food law enforcement

a study of the views of environmental health and food safety officers in Scotland
About the Scottish Consumer Council

The Scottish Consumer Council (SCC) was set up by government in 1975. Our purpose is to promote the interests of consumers in Scotland, with particular regard to those people who experience disadvantage in society. While producers of goods and services are usually well-organised and articulate when protecting their own interests, individual consumers very often are not. The people whose interests we represent are consumers of all kinds: they may be patients, tenants, parents, solicitors’ clients, public transport users, or simply shoppers in a supermarket.

Consumers benefit from efficient and effective services in the public and private sectors. Service-providers benefit from discriminating consumers. Balanced partnership between the two is essential and the SCC seeks to develop this partnership by:

- carrying out research into consumer issues and concerns;
- informing key policy and decision-makers about consumer concerns and issues;
- influencing key policy and decision-making processes;
- informing and raising awareness among consumers.

The SCC is part of the National Consumer Council (NCC) and is sponsored by the Department of Trade and Industry. The SCC’s Chairman and Council members are appointed by the Secretary of State for Trade and Industry in consultation with the First Minister. Martyn Evans, the SCC’s Director, leads the staff team.

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The SCC assesses the consumer perspective in any situation by analysing the position of consumers against a set of consumer principles.

These are:

ACCESS
Can consumers actually get the goods or services they need or want?

CHOICE
Can consumers affect the way the goods and services are provided through their own choice?

INFORMATION
Do consumers have the information they need, presented in the way they want, to make informed choices?

REDRESS
If something goes wrong, can it be put right?

SAFETY
Are standards as high as they can reasonably be?

FAIRNESS
Are consumers subject to arbitrary discrimination for reasons unconnected with their characteristics as consumers?

REPRESENTATION
If consumers cannot affect what is provided through their own choices, are there other effective means for their views to be represented?

We can often make our publications available in braille or large print, on audio tape or computer disk. Please contact us for details.
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Chairman’s Preface

The policing of food law largely falls under the responsibility of Scottish local authorities, and is undertaken by environmental health officers and food safety officers. These professionals play a significant role in ensuring there is adequate protection of the public in terms of food safety and standards.

The Scottish Consumer Council has carried out a research survey to explore the views on issues surrounding the enforcement of food law in Scotland from the perspective of food law enforcement officers. This report presents the results of the survey. It provides baseline information on a wide range of issues and in particular views on working with other agencies with a remit for food law enforcement, their perception on the adequacy of current food legislation and views on the provision of information to consumers.

Based on the research, the Scottish Consumer Council sets out a number of recommendations to both the Food Standards Agency and the Procurator Fiscal Service which we believe are needed to strengthen consumer safety. Additionally, we focus on the need to improve the information that consumers receive about food law enforcement.

This report comes at a time when food safety issues are high on the agenda of both consumers and policy makers alike and we hope this makes a useful addition to the debate and that the agencies involved take on board our recommendations.

Graeme Millar
Chairman
Acknowledgements

The research for this report was carried out by the Scottish Consumer Council (SCC) with help from the Royal Environmental Health Institute of Scotland (REHIS).

We would like to thank the members of REHIS and of the Scottish Food Safety Officers Association (SFSOA) who took the time to complete and return the questionnaire, and the organisations for their assistance in the research.

The SCC’s food, rural, environment and transport Committee oversaw the work for this report. The members of the committee at the time were: Liz Breckenridge (chair), Mukami McCrum, Drew Ratter, Ann Clark, Lawrie Dewar, Bill Ure, Graeme Millar (ex-officio), Heather Brash (ex-officio), Martyn Evans (ex-officio), and Donna Heaney.

In particular we would like to thank Tom Bell, director of professional development at REHIS for supplying background information and professional training advice on the subject area and comments throughout the study; Liz Corbett, head of food safety/health and safety at Glasgow City Council and Jim Dixon, honorary secretary of the Scottish Food Enforcement Liaison Committee for their comments on the final draft of the survey. Additional editing was undertaken by Paul Feldman.

We would like to thank staff of the SCC who helped with the report: Susan Browne, Susan Collie, Martyn Evans, John Paul Fraioli, Donna Heaney, Andrew Pulford and in particular Simona Simeone who led the project.
Executive Summary

Food law enforcement is an area of concern for consumers. The Scottish Consumer Council (SCC) decided to examine the views of the professionals who actually carry out this legal responsibility - environmental health officers (EHOs) and food safety officers (FSOs).

In particular, we wanted to know their views on:

- factors influencing food law enforcement,
- working with other agencies responsible for food law enforcement,
- current food legislation,
- the provision of consumer information.

The aim of the study was to build an evidence base on the issues and challenges facing those with direct responsibility for maintaining consumer confidence in food. The Royal Environmental Health Institute of Scotland (REHIS) was a helpful contributor to the study.

Over 600 questionnaires were distributed to enforcement officers throughout Scotland at the end of February 2003. We received 125 useable responses giving a response rate of 20%.

KEY FINDINGS

About the enforcers
The results indicate that the majority of respondents worked for a Scottish local authority and were EHOs (83%). Eleven percent were FSOs and 7%, although qualified as EHOs, were now in management positions. Most had a high level of experience, with more than three-quarters (76%) having worked in the field for eight years or more. Two-thirds of respondent indicated that they intended to stay in their profession for at least the next five years.

Influencing food law enforcement
Nearly all respondents thought that they contributed to public health protection. Forty-two per cent said that they were quite or very satisfied with their work as enforcement officers compared with 28% who indicated that they were quite or very unsatisfied. Two-thirds thought that lack of resources was an issue within their local authority and a shortage of enforcement staff and administrative support were identified as major resource concerns. Just over one quarter indicated that they could keep up with new legislation or policy changes, while over one third thought that illegally imported food was a growing problem in Scotland.
**Working with other agencies**

There appeared to be no uniform view from respondents on their working relationships with the Procurator Fiscal Service (PFS) and the Food Standards Agency (FSA).

Forty-one per cent of respondents indicated that they felt that the PFS would give proper consideration to food-related complaints while just over one third did not. Respondents who did not feel that the PFS would give proper consideration to food-related cases, raised a number of factors including: it was too busy, and that it lacked specialist knowledge of food law. Thirty-five per cent were not happy with the explanations given by the PFS in decisions not to pursue cases.

The majority of respondents felt that it was important that the FSA provided guidance, however, there was no uniform view on whether this was happening. Moreover, slightly over half felt that their work was not properly recognised by the FSA. When asked how the FSA could provide enforcement officers with more support a number of common themes emerged including a move away from targets in their audits, and the provision of clearer guidance more generally.

**Legal provisions for enforcing food law**

When asked about the adequacy of food legislation in place to protect public health, surprisingly less than half of those questioned felt that current legislation was adequate in three of the four areas covered; that is safe food and handling practices (48%), food composition and labelling (46%), management/control systems (35%).

Problems raised by respondents in relation to food legislation included that legislation and guidance were too open to interpretation; hazard analysis procedures were too complicated; and that ‘minded to’ notices were not legally binding. The absence of a regulated licensing system for most food businesses was also highlighted as an issue for concern.

**Keeping consumers informed**

There was general consensus by respondents that the public should be better informed about the work carried out by enforcement officers. Two out of three respondents felt that consumers should be notified at an earlier stage of formal enforcement actions than currently occurs. Furthermore, just over half felt that consumers should be able to access inspection assessments.

**Recommendations**

1. A clear conclusion from the research is the view from enforcement officers of the need for consumers to be better informed about the work that they do. This will have the dual impact of raising the profile of the enforcement officers with the public and improving consumer confidence in the safety of the food they eat. The Food Standards Agency should therefore work with the profession and the agencies involved in food policy to find effective mechanisms to inform consumers about the work of enforcement officers in relation to food law and continue to provide education to consumers about food safety issues.
2. Another dimension to this is the need to improve the information that consumers receive from enforcement officers about the outcome of their work in relation to food premises. There is a need to examine methods that will enable consumers to make informed choices in relation to premises selling food and for consumers to be able to then make an informed choice about whether or not to support these premises. This should also provide an incentive to food premises to work towards achieving better food safety and standards practice. This will have the result of giving competitive market advantage to those who perform well, by enabling consumers to make a comparison on the merits of different food premises and choose to support those who lead.

The FSA should therefore establish a working group to facilitate this by examining different methods that exist, including those from outside of the UK, to make inspection findings available to consumers. This should include the option for licensing. The working group should include a consumer interest representative.

3. The FSA should also examine the tensions that appear to exist between food law enforcers and the Agency and work with them to improve the relationship that exists. Similarly, the Procurator Fiscal Service should continue to work toward improving joined-up working with its partner agencies, with particular regard to the issues highlighted by enforcement officers in this study.

4. Finally, the FSA should re-examine the legislation in place to ensure that consumers are adequately protected and enforcement officers have the necessary tools and legal backing to do this effectively.
Chapter 1. Introduction

The aim of the study was to build an evidence base on the issues and challenges facing those with direct responsibility for maintaining consumer confidence in food. The study also aimed to support the work that Environmental Health Officers (EHOs) and Food Safety Officers (FSOs) do to protect public health.

Food policy is a major area of consumer interest. In recent years the public has become increasingly concerned over issues of food safety. As a result of food safety incidents, such as E.coli outbreaks and the BSE episode, public confidence in food safety and standards has declined.

While there has been a reduction in notified cases of food poisoning in Scotland since the peak year of 1996, the figures for 2001/2002 still represent a major concern. There were 8,525 notified cases for 2001 and 7,682 notified cases in year 2002¹ (see table 1). UK-wide research carried out by Which? magazine showed that poor hygiene standards in takeaways, canteens and restaurants reported by EHOs and FSOs, suggest that many more cases are waiting to happen².

Table 1  Statutory notifications of food poisoning 1992-2002

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The Scottish Consumer Council (SCC) has expressed particular concern over food safety issues. Our publication Young People and Food Safety (2002), for example, highlighted the need for more education and training in food safety and hygiene. The management of two ongoing national food development projects, the Scottish Community Diet Project (SCDP) and the Scottish Healthy Choices Award Scheme (SHCAS) demonstrate SCC’s engagement in the food policy debate.

² Consumer Association, ‘Germs to go?’, Which?, (May 2003); Consumers Association, ‘What’s really on the menu?’ (July 2001)
The SCC believes that compliance with food law by food premises represents another area of concern, and decided to carry out this study on food law enforcement practice in Scotland with the Royal Environmental Health Institute of Scotland (REHIS) as a helpful contributor.

REHIS is responsible for administering and maintaining schemes of practical training for trainee EHOs and FSOs and it is also the awarding body for professional qualifications for EHOs, FSOs and meat inspectors in Scotland. The Institute also disseminates knowledge regarding health, hygiene and safety for the benefit of the public. REHIS agreed to help in this research because it believes that the results would help inform training and development.

**Legal context**

All food establishments have to meet the basic requirements set out by the Food Safety Act 1990 and the Food Safety (General Food Hygiene) Regulations 1995 covering food hygiene. Separate regulations, the Food Safety (Temperature Control) Regulations 1995, cover temperature control. Anyone handling food for public consumption must be instructed or trained in food hygiene to a level in line with their duties.

However, there is no strict control of these basic requirements before food premises open for business. The reality, therefore, is that anyone can start a food business and sell food to the public. The only requirement is for food premises to register 28 days before opening for business.

In general, the enforcement of food safety is the responsibility of local authorities. EHOs and FSOs are there to both enforce legislation and to give advice to food businesses and staff and to the general public. When an enforcement officer discovers a serious contravention, it is reported to the Procurator Fiscal Service, which is the prosecuting authority in Scotland.

The FSA, which began work in April 2000, has taken on the food safety work and functions previously carried out by the Scottish Executive. In particular, the FSA aims to promote more consistent, effective enforcement services, targeting risk in a proportionate way. It aims to improve transparency in enforcement performance at both national and local level. Both SCC and REHIS are represented on the FSA’s Audit Advisory Committee.

**The research**

The survey method used was a self-completion postal questionnaire which was developed by the SCC, REHIS and external experts on food law enforcement. The survey was carried out in February and March 2003. It was sent out by REHIS to 589 of its members (members who were retired or working abroad were excluded from the sample). A further 40 surveys were sent out to the members of the Scottish Food Safety Officers Association (SFSOA) as there are only around ten members of REHIS who are FSOs. Disappointingly, from a total of 629 surveys sent out we received only 127 responses (two of which were unusable). The final response rate was 20%. While this cannot be considered representative of all enforcement officers working in Scotland the data does provide us with a range of views from a large section of Scottish food law enforcement officers.

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3 See Food Premises (Registration) Regulations (1991)
4 The Food Standards Agency, [www.foodstandards.gov.uk/enforcement](http://www.foodstandards.gov.uk/enforcement)
Chapter 2. About the enforcers

This chapter introduces the key practitioners in food law enforcement. It explores the differing academic qualifications of EHOs and FSOs. It then outlines the respondent profile.

The role of EHOs and FSOs

The main role of an environmental health officer is to reduce the risks and eliminate the dangers to human health associated with the living and working environment. EHOs are qualified to work in all areas of environmental health: public health, food safety, food standards, pollution control, waste management, the built environment, and occupational health and safety. A relevant degree and 48 weeks practical training is required to become a qualified EHO.

FSOs are qualified to work in food inspection; either in one or both the areas of food safety and food standards. An FSO’s main duty is to inspect how safely food is being produced and the level of food standards in a wide variety of food premises. New entrants will normally require a minimum of an HND in food science or food technology. A minimum of six months of structured practical training with a Scottish local authority must also be undertaken.

The enforcement officers

The majority of respondents to the survey were EHOs employed by local authorities (83%). Eleven per cent were FSOs and another 7%, although qualified as EHOs, indicated that they covered a different role from an EHO or FSO.

We asked how many years they had worked in their field. The results showed that around three-quarters (77%) had been employed in the sector for eight years or more. One out of ten had practised their profession for four to eight years, while a similar number had been involved in the enforcement of food law for between one and four years. The percentage of officers working in urban areas and mixed local authorities was roughly the same (see table 2).

Two-thirds of respondents had long-term plans (five years +) to stay in their current profession, while 18% did not know whether they would still be in the sector in five years time. Urban-based officers (78%) indicated they were more likely to remain in the profession than those in rural areas (58%). Those who planned to remain in the profession were generally optimistic about its future as well as committed to the protection of public health. One commented:

'I enjoy and am committed to the work I do. I take the view that I contribute significantly to food safety/hygiene standards and would like to continue this involvement in the long term.'

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5 The Royal Environmental Health Institute for Scotland (undated), ‘A career as a Food Safety Officer in Scotland’
Further questions aimed at those who intended to leave indicated that morale had fallen as a result of perceived bureaucratic procedures as well as the increasing pressure from a growing number of external bodies overseeing and directing their work. Concerns were also voiced about the lack of promotion opportunities and limited training opportunities (see chapter 3).

A trend that emerged with FSOs was that they did not appear to feel as well supported as EHOs. Comments included that they were not offered the same career and financial prospects as EHOs although they had related qualifications and expert knowledge about food safety matters. One commented:

‘Having a degree in a food related subject, three year’s industrial experience and 13 year’s experience in food safety enforcement, I still have a salary which is lower than that of a newly qualified EHO. I have no promotion prospects and remain with the local authority due to conditions of service. I feel strongly that despite having extensive experience and knowledge, I will not be given the same prospects and salary as my EHO colleagues.’

In summary
Respondents had a high level of experience in the field and covered a range of local authority areas; and two out of three respondents indicated that they intend to remain in the profession for at least the next five years.
Chapter 3. Influencing food law enforcement

This chapter examines factors influencing food law enforcement. Data was gathered on the perceptions of food law enforcers on a range of issues including contribution to public health, job satisfaction, resource availability and keeping up with new developments in policy and legislation.

EHOs and FSOs both play important roles in ensuring that public health is protected. The survey wanted to find out their perception of their contribution. Almost all (94%) indicated that they made a positive contribution to the protection of public health.

Most indicated that the protection of public health was at the heart of their work, primarily through enforcement but also through public health education. One officer commented:

‘Preventative action is always preferable to cure. Environmental health is a profession aimed at preventing ill health and dealing with incidents to prevent recurrence.’

Personal job satisfaction
The research showed that 42% of officers were quite or very satisfied with their job (see table 3). At the same time, nearly one-third were quite or very unsatisfied. These figures broadly echo the earlier findings about respondents’ intentions to remain in their current profession.

Those working for rural local authorities were found to have lower levels of job satisfaction than their urban counterparts. Only 32% of rural enforcement officers reported that they were quite or very satisfied compared with 47% of those working in an urban area.

Table 3  Job satisfaction
**Staffing and resources issues**

Two-thirds felt that lack of resources was an important issue within their local authority. Again, rural staff were found to have more negative views, with nearly four out of five (79%) indicating that they required more resources.

A range of comments were made by respondents on the subject of resources. Staffing levels was a recurring theme, both in terms of numbers of enforcement officers as well as administrative support. It was suggested that a shortage of staff had created difficulties, including carrying out adequate inspections and has resulted in a backlog of work. One officer suggested that low-risk premises should have a more relaxed inspection routine:

> ‘Food premises with particularly low rating scores in terms of Code of Practice 9 should not be required to be routinely inspected… These should either be inspected only reactively, or should be visited by lesser-qualified staff in order to free up time for qualified EHO staff to be able to perform their enforcement function to the full.’

Several commented on the lack of dedicated administrative support for EHOs and FSOs. Many reported that their Information and Communication Technology (ICT) systems had no software specific to their tasks and this led to multi-recording of information. Poor ICT support was also given as a cause of problems about the flow and access of information.

Recruitment was an issue raised by enforcement officers. It was suggested that a shortage of funds has meant a decline in offering trainees an opportunity to complete the training required to become an EHO or FSO. One officer commented:

> ‘Training of student EHOs is dwindling and we now have a deficit of EHOs. The independent advocate of the people on public health matters is being lost.’

A shortage of ongoing specialised training courses in the area of food safety and hygiene was also raised. Structured training was seen to be of great importance to allow enforcement officers to keep up to date with new developments in policies and legislation. A shortage of opportunities for continuous training was put down to overall resource shortages. A typical response was the following comment:

> ‘Resources must be increased across Scotland. Local authorities are undermanned and are faced with an ever-increasing workload. The Government must be made aware of the problems we face.’

There was some concern about the perceived lack of priority given to the work of EHOs and FSOs by local government as well as central bodies and a suggestion of the need to raise the profile of the environmental health profession. A respondent commented:

> ‘The profession needs to be given a higher profile to get more people involved in joining us. We should also get recognition for the good work we do in improving food safety, health and safety, etc. The other agencies take all the credit and the local authorities get no recognition after all the good work they do to help improve public health.’
Some officers said that local authorities did not always give due recognition to the importance of the environmental health service and it had a lower priority compared to other public services. On this issue one officer commented:

‘Recognition of our work requires that adequate resources, both financial and personnel are provided to enable enforcement work to be carried out to a suitable standard. In addition, environmental health departments need recognition within council structures.’

There was also a feeling that the environmental health service was under constant political pressure which made the work of EHOs and FSOs harder. A suggestion was made to separate the function from local authority control. One officer commented:

‘Personally I would remove environmental health regulation from local government and create a separate body. We need to move into the 21st century without hindrance from politics.’

Keeping up to date
Up-to-date knowledge of policy and legislation is essential to ensure consistent and appropriate enforcement of food law. However, the survey shows that just over a quarter felt that they could keep up to date with new developments with some or great ease (see table 4). In addition, over one-third of respondents (36%) said that they found some or great difficulty in keeping abreast of new developments in policies or legislation.

Table 4  Keeping up with new policy developments

Respondents cited the lack of time as the main reason for not keeping up to date. Other reasons given related to the volume of new information while its circulation was said to be a problem in some local authorities.
Setting priorities

Over half of respondents felt that there were areas of their work that should be given greater importance, while 40% indicated that all aspects of their job were prioritised properly. In particular, it was felt that food safety had received greater attention in recent years due to high profile cases. As a result, aspects such as occupational health and safety, food standards, public health education and pollution control were seen to be less important. One respondent commented that:

‘Resources appear to be more channelled towards whatever issue is the main thing of the moment, for example, food hygiene during and after an outbreak. Resources should be more evenly spread, in order to reflect the full range of important issues affecting public health.’

Illegally imported food

The SCC has had concerns that illegally imported food may represent a growing issue in Scotland and wanted to know what the officers thought. While over one-third of enforcement officers felt this was an emerging issue (see table 5), 45% said they did not know, perhaps indicating that there is a need for further work in this area.

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Table 5 Illegal food imports

In summary

Almost all respondents felt that they make a contribution to the protection of public health and most were generally satisfied with the job they carried out.

Two-thirds saw lack of resources as an issue relating to their ability to carry out their job effectively. In particular, respondents reported a shortage of enforcement and administrative staff – both at the present time and as a perceived issue of increasing importance in the future.

Dissemination of information was also identified as a problem, with only just over a quarter of respondents reporting that they could keep up with new legislation or policy changes.

Some enforcement officers felt that food safety and standards were given a high priority within environmental health departments – possibly to the detriment of other environmental health priorities.

The illegal importation of food may represent an area which merits further work.
Chapter 4. Working with other agencies

The SCC was interested in finding out about support from other key stakeholders and organisations with direct responsibility for food law enforcement and in the maintenance of consumer confidence in food. This chapter focuses on the Procurator Fiscal Service and the Food Standards Agency.

Procurator Fiscal Service
The Procurator Fiscal Service (PFS) is the sole prosecution authority in Scotland. It receives reports from over 70 specialist non-police reporting agencies involved in food law enforcement. When a report of an alleged food-related offence is submitted to the Procurator Fiscal, a decision is taken on whether prosecution is in the public interest, taking into account a wide variety of factors. Most food-related reports to the Procurator Fiscal relate to food businesses which have failed to comply with written warnings about serious infringements issued by enforcement officers. During the period 2000/2001, nine reports were made to the Procurator Fiscal for information, with three convictions.

We asked for views on whether or not the officers thought that food-related complaints made to the PFS would receive proper consideration. There was no uniform view. Just over one-third felt that complaints would not receive proper attention while 41% reported that the PFS would give due weight to complaints.

Some respondents felt that the PFS’s workload often meant that cases of non-compliance with notices would not be followed through by the PFS. Two comments from enforcement officers were:

‘I do understand that they have problems of workload, but if non-compliance with notices is not enforced, we become powerless until premises fall to such a poor state that they can be (only) prosecuted directly.’

‘Courts are too busy to consider food-related complaints.’

A recent review indicated that PFS staff themselves feel under-resourced. The review has resulted in a number of reforms, including increased investment, which is aimed at achieving increases in efficiency and also to improve ‘joined-up working’ with its partner agencies.

There was a perception by respondents that the PFS did not always give proper consideration to food-related complaints because of a lack of specialist knowledge within the service. Some officers suggested the creation of specialised courts with expertise in food-related issues. One noted:

‘I think that there should be dedicated fiscais who know about food legislation who could then be drafted in to deal with food issues.’

Some noted that in England enforcement officers can make the decision about whether to prosecute and deal directly with the courts, and suggested that this might be the solution for Scotland too.

**Improving the prosecution process**

A large minority of officers (35%) were not satisfied with the explanations provided by the PFS for not going ahead with a prosecution, compared with just over one-fifth who were satisfied with the feedback received for food-related complaints.

When asked to suggest ideas for improving the prosecution service, several officers believed that more enforcement staff should report cases to the PFS, and that they should also adopt a more consistent approach in preparing and submitting reports. Some felt that enforcement officers require better training and guidance in legal procedures. One commented:

> ‘I would suggest that better training of enforcement officers in legal procedures would be a definite benefit. I don’t think this is well enough covered in training for newly qualified or seasoned enforcement officers, when you consider the level of training that the police receive.’

Key themes were that prosecution procedures should be speeded up and that greater fines should be imposed on food premises. Moreover, it was suggested that there should be a legal requirement to provide a summary of the most recent inspections of food premises, which would help the PFS in assessing whether to prosecute. Finally, there was a suggestion that the PFS and the enforcement service should work much more closely with each other. One officer summarised these points by commenting:

> ‘Quicker time-scales and heavier penalties are needed, but in hygiene matters, even prosecution does not bring about permanent improvements. A legal requirement for businesses to deploy a summary of the findings of the most recent inspection in a prominent position would perhaps reduce the need for ineffective prosecution.’

**The Food Standards Agency**

The FSA is responsible for food safety and standards in Scotland.

The survey asked how important it was that local authorities received help and guidance from the FSA on risks associated with contravention of food safety legislation.
The results (see table 6) showed that almost two-thirds of respondents believed that it is quite or very important for local authorities to receive help and guidance from the FSA.

The survey went on to ask the respondents whether they saw the FSA as a useful source of information in relation to food safety and food standards. Officers were asked to rate the FSA on a scale of 1 to 5 where 5 was the most positive option.

The results (see table 7) showed that 44% rated the FSA at 3 on the scale, indicating that they were neither critical nor satisfied with the agency. Thirty one percent rated the FSA highly as a source of information, while a slightly lower percentage (26%) rated it lower suggesting that they do not think that the FSA is a useful source of information.
When asked, 55% did not feel their work was adequately recognised by the FSA, while only 12% said that their work on behalf of local authorities was given enough recognition by the FSA. One-third answered ‘don’t know’ to this question, raising issues regarding the FSA’s relationship with food safety enforcement officers.

When asked to give reasons for their answer many replied that enforcement officers in general do not receive enough public credit from the FSA for their good work. Some respondents also suggested that the FSA seems to place too much importance on auditing and statistics rather than on actual enforcement. A common comment made was that food safety enforcement officers do all the ‘legwork’ in many different areas, for example in food hazard warnings, but the FSA did not seem to give adequate recognition to their commitment. One officer summarised these points:

‘The FSA sees environmental health departments as a means of doing their “donkey work”. No credit is offered - merely criticism during audits. They are more interested in paper work, statistics etc.’

A number of officers remarked that their capacity to do the job was limited by having to deal with excessive paperwork and the auditing by the FSA of local authority environmental health departments. One officer said:

‘This job is in many people’s eyes becoming over-bureaucratic and form filling is excessive. We need to get back on track and remain realistic. Ticking boxes doesn’t benefit anyone but the auditors. It certainly doesn’t protect the public.’

Areas for future collaboration

The survey asked for views and suggestions on how the FSA could provide more support to EHOs and FSOs in the future. There was a strong view held by some on the FSA audits of environmental health departments. These were introduced by the FSA in 2002 as a means of bringing about more effective and consistent enforcement activities. Both the SCC and REHIS sit on the FSA Audit Advisory Committee.

Several EHOs and FSOs said that they wanted to see more meaningful audits. One officer commented that ‘the FSA could support more by providing effective support to local authorities and enforcement officers, moving away from the “number’s game” and being more pragmatic’ while another added that because of continual audits “the FSA is seen as our critic rather than our supporter”.

One officer suggested that food standards and hygiene inspection performances could be improved by the FSA: ‘lobbying central government to provide more financial resources to employ more staff to meet the workloads. EHOs and FSOs are always pressurised to meet performance indicators: quantity rather than quality!’

Similarly, it was suggested that food enforcement officers should be more involved in commenting on draft legislation since they were the people who would have to enforce it. They wanted the FSA to focus on providing more qualitative rather than quantitative auditing.
Some mentioned issues with food safety legislation. For example, one officer noted that there ‘is no current definition in the Food Safety Act 1990 for food handling’. Others wanted better guidance from the FSA in interpreting and applying food safety regulations in order to make enforcement more consistent throughout Scotland. One officer noted that ‘very often guidance notes contradict regulations and the FSA refuses to give an opinion on application in specific circumstances.’

Finally, many officers wanted the FSA to facilitate a more direct contact with EHOs and FSOs. A perceived absence of a strong relationship between them and the FSA may have contributed to a lack of direct contact and a consequent loss of trust by officers in the work of the agency.

However, it is important to note that there were many officers who had a positive view on the quality of the support received by the FSA. For example, one commented:

‘At the moment the FSA seems to be auditing and that’s all. But hopefully once audits are complete local authorities won’t just be criticised but there will be constructive criticism instead, which leads to better systems and more funding.’

Some also indicated that the FSA has raised the profile of food safety and food standards in the UK. One remarked:

‘The FSA is very high profile about what they do and ultimately consumers will feel safer about food when they get continual messages in the media regarding positive action taken by the FSA.’

**In summary**

There appeared to be no uniform view from respondents on their working relationships with the PFS and the FSA.

In relation to the Procurator Fiscal, 41% of respondents indicated that they felt that the PFS would give proper consideration to food-related complaints while just over one-third did not. Respondents who did not feel that the PFS would give proper consideration to food-related cases reported a number of factors including it being under-resourced and lacking in knowledge of food law.

Just over one-third were dissatisfied with the explanations given by the PFS in decisions not to pursue cases.

In relation to the Food Standards Agency, the majority of respondents felt it was important that the FSA provided help and advice to enforcers, however, there was no uniform view on whether this was happening. Moreover, slightly over half felt that their work was not properly recognised by the FSA. When asked how the FSA could provide enforcement officers with more support a number of common themes emerged including a move away from the emphasis on meeting targets in their audits, and the provision of clearer guidance more generally.

A theme to emerge as common areas for improved working, of both these agencies is the importance of good working relations between enforcement officers and their partner agencies. These could be improved by more direct contact and better flow of information.
Chapter 5. Legal provisions for enforcing food law

This chapter looks at current food legislation and regulations supporting food law enforcement. The research sought to find out enforcement officers’ views on the suitability of the present arrangements in underpinning their work.

The survey asked if current legislation was adequate to protect public health in the following areas: food composition and labelling; food premises, structure and design; safe food and handling practices and management/control systems.

Fewer than half (46%) believe that legislation dealing with food composition and labelling was adequate. Legislation on food premises, structure and design received a more positive response with the majority of officers (65%) indicating that legislation was adequate in this area, with 27% saying the opposite.

When it came to safe food and handling practices, views were divided almost evenly. Almost half the officers saw this legislation as adequate, while slightly fewer (44%) indicated that the law in this area was not strong enough to protect public health.

A clear majority considered the legislative framework inadequate in relation to management and control systems. Some 53% indicated that existing legislation was not up to protecting public health. Only 35% of enforcement officers reported that they were satisfied with the current legislation in this area.

Another important aspect of food enforcement legislation are the different codes of practice, which provide guidelines on all the specific areas of food law enforcement. In this study, the SCC was particularly interested in views on the comprehensiveness of the codes 8 and 9, which cover food standards and food hygiene inspections respectively.

Fewer than half (44%) of officers felt that the code dealing with food standard inspections was quite or very limited while a similar percentage (43%) indicated that it was neither limited nor comprehensive. Only 14% of respondents indicated a positive view, describing the code as quite or very comprehensive. A very different set of views was shown with regard to the code dealing with food hygiene inspections, with 44% reporting that it was quite or very comprehensive (see table 8).
Legislation and enforcement

Some officers suggested that legislation was in general too vague and too open to interpretation because of the ambiguity of some of the terms used. One commented that:

‘Current legislation is far too open to interpretation. It is not prescriptive. The Food Safety Act 1990 and regulations frequently use phrases such as “sufficient” and “adequate” and is in my opinion bad legislation. Any legislation which is open to debate is difficult to enforce, as officers are reluctant to take action if there is a possibility of lengthy legal arguments in court.’

Aspects of the Food Safety (General Food Hygiene) Regulations 1995 gave cause for concern. Regulations that seemed to cause the most problems were those dealing with risk assessments and hazard analysis, and the Hazard Analysis Critical Control Points (HACCP).

One criticism was that this area of legislation is too complicated to be understood by food proprietors. One officer commented:

‘Expectations that food businesses will be able to get through HACCP is a joke. It is far too complicated for most people working in food businesses.’

Some officers were critical of the practice of issuing ‘Minded To’ notices to food premises. These are not legally binding and are more of a warning that the enforcement officer is about to serve an Improvement Notice. They usually arise when there is a serious contravention of regulations but where there is not an imminent risk to health. The notice will have an expiry date, which could allow a food premises to stay in business without making any changes. This led one officer to comment:

‘Minded To notices are a very disturbing issue. If a serious contravention is identified, but it is not an imminent risk to health, then it can take few weeks for an Improvement Notice to expire. A business can operate during this time without perhaps an essential component/facility. I feel that there is no great need for Minded To notices at all and they should be scrapped altogether.’
The problem of the licensing of food premises was also highlighted. Concern was expressed about the fact that there are food premises opening up or changing ownership all the time and many of them do not have even basic requirements. At the moment, licensing is an obligatory requirement only for butchers and meat product factories. A number of officers suggested that licensing should be extended to include more high-risk premises such as take-aways, canteens and restaurants. One commented:

‘It should be compulsory that premises must register before opening. I would not let any food premises open until environmental health are satisfied with the premises and food hygiene practices.’

Finally, one respondent suggested that it should be part of the duties of EHOs to determine the level of training for food businesses:

‘Food businesses should be licensed before opening up. All food handlers must have been formally and appropriately trained. The level of training required should be decided by EHOs.’

**In summary**

It was surprising that three of the four aspects of legislation examined in the questionnaire were viewed by less than half the respondents as being adequate.

Problems raised by respondents in relation to food legislation included that legislation and guidance was too vague, hazard analysis (HACCP) procedures were too complicated and that “minded to” notices were not legally binding.

The absence of a regulated licensing system for most food businesses was also highlighted as an issue for concern.
Chapter 6. Keeping consumers informed

This chapter focuses on officers’ views on the quality of information available to consumers. In particular, it was important to know whether consumers should be better informed about the work of food enforcement officers and how the public could get access to information.

As the law stands, the public is not entitled to receive information about formal infringement actions against food businesses until the matter has finished in the courts. The SCC wanted to gauge support among enforcement officers for a possible change in the legislation to allow the public to know about cases at an earlier stage in the process. The vast majority of respondents (90%) felt that consumers ought to be better informed about their work.

The research showed that a clear majority of enforcement officers believed that consumers should be informed about cases of formal enforcement actions against food businesses. Sixteen per-cent felt that consumers should be informed about written warnings issued to food premises, the option representing the earliest stage at which consumers could be informed (see table 9). A substantial group (47%) wanted consumers to be informed when an Improvement Notice was issued. Just over one third (36%) indicated that they were satisfied with the current position, which is to inform the public when an Emergency Prohibition Notice is issued.

Those with reservations about making too much information available before cases had been resolved were concerned that judgements which could have implications for the premises could be made before the full facts were known.

Table 9  At what stage should the public know

<table>
<thead>
<tr>
<th>Stage of Action</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Written Warnings (least serious sanction)</td>
<td>16%</td>
</tr>
<tr>
<td>Improvements Notices</td>
<td>47%</td>
</tr>
<tr>
<td>Emergency Prohibition Notices</td>
<td>36%</td>
</tr>
</tbody>
</table>
The survey went on to ask officers where they thought consumers should be able to access this information. Most thought that the information ought to be available on websites run by the Food Standards Agency and local authorities. Others pointed out that more people were likely to read about action against food businesses in their local newspapers. Others suggested that a public register ought to be available in libraries and town halls.

Several officers favoured the display of enforcement action notices in the food premises in question. This could prove an effective method of informing the public and also act as a deterrent against poor practice by food businesses. One comment was:

‘If premises had to display inspection scores that would probably be the greatest incentive to improve standard.’

The results indicate that a majority of officers (52%) feel that food premises should make available current food standards and food safety risk inspection assessments to consumers, while more than a third disagreed.

Currently the only initiative which provides consumers in Scotland with information on hygiene standards in food premises is the Scottish Healthy Choices Award Scheme (SHCAS), administered by the SCC in partnership with NHS Health Scotland. Although the purpose of the award scheme is to reward those premises who can demonstrate that they are promoting and providing healthy choices to their customers, it also requires that premises meet high standards of hygiene.

A pilot project was established in 2003 by the FSA in Northern Ireland, called Eat Safe, which aims to provide information to the public about hygiene in food premises.

Another issue raised by respondents was the need to improve the education of proprietors and food handlers on food safety and hygiene standards. One officer noted:

‘The pace of food technology is quickening. However, the standards of education in food safety are not keeping up. Many food handlers and proprietors fail to recognise the need for such an education.’

There was also a view that there was a lack of basic education on food matters by the general public. An absence of readily accessible and understandable information and advice on public health was raised. Frustration was also expressed at the lack of time and the resources necessary to be able to cover the health promotion aspect of their work. One respondent suggested:

‘Financial cuts within councils seem to mean that only basic statutory services are done. Education and health promotion can then fall by the wayside. It can get frustrating for officers who tend to feel like they are fire fighting about issues because they haven’t got the resources and time to educate the public.’

In summary

There was a general consensus among respondents that consumers should be better informed about the work carried out by enforcement officers. Two-thirds of respondents felt that consumers should be notified about formal enforcement actions at an earlier stage than currently occurs. Moreover, slightly over half felt that consumers should be able to access inspection assessments.
Chapter 7. Conclusions and recommendations

Conclusions
The Scottish Consumer Council has expressed concern in recent years over food safety issues. This research has focused on food law enforcement as a particular area of interest as it is essential in safeguarding consumer protection but it also has the potential to allow consumers to make informed choices about where they buy food and to ensure high standards among businesses selling food.

The aim of this study was to build an evidence base on the issues and challenges facing those with a direct responsibility for maintaining consumer confidence in food – environmental health officers and food safety officers. In particular, we wanted to know their views on:

• factors influencing food law enforcement;
• working with other agencies responsible for food law enforcement, normally the PFS and the FSA;
• current food legislation;
• the provision of consumer information.

Useable responses were received from 125 enforcement officers giving us a rather low response rate of 20%.

Enforcing food law
Although the majority of respondents were satisfied in their job and intended to remain in the profession for at least the next five years, a number of issues were raised which acted as barriers against them doing their job effectively. Lack of resources was identified as a concern, in particular levels of enforcement and administrative staff. One view raised by some respondents was that environmental health was not viewed as a priority within local authorities. Other issues included the dissemination of information and the prioritisation that food safety and standards were given within environmental health departments – possibly to the detriment of other environmental health objectives. The illegal importation of food was identified as an area which may merit further work.

Working with other agencies
There is scope for improvement with regard to how enforcement officers and other relevant agencies work together. Although no uniform view was provided by respondents with regard to the Procurator Fiscal Service, and the Food Standards Agency, a number of areas were identified where joint working could be improved. Working relations could be improved by more direct contact at the enforcement officer level and a better flow of information between enforcement officers and their partner agencies. The PFS is currently undertaking a programme of modernisation which includes improving its joint working with partner agencies.
Legal provisions for enforcing food law
A surprisingly high level of respondents indicated that they did not feel that the aspects of food legislation examined were adequate to protect public health. Respondents raised a number of areas of concern in relation to the legal provisions for enforcing food law. These included the view that present legislation and guidance was too vague, hazard analysis procedures were too complicated, and that ‘minded to’ notices were not legally binding. The absence of a regulated licensing system for most food businesses was also raised as an issue by some respondents.

Keeping the consumer involved
Of particular interest is the consensus among respondents that consumers should be better informed about the work they do. There was strong support among respondents for earlier notification of consumers with regard to formal enforcement actions, and also for consumers to be able to access inspection report information assessments. There was less of a uniform view, however, on how these types of information should be made available to the consumer.

The ability for consumers to make informed decisions in relation to premises selling food is vital, not only for consumer choice but also in driving a competitive market.

Recommendations
1. A clear conclusion from the research is the view from enforcement officers of the need for consumers to be better informed about the work that they do. This will have the dual impact of raising the profile of the enforcement officers with the public and improving consumer confidence in the safety of the food they eat. The Food Standards Agency should therefore work with the profession and the agencies involved in food policy to find effective mechanisms to inform consumers about the work of enforcement officers in relation to food law and continue to provide education to consumers about food safety issues.

2. Another dimension to this is the need to improve the information that consumers receive from enforcement officers about the outcome of their work in relation to food premises. There is a need to examine methods that will enable consumers to make informed choices in relation to premises selling food and for consumers to be able to then make an informed choice about whether or not to support these premises. This should also provide an incentive to food premises to work towards achieving better food safety and standards practice. This will have the result of giving competitive market advantage to those who perform well, by enabling consumers to make a comparison on the merits of different food premises and choose to support those who lead.

The FSA should therefore establish a working group to facilitate this by examining different methods that exist, including those from outside of the UK, to make inspection findings available to consumers. This should include the option for licensing. The working group should include a consumer interest representative.
3. The FSA should also examine the tensions that appear to exist between food law enforcers and the Agency and work with them to improve the relationship that exists. Similarly, the Procurator Fiscal service should continue to work toward improving joined-up working with its partner agencies, with particular regard to the issues highlighted by enforcement officers in this study.

4. Finally, the FSA should re-examine the legislation in place to ensure that consumers are adequately protected and enforcement officers have the necessary tools and legal backing to do this effectively.
Appendix 1. Questionnaire

Section 1: Background information

1. Do you currently work as an Environmental Health Officer or as a Food Safety Officer?

- Environmental Health Officer: 83%
- Food Safety Officer: 11%
- Other: 7%

2. How many years have you been working in your field?

- 1 year or less: 2%
- 1 to 4 years: 11%
- 4 to 8 years: 10%
- 8 years or more: 77%

3. Please look at Annex 1 and then select which type of local authority you work for

- Rural: 15%
- Mixed (rural and urban): 37%
- Urban: 38%
- Do not work for a local authority: 10%

Section 2: Your job

4. How would you rate your personal job satisfaction?

(Please circle one option on a scale of 1 to 5)

<table>
<thead>
<tr>
<th>Very unsatisfied</th>
<th>Very satisfied</th>
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<tbody>
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<tr>
<td>1</td>
<td>5</td>
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<td>2</td>
<td>23</td>
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<td>3</td>
<td>31</td>
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<tr>
<td>4</td>
<td>33</td>
</tr>
<tr>
<td>5</td>
<td>9</td>
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</tbody>
</table>

5. Are there any areas in which you require resources (research support, information technology, administrative support, etc.) in order to enforce food law more effectively?

(Please ☐ one box)

- Yes: 66% if yes, please answer question 5b.
- No: 24% if no, please answers question 6.
- Don’t know: 11% If don’t know, please answer question 6.
5b. What areas would you require more resources in order to enforce food law more effectively?

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6. How well do you feel that you are able to keep up to date with new developments (such as legislation/policy changes)? (Please circle one option on a scale of 1 to 5)

<table>
<thead>
<tr>
<th>With great difficulty</th>
<th>With great ease</th>
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<tbody>
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<td>1</td>
<td>2</td>
</tr>
<tr>
<td>7%</td>
<td>29%</td>
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<td>2</td>
<td>3</td>
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<tr>
<td>38%</td>
<td>42%</td>
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<tr>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>42%</td>
<td>46%</td>
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6b. Please give reasons for your answer

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7. Your job may include aspects of the following: food standards; food hygiene; pollution control and occupational health and safety. Are there any aspects of your job, which you feel should be given greater priority in order to protect the public?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Don't know</th>
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<tbody>
<tr>
<td>56%</td>
<td>40%</td>
<td>5%</td>
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</table>

7b. Please give reasons for your answer

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8. Do you feel that you contribute to the protection of public health?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Don't know</th>
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</thead>
<tbody>
<tr>
<td>94%</td>
<td>4%</td>
<td>2%</td>
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</table>
8b. Please give reasons for your answer

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9. What do you consider to be the key factor(s) in influencing consistent and appropriate food law enforcement?

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10. Do you think that illegally imported food is a real and growing problem in Scotland?

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<tr>
<td>Yes</td>
<td>36%</td>
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<tr>
<td>No</td>
<td>19%</td>
</tr>
<tr>
<td>Don’t know</td>
<td>45%</td>
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Section 3: Support from other agencies

A) The Procurator Fiscal Service

11. Do you believe that any food related complaint which your local authority may make to the Procurator Fiscal will receive proper consideration?

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<tbody>
<tr>
<td>Yes</td>
<td>41%</td>
</tr>
<tr>
<td>No</td>
<td>34%</td>
</tr>
<tr>
<td>Don’t know</td>
<td>25%</td>
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</tbody>
</table>

11b. Please give reasons for your answer

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12. With regard to food related complaints made to the Procurator Fiscal, but not proceeded with, are you satisfied with the explanations given for not proceeding with formal actions?

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<tbody>
<tr>
<td>Yes</td>
<td>21%</td>
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<tr>
<td>No</td>
<td>35%</td>
</tr>
<tr>
<td>Don’t know</td>
<td>44%</td>
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</table>

12b. Please give reasons for your answer

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13. How do you think the prosecution of food related complaints could be improved in Scotland?

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…………………………………………………………………………………………..........................
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B) The Food Standards Agency (FSA)

14. On average, how frequently do you contact the Food Standards Agency for information?

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<tbody>
<tr>
<td>Weekly</td>
<td>7%</td>
</tr>
<tr>
<td>Monthly or less often</td>
<td>20%</td>
</tr>
<tr>
<td>Every few months</td>
<td>27%</td>
</tr>
<tr>
<td>Yearly</td>
<td>20%</td>
</tr>
<tr>
<td>Never</td>
<td>23%</td>
</tr>
<tr>
<td>Other</td>
<td>4%</td>
</tr>
</tbody>
</table>

15. Do you find the FSA a useful source of information in relation to food safety and food standards?

<table>
<thead>
<tr>
<th></th>
<th>Not at all</th>
<th>Very much</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>9%</td>
<td>17%</td>
<td>44%</td>
</tr>
</tbody>
</table>
15. Has the introduction of the FSA improved standards of food safety?

Yes 27%
No 38%
Don’t know 35%

17. In your view, has the introduction of the FSA increased consumer confidence in the safety of food?

Not at all
Very much

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<thead>
<tr>
<th></th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
</tr>
</thead>
<tbody>
<tr>
<td>%</td>
<td>11%</td>
<td>25%</td>
<td>42%</td>
<td>21%</td>
<td>2%</td>
</tr>
</tbody>
</table>

17b. Please give reasons for your opinion about the effect of the introduction of the FSA on consumer confidence in the safety of food.

................................................................................................................................................
................................................................................................................................................
................................................................................................................................................

18. Does the FSA give enough recognition to the work that the EHOs and FSOs carry out in Scottish local authorities?

Yes 12%
No 55%
Don’t know 33%

18b. Please give reasons for your answer

................................................................................................................................................
................................................................................................................................................
................................................................................................................................................
19. How important is it that local authorities receive help and guidance from the FSA on risks associated with contraventions of food safety legislation?

<table>
<thead>
<tr>
<th>Very unimportant</th>
<th>Very important</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>5</td>
</tr>
<tr>
<td>4%</td>
<td>36%</td>
</tr>
</tbody>
</table>

12% 29% 19% 12% 4%

20. How could the FSA provide more support to EHOs and FSOs in the future? Please give reasons for your answer

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Section 4: Food legislation

21. Is legislation in the following areas of food enforcement currently adequate to protect public health?

<table>
<thead>
<tr>
<th>Area</th>
<th>Yes</th>
<th>No</th>
<th>Don't know</th>
</tr>
</thead>
<tbody>
<tr>
<td>Food composition and labelling</td>
<td>46%</td>
<td>40%</td>
<td>13%</td>
</tr>
<tr>
<td>Food premises, structure and design</td>
<td>65%</td>
<td>27%</td>
<td>8%</td>
</tr>
<tr>
<td>Safe food and handling practices</td>
<td>48%</td>
<td>44%</td>
<td>8%</td>
</tr>
<tr>
<td>Management/control systems</td>
<td>35%</td>
<td>53%</td>
<td>13%</td>
</tr>
<tr>
<td>Other (please specify)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

22. How comprehensive do you think the Code of Practice no.8 (under review) is concerning food standards inspections to food premises? (Please circle one option on a scale of 1 to 5)

<table>
<thead>
<tr>
<th>Very limited</th>
<th>Very comprehensive</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>5</td>
</tr>
<tr>
<td>15%</td>
<td>2%</td>
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</tbody>
</table>

43% 12% 29% 15% 2%
23. How comprehensive do you feel the Code of Practice no.9 (under review) is concerning Food Hygiene Inspections to food premises?

<table>
<thead>
<tr>
<th>Very limited</th>
<th>Very comprehensive</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>3%</td>
<td>14%</td>
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<tr>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>39%</td>
<td>38%</td>
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<tr>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>3%</td>
<td>6%</td>
</tr>
</tbody>
</table>

Section 5: Information for consumers

24. How well informed do you feel consumers are about the work that you do? (Please circle one option on a scale of 1 to 5)

<table>
<thead>
<tr>
<th>Very uninformed</th>
<th>Very well informed</th>
</tr>
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25. Do you think that consumers should receive more information on the work that you do?

- Yes: 90%
- No: 5%
- Don’t know: 5%

26. Do you think consumers should receive information about formal enforcement actions for infringements against food businesses?

- Yes: 82%
- No: 11%
- Don’t know: 7%

27. If consumers were to receive information specifically on formal enforcement actions, what is the appropriate level of action that you think should trigger the provision of consumer information?

- Written warnings: 16%
- Improvement notices: 47%
- Emergency prohibition notices (as currently stands): 36%
28. If consumers were to receive information specifically on formal enforcement actions where do you think they should be able to access this information?

29. Should food premises make available to consumers your current food standards and food hygiene inspection assessments?

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Section 6: The future

30. Do you have long-term plans (5 years) to remain in their current profession?

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31. Please give reasons for your answer
32. In your opinion what is the single most pressing issue that needs to be addressed in order to help protect the public? (Please include reasons for your answer)

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33. Please use the space below to tell us about any thing else relevant to this study which you think we should know.

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Please now return this questionnaire to Tom Bell at REHIS by Monday 24th March in the postage paid envelope provided or to:

The Royal Environment Health Institute of Scotland
3 Manor Place
Edinburgh
EH3 7DH

Thank you for taking the time to complete this questionnaire.
Annex1: Classification of Local Authorities by Type

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Appendix 2. List of tables

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