

Minutes for the opening of Consumer Food Safety Group

Location: Meeting Room, Consumer Focus Wales, 3rd Floor, Capitol Tower, Greyfriars Rd, Cardiff, CF10 3AG

Date: 17th of November 2009

Time: 2.00- 4.30pm

Present: Maria Battle (Chair) Senior Director of Consumer Focus Wales (CFW)

In Attendance:

Jennie Bibbings (JB)	Senior Policy Advocate (CFW)
Sharon Mills (SM)	(attendance at opening of meeting only)
Ishbel McKinnen (IM)	Haemolytic Uraemic Syndrome Help (HUSH)
Malcolm Dragon (MD)	Welsh Assembly Government (WAG)
David Vardy (DV)	Welsh Assembly Government (WAG)
David Worthington (DW)	Welsh Assembly Government (WAG)
Jane Shepherd (JS)	Welsh Local Government Association (WLGA)
Lee Jones (LJ)	Directors of Public Protection Wales (DPPW)
Laura Bellfield* (LB)	Local Better Regulation Office (LBRO)

Sarah Smith	(SS)	Local Better Regulation Office (LBRO)
Steve Wearne	(SW)	Food Standards Agency (FSA) (via teleconference)
Dr Mike Simmons	(MS)	National Public Health Service for Wales (NPHSW)
Julie Williams*	(JW)	Federation of Small Businesses (FSB)
Norman Bagley	(NB)	Association of Independent Meat Suppliers (AIMS)

*Representing Pauline Roberts, Local Better Regulation Office

**Representing Janet Jones, Welsh Policy, Federation of Small Businesses

Item 1: Welcome and Introductions

1.1 The chair welcomed the attendees of the opening meeting of the Consumer Food Safety Group. Apologies were given on behalf of Ronnie Alexander and Karen Coombe. All agreed that the group should be led by Consumer Focus Wales who are independent and represent consumers.

Item 2: Statement from Sharon Mills

Ms Mills outlined how she hoped the work of the group would help prevent any other family suffering from the impact of *E.coli*. The chair thanked Ms Mills for her opening statement to the group.

Item 3: Presentation from Jennie Bibbings

Jennie presented Consumer Focus Wales research on public attitudes to food safety. Consumer Focus Wales carried out a survey in September 2009 which found that 24 per cent of people were not confident in current food safety measures, and that 89 per cent wanted access to the food hygiene scores of restaurants, cafes and takeaways.

Item 4: Approve draft Terms of Reference

4.1 The chair introduced the draft terms of reference for discussion

4.2 JS questioned the use of the word 'enforcement' as it could lead to too broad an area which could involve legal action. Members of the group suggested that the terms of reference should be narrowed down and focused on building public trust in food safety.

4.3 The chair agreed with the comments and said that this group's role was to empower the consumer and to look at Professor Pennington's recommendations and ensure their implementation. The chair also questioned whether the word 'enforcement' should be removed altogether.

4.4 MS commented that its removal was necessary and that from Sharon Mills' point of view this is about Pennington's recommendations being implemented. But the group needed to be clear on whether this was a group that would focus on Pennington's recommendations or food safety.

4.5 In terms of membership the group agreed that family members could have involvement in the meetings, and that members of support groups such as 'Hush' were valuable members of the group. The group decided that the meeting would not be open to the public.

4.6 The chair informed the group that minutes of meetings would be made available on the Consumer Focus Wales website to ensure the discussion and outcomes are open to the public. **Action-** minutes of meeting to be made available on the website

Item 5: Discussion

Engaging the public: challenges for food safety law enforcement bodies

5.1 NB stated that in order to empower the consumer they need to have confidence in the Pennington review and confidence in the management of food businesses. Some members thought that high level auditing was necessary in approved slaughterhouses and similar premises, and this should be carried out by an expert team of veterinary auditors, who would report directly to the hierarchy of the Food Standards Agency.

5.2 NB felt that there was a need to take away what he perceived to be a discredited audit system and rebuild public confidence by having a trustworthy system put in place to ensure food safety.

5.3 SW noted that, as set out in European food law and endorsed by Professor Pennington, the responsibility for the production of safe food sits squarely with food businesses and this law was enforced by the Meat Hygiene Service in approved slaughterhouses and similar premises, and local authorities in other food premises. SW stated that the Food Standards Agency would like to have constructive relationships with all the relevant trade representative bodies.

5.4 JS stated that there was a need to explore the wider picture of gaining public trust and engaging with the public and their interest was the consumer perspective, however local authorities would struggle to gain access to that kind of information.

5.5 JS questioned whether the Welsh Assembly Government would be reassuring everyone that the recommendations had been followed through and if not who would take the lead on that.

5.6 DW stated that Welsh Assembly Government had taken on the task of compiling a list of responses to the Pennington recommendations from relevant organisations in a document called “Responsibilities For Actions On Recommendations Of Final Report”. He felt that the Food Standards Agency would be expected to take the lead in food safety rather than this group.

5.7 Some members felt there was confusion over who’s responsible for what. SW stated that the Food Standards Agency, as part of its five year strategy from 2010, will be looking with stakeholders at the regulatory framework and its delivery by different enforcement agencies. He agreed that the conduct of audit, inspection and regulation needed to have the confidence of consumers. He said that the Food Standards Agency had a role, as central competent authority for food law, in setting the framework for food law enforcement across the UK and auditing and monitoring the activities of enforcement agencies against that framework.

5.8 In terms of the scope of the group, some members questioned whether it should be narrowed back to focusing on assurance for consumers that the Pennington recommendations are being implemented.

5.9 The chair commented that consumers are finding it difficult to find this information and that a decision needs to be made on who is going to take the monitoring role. Based on what Sharon Mills has asked of the group there is a need for a group that will track or monitor Pennington’s recommendations and provide information to families.

5.10 The group agreed that Consumer Focus Wales should take the monitoring role as they are independent. Representatives of the Welsh Assembly Government agreed that Consumer Focus Wales had a legitimate role to monitor and that they would readily

support their role. **Action-** Consumer Focus Wales to monitor implementation of the Pennington recommendations

5.11 The chair informed the group there are potential tensions should Consumer Focus Wales decide that organisations on the group haven't taken action as required by Pennington.

5.12 JS informed the group that there were already bodies monitoring local authorities and she was concerned about having different people monitoring them. In addition questions were raised as to what the National Assembly for Wales' response was to recommendation 20 and whether they should be monitoring progress.

5.13 DV informed the group that the First Minister had, in his statement on 7 July 2009, stated that he did not feel that further committees and monitoring services should be set up, which would create an extra layer of administration. The Permanent Secretary supported this view and wished to avoid creating an extra burden on those working to implement the recommendations of the *E.coli* Inquiry. This work should be part of 'business as usual'. The First Minister had also said that he would seek updates every year; the Chief Medical Officer had agreed to act as the focus for these updates as required.

5.14 NB suggested that this group should be a 'one-stop shop' for ensuring that the recommendations are being implemented and questioned whether the group should read through the report of actions collated by the Welsh Assembly Government and report back to the public within the next 6 months on the actions that are being taken.

5.15 The chair put to the group that Consumer Focus Wales would collate the group's responses to the Welsh Assembly Government document on Responsibilities For Actions On Recommendations Of Final Report' . **Action-** Consumer Focus Wales to collate the group's responses to the WAG document on responsibilities.

Item 6: Discussion

Publicising progress on implementing the recommendations of the Pennington Report: ways forward

6.1 JS added that there needs to be a decision made by the Minister on who has primary responsibility for coordinating and monitoring, and that there needs to be clarification for local authorities. JS stated that local authorities see their focus with Welsh Assembly Government in terms of collating information and therefore there needs to be something put in writing to local authorities to be clear on how information is going to be used.

6.2 The group discussed the Welsh Assembly Government document and highlighted that some of the wording in the document needed to be changed and that in some instances the colour coding was difficult to understand. DV stressed that it was an internal 'work in progress' so the colour coding was currently being used by Welsh Assembly Government as a general indicator of areas of concern. The colour coding was being used to indicate the completeness of the response from interested parties – it was not being used to indicate the ability of the response to satisfy the recommendations. As this document was being handed over to Consumer Focus Wales they were free to develop it as they wished. DV also reported that version 9, as used at the meeting, had been updated to provide more information of Recommendation 16. This (version 10) would be forwarded as soon as possible.

6.3 DW suggested that Consumer Focus Wales should take ownership of the document and that the Welsh Assembly Government should work with alongside Consumer Focus Wales and keep a copy to update Ministers on development. The chair agreed to this. **Action-** Consumer Focus Wales to take ownership of the document on recording responsibilities for actions.

6.4 The group agreed that the document would be emailed to everyone and that members of the group would return their comments by the 15th of December. **Action-** JB to email documents out to members and responses to the document to be made by the 15th of December

6.5 JS felt that there were two parallel processes involved and that further talks with the local authorities would have to take place before local authorities are burdened any further. In addition JS suggested that the document should be made available to local authorities for them to comment on.

6.6 IM commented on the responses from families affected by *E.coli* and stated that many of them cannot find information as to whether the recommendations are being implemented and that families would like Consumer Focus Wales to represent consumers. IM added that the document would only be seen as independent if Consumer Focus Wales takes ownership and not the Welsh Assembly Government.

6.7 SW stated that the Food Standards Agency were happy to be publicly accountable through Consumer Focus Wales and they have broadened the scope of their work to address the Pennington recommendations from Wales to the UK, from meat to all food, and from *E.coli* to all major foodborne pathogens. The Food Standards Agency does not, however, intend to lose sight of what the specific recommendations Pennington makes on food management in Wales.

6.8 The group agreed that the main focus of the group is to be the Pennington recommendations and their implementation.

6.9 NB felt that in order to report on the implementation of the recommendations, food businesses needed to demonstrate due diligence and credible auditing. Questions were raised on the impact of the 'Scores on the Doors' scheme and whether the websites of local authorities should have 'Scores on the Doors.'

6.10 JB informed the group that Pennington had asked how we were going to test the effectiveness of the implementations and whether any survey work would be performed. JB also informed the group that on recommendation 21 the Food Standards Agency has established a Food Hygiene Delivery Programme in order to reduce the number of food risks.

6.11 SW informed the group that the Food Standards Agency has a work programme for the next five years that will address Pennington's recommendations and they had taken the decision of creating a national UK 5 star scheme for 'Scores on the Doors' and hope very soon to resolve the details of the operation of a single national scheme across the UK.

6.12 SW informed the group that the scope of the national Scores on the Doors scheme that is currently being developed will extend to all establishments supplying food direct to consumers (e.g. restaurants, cafes, takeaways, sandwich shops and other places that people eat food prepared outside of the home, as well as food retailers). Establishments that do not supply food direct to consumers are excluded, at least at this stage, although the Food Standards Agency Board agreed that the possibility of extending the scope to all food businesses could be considered in the future.

6.13 The chair urged that the 'Scores on the Doors' scheme would be designed so that consumers can gain access easily and that the information is clear.

6.14 The chair suggested that Sharon Mills should have the opportunity to address Welsh environmental health officers as she has did in Scotland. JW suggested that SM could potentially make a video to raise the awareness of *E.coli* to ministers and the public. The group felt that this was a possibility and would be something to consider at future meetings

Item 7: Next Steps

7.1 The chair asked all members to forward their comments on the Welsh Assembly Document by 15th December 2009

7.2 Consumer Focus Wales will raise questions with bodies subject to Pennington's recommendation based upon the group's comments and scrutiny by Consumer Focus Wales

7.3 The group would meet again in January to discuss the responses

7.4 A report will be published in March 2010 on the first anniversary of the Pennington Report setting out clearly for consumers what progress had been made in implementing the recommendations

7.5 JB to draft items for the next agenda and amend terms of reference and circulate dates for next meeting

END OF MEETING AT 16.30