relate to Service Plans either not being up to date/ include all relevant items or approved by the appropriate forum. Service Plans that are approved by the appropriate forum provide structure to the service and a means of assessing delivery against the agreed plan. Any variation from the previous plan should be taken into account in planning for the next year.
- Scheme of Delegation and authorisation – authorisations are not all in accordance with the Authorities scheme of delegation or include all of the relevant legislation. This means that Officers may be acting without the appropriate authorisation which then may be challenged and ultimately undermine enforcement action.
- Competence and Training - All Officers authorised for food law have not received training appropriate to their level of authorisation enabling them to undertake their duties competently

- Internal Monitoring – Internal monitoring procedures to assess whether food law is being effectively delivered are either not fit for purpose or are not fully implemented. The purpose of internal monitoring is to verify the effectiveness of the procedures the Competent Authority has in place Reports – These do not make the required timescales for achieving compliance clear to the FBO. The Food Law Code of Practice expects appropriate timescales to be provided to the FBO for achieving compliance, to allow them to prioritise non-compliances raised in accordance with risk.
- Lead Officer for Food – various issues with the Lead Officer post, e.g. a Lead Officer not being permanently in place. The Food Law Code of Practice requires a suitably qualified Lead Officer to be designated.
- Policies and Procedures – some policies and procedures need to be reviewed to ensure they are current and relevant. A suite of appropriate policies and procedures should be in places to provide a framework for the Competent Authority to work to.

5.5.4 The first two audits are now due to be followed up to assess implementation of the agreed action plans.

6 European Union considerations

6.1 None required at this stage.

7 Conclusion and recommendations

7.1 The Board is asked to:

- **Consider and comment on reported performance metrics**

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