

# **UNISON Scotland response to Health Committee call for evidence on Food (Scotland) Bill**

## **INTRODUCTION**

UNISON is Scotland's largest trade union representing over 155,000 members working in the public sector. UNISON represents the operational workforce of the Food Standards Agency (FSA) – predominantly meat inspectors and vets working in abattoirs and meat plants. We also represent Local Government Environmental Health Officers, who are involved with the inspection of food premises and undertake food sampling and educational and advice services across Scotland.

UNISON Scotland welcomes the opportunity to respond to the Committee's call for evidence on the Food (Scotland) Bill.

## **GENERAL COMMENTS**

UNISON Scotland broadly welcomes the main provision of the Bill to establish Food Standards Scotland (FSS) and amend the law in relation to food.

In this response we will set out a range of concerns over the current arrangements for food safety in Scotland in the context of developing EU regulation, before addressing the specific provisions in the Bill.

UNISON members in the FSA are facing a huge number of challenges as they work to protect the public from contaminated meat and unscrupulous practice in the meat industry. Unfortunately, we believe that some of these challenges are as a result of policies put in place by the current Food Standards Agency.

The creation of a new Food Body for Scotland offers the Scottish Government the opportunity to end the dominance of the Food Business Operators (FBOs) in lobbying for lighter regulation of the food industry and to establish lines of accountability to ensure that robust independent regulation is established and enforced across Scotland.

Scottish meat is a highly regarded brand across the world. UNISON believes that to be able to sell Scottish meat as a robustly regulated product, could even further enhance the brand. At present it is most unusual for any food producers to be investigated and even less likely, to be prosecuted, in a mistaken view that this would damage the brand. In our view it is not possible to have a high quality brand with low quality standards of inspection.

We believe that the new body must ensure that its aim is to protect the consumer and uphold high standards of animal welfare. The only way to ensure these two criteria are met is to move to a wholly provided state delivered service. Meat inspectors and official veterinarians working in approved premises must be truly independent state officials so that they can deliver consumer protection and protect animal welfare with total autonomy from the influence of the meat industry and with the full support of FSS. History tells us that the meat industry will only protect the consumer if it is forced to do so. For example, a report into the pig slaughtering industry states that in abattoirs, "The present design is dictated primarily by a desire for ever higher speed/throughput and cost reduction but, to date their actual microbiological effects may appear as a secondary criterion". This is after six years of having in place a hygiene package that passed more responsibility on to the food business operators. Pig suppliers and the British FSA want to introduce visual

inspections, instead of cutting the animals open to check for sickness or diseases. A no-knife policy cannot guarantee the animals are safe for consumption and will not guarantee that abscesses and other pathology the consumer would not regard to be meat will find its way into sausages, pies and other meat products.

Since 2006 the responsibility for ensuring only clean livestock were slaughtered was transferred from officials of the Meat Hygiene Service (MHS), to the slaughterhouse Food Business Operators. The enforcement of the "Clean Livestock Policy", one of the key recommendations of the first Pennington Report, which followed the E.coli outbreak in Scotland in the late nineties, had until that time been the responsibility of MHS official Meat Hygiene Inspectors (MHIs) and Official Veterinarians (OVs). Surveys of Meat Hygiene Service OVs and MHIs reveal that this and other changes created by the implementation of the 2006 regulations has left officials less sure of their role and in less control of hygiene in UK abattoirs. Our members report that the general level of faecal contamination in many slaughterhouses is high and has deteriorated under the new regulations. The new FSS should ensure the immediate re-instatement of the clean livestock policy under the control of state employed officials.

The highest level of consumer protection will only be achieved by moving to a wholly state-employed workforce which includes the Official Veterinarians and the Meat Hygiene Inspectors. Any move away from this system would potentially leave the door open for pressure to be applied from very powerful trade bodies to lobby for a relaxation of controls, which, in our members experience would lead to a drop in standards. The livestock and meat industry is a key component of the Scottish economy; the consequences of getting the delivery of meat inspection services wrong could have a very negative impact on the whole economy, in addition to very serious implications for the public. There is a very real threat that we could once again be faced with a food safety problem on the scale of the Wishaw or South Wales E.coli outbreaks if hygiene standards are not maintained and enforced.

Workers in slaughterhouses and food suppliers would not be able to carry out thorough inspections if an even lighter touch regulation was introduced. They would be compromised as their employers would expect them to follow the policies they wanted to introduce, such as quicker throughput to increase profits. Already training for slaughterhouse staff has been cut and only qualified, independent inspectors can guarantee good quality meat and meat products.

In addition, any move to a separate system to deliver meat inspection in Scotland must be adequately resourced. There has been a move to a 'control body system' of delivery in the Netherlands which our connections in Europe tell us has been unsuccessful, resulting in falling standards and in some cases employees without the necessary qualifications performing the official function. We must be very clear that failures made at this, the very foundation of the food chain, will force the rest of the food industry to work with products that could potentially result in tragic circumstances.

The other key food safety enforcement organisations in Scotland are local authorities. UNISON has surveyed its Environmental Health Officer (EHO) members on the effect the cuts in local government were having on the services they provide. These surveys show a reduction in the numbers of EHO's in Scotland and a corresponding reduction in food sampling, inspections and other food safety work. These cuts affect our members ability to be able to react to any public health emergencies and equally important, undermines

essential preventative and educational work. This reinforces the importance of strong regulation from FSS.

There was a suggestion in the original consultation that services might be transferred from local democratic accountability to FSS. We remain of the view that the further centralisation of public services is the wrong approach. We note the Bill includes a duty to monitor the performance of enforcement authorities in enforcing food legislation.

## **RESPONSE TO SPECIFIC QUESTIONS**

1. The merits of creating a stand-alone body rather than enhancing the current FSA Scotland arrangements.

We support the establishment of a stand-alone body. The UK FSA has been complicit in the development of light touch regulation in the industry to the detriment of the industry and the consumer. A stand-alone body will enable Scottish Ministers, under the scrutiny of the Scottish Parliament to set a new direction in Scotland as we suggest above.

2. The scope of the objectives and functions of the FSS, including whether and how they could support Scotland's sustainable development.

While the Bill reasonably leaves these matters fairly open in order to allow flexibility, we would urge the committee to look at setting explicit duties. In particular, that the primary duty of the FSS is to protect the consumer and promote public health - not the profitability of the food producers.

3. The proposed administrative and governance arrangements for the FSS.

The governance arrangements are not set out in any detail in the Bill. We would wish to see a specific duty of staff governance in similar terms to those applying to NHS Scotland. This should include trade union representation on the FSS board.

There are no provisions in the Bill for staff transfer. These are only referred to in the financial memorandum, which is inadequate and contrary to the Cabinet Office guidelines referred to in the memorandum. We agree that field staff should remain members of the LGPS. However, it appears from the financial memorandum that FSS will be an admitted body to an English fund and therefore come under the English LGPS. Other public service staff in Scotland who are members of the LGPS belong to the separate Scottish LGPS.

The provisions in s13(2) should not allow for the delegation of inspection and enforcement functions to contractors. Particularly those connected to the food industry.

4. The proposed powers of the FSS and compliance

There are extensive powers to ensure food safety in Scotland. The problem is the lack of resources to support preventative work and enforcement. In addition a culture of light touch regulation has been allowed to develop with the interests of food producers coming before the interests of consumers. This has been reinforced by light touch regulation emanating from the European Union. We would strongly urge the committee to ensure that Scotland adopts a different approach.

The creation of a mandatory food hygiene information scheme in Scotland is welcome. However, such a scheme is simply cosmetic if local authorities do not have the resources to properly carry out their functions.

## **CONCLUSION**

UNISON Scotland believes that the primary role of FSS should be to protect the public - not serving industry and be a wholly and directly provided public service. It must be adequately resourced and remain properly independent of industry. This means that it must have sufficient autonomy from major industry players and trade associations.

UNISON believes that the Horsemeat scandal if nothing else showed conclusively that strong government regulation of the food industry is necessary to protect public health. Left to their own devices, rogue elements in the industry have readily put commercial gain above consumer safety.

### **For further information please contact:**

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