

CONSULTATION QUESTIONS

1: Should the scope of the new food body extend beyond the current scope of the FSA in Scotland? If yes, what specific extensions of scope would you suggest, and why?

- We believe that by creating a new Scottish food body there would be greater opportunities to work with specialist staff within the Scottish Government (SG) especially within Agriculture Food and Rural Communities (AFRC) and Marine Scotland (MS) Directorates. This could relate to agricultural and fish farm inspections but also to the work done by the Marine Scotland Science (MSS) and Science and Advice for Scottish Agriculture (SASA) scientists both in testing and research. This would build on the work already undertaken as part of the Scotland's Environment and Rural Services (SEARS) project.

2: Should the new food body and the Scottish Government continue the arrangements for independent and partnership work on diet and nutrition set out in Annex A? If not, what changes would you suggest, and why?

- As things work well at the moment, there should be continuation, not change, in these arrangements.

3: Are there any additional roles, responsibilities or functions in respect of diet and nutrition that you think the new food body could take on to help deliver an improvement to the health of the people in Scotland? Please give details and reasons.

- The opportunity should be taken to review the delivery landscape on nutrition in Scotland, which is currently complex. Clear roles and responsibilities for different relevant bodies need to be identified. At the moment, this is not the case.

4: What steps do you think could be taken to ensure the new food body is able to access the best available independent expert advice it needs to underpin its work on food safety and public health nutrition in Scotland? Please give reasons.

- It would be desirable for the new food body to develop a mechanism for access to the existing network of independent expert advisory committees. These currently operate on a UK wide basis either as departmental committees or NDPBs. Their membership is UK wide and this is necessary as in many fields there would be insufficient experts available to establish duplicate committees without adversely affecting the quality of the advice across both Scotland and the UK. Many independent expert advisory committees (e.g. the Committee on Toxicity of Chemicals in Food already have multiple stakeholders in their terms

of reference – see attached.). It may be necessary to either resource or fund production of papers covering issues of interest to the new body but these are operational constraints that can be addressed by a range of options.

5: Do you consider that the new food body should focus its research and surveillance activities on issues that are particularly pertinent to Scottish citizens or should it also contribute to science and evidence programmes on wider issues which have relevance to the UK as a whole? Please give reasons.

- There is no particular reason why it can't do both. Scientists within the Scottish Government work on issues particularly affecting Scotland but in collaboration with colleagues across the UK, Europe and internationally. There could be dangers that attempts to limit the body to one particular group could lead to distortion of the evidence base and compromise evidence based policy development. In a wider context, there would be a danger that restricting the work could be perceived as parochial and give rise to perceptions that the body were not contributing equitably to the development of the evidence base. In particular research calls should seek the best scientific quality across the UK and Europe rather than restricting it to a narrower local research base.

6: Do you agree that the new food body should be responsible for the coordination of all Scottish Government funded research on food safety and public health nutrition? What steps could be taken to raise the profile of the new food body as a research funder across the UK and beyond? Please give reasons.

- Having a single point of contact would be useful and would allow more efficient use of research commissioning and management. The body should establish and develop links with corresponding bodies across the UK and Europe to seek opportunities for cost effective collaborations which could improve the scientific quality of studies and add value to cross-national studies. This should be viewed holistically in terms of both showing the general applicability of the findings or addressing local differences.

7: Do you have any further suggestions for how the new food body could establish a strong independent evidence base for food safety, food standards and nutrition policy? Please give reasons.

- Please see Q1 and 4. The new food body will also require internal expertise to interpret data and we would therefore advocate a Chief Scientist role being created. Professional standards and staffing levels need to be maintained for veterinary and Meat Hygiene Inspector staff.

8: Do you consider that the new food body would require any further statutory powers, in addition to those that the FSA already has, to equip it to deal effectively with incidents such as the recent horse meat substitutions, and to prevent such incidents happening? Please give reasons.

- We believe there is a requirement for statutory powers on food standards equivalent to those on food safety, to enable seizure of food on standards grounds as well as safety.

9: Do you have any further comments about how the new food body might ensure that it can deal effectively with contraventions of food standards and safety law? Please give reasons.

- No further suggestions.

10: Should the new food body take on any roles and responsibilities not currently fulfilled by the FSA in Scotland? If yes, please give details and reasons.

- Consideration should be given to delivering efficiencies and better outcome for consumers wherever this is possible. The creation of the new food body for Scotland is an opportunity to create a truly joined up organisation that will regulate all food production processes from 'farm to fork'.

11: Please tell us your views about these suggestions for changes to the delivery of official food and feed controls. Do you think that the new food body should work in a different way with local authorities? Please give reasons.

- The opportunity should be taken to review all current processes for their robustness in effectively protecting consumers in Scotland but we do not propose any different way of working with Local Authorities in advance of the evidence from such a review.

12: Do you have any views on how the new food body should assure delivery of official controls and meet the relevant EU obligations? Please give reasons.

- It will be essential to ensure the required level of veterinary supervision in abattoirs as required by EU legislation. Prospect would prefer to see this done by in-house staff in Scotland rather than contractors, as is the case now in FSA Scotland. In the rest of FSA Operational vets are in-house staff.

13: Are there any additional or alternative relationships that you would suggest that would help the new food body achieve the Scottish Ministers' objective of longer, healthier lives for the people of Scotland? Please give details and reasons.

- See Q1, 4 & 7. Also FSA Scotland currently has strong links with Health Protection Scotland which will need to be maintained going forward. The new Scottish food body will also need to continue to have links with Public Health England and work closely with FSA UK on cross border issues. e.g. where food is manufactured in other parts of UK but consumed in Scotland.

14: Do you have any suggestions about how the new food body can engage effectively with consumers, both in developing policy and providing information and advice?

- No suggestions at present but new methods do need to be found.

15: Do you agree with the suggested approach to ensuring the new food body's independence from Government and the food industry? Do you have any further suggestions for how the new food body could best establish and maintain its position as an arms length part of Government? Please give reasons.

- We believe that the body should remain independent and an arm's length Non-Ministerial-Body relationship is correct approach. This has been borne out by our experience of other Machinery of Government changes where the loss of independence has had a detrimental effect on the ability of the body to work effectively.

16: Do you have any further comments, or suggestions, on the creation of a new food body for Scotland that are not covered by any of the previous questions?

The new Scottish food body should engage with Animal Health and Veterinary Laboratory Agency (AHVLA), the executive agency of DEFRA, who work alongside Local Authorities to enforce Animal Health and Welfare and carry out inspections on farms in Scotland, which could provide assistance in delivery of food and feed controls. In Northern Ireland, FSA has evolved a useful model of cross working with AHVLA on animal disease breakouts, which has shown benefits to both organisations in terms of developing skills and increasing resources available.

As a union representing staff both within FSA and SG we would be keen to be involved at the earliest possible opportunity in the discussions around the size, shape and scope of the body, and processes for how staff will transfer, following the end of the consultation We have been involved in a number of Machinery of Government changes both within the Scottish administration and across the whole of the UK and would bring valuable experience to that discussion.

We believe that for any new body to go forward with a coherent identity, harmonisation across the various sets of terms and conditions is imperative. There are currently three sets of terms and conditions and significant pay differences for staff within FSA alone, where harmonisation has not been achieved since the merger of FSA and Meat Hygiene Service in 2009, due to Whitehall pay policy.

Audit Scotland produced a report on Scottish public sector mergers in 2012 which highlighted a number of the problems previous mergers have encountered.

<http://www.audit-scotland.gov.uk/media/article.php?id=206>