

## **Whistleblowing Annual Report 2018/19: The Prescribed Persons (Reports on Disclosures of Information) Regulations 2017**

The Food Standards Agency (FSA) is a Prescribed Person as defined by the Public Interest Disclosure (Prescribed Persons) Order 2014.

Under the Prescribed Persons (Reports on Disclosures of Information) Regulations 2017, all Prescribed Persons are required to provide an annual report on public interest disclosures they have received. Reports for 1 April 2018 to 31 March 2019 whistleblowing disclosures must be published no later than the end of September 2019.

The report must contain, without including any information which would identify a person who has made a disclosure, or any other person in respect of whom a disclosure has been made:

- (a) The number of workers' disclosures received during the reporting period which the Prescribed Person reasonable believes are –
  - (i) Qualifying disclosures within the meaning of section 438 of the Employment Rights Act 1996; and
  - (ii) Which fall within the matters in respect of which that person is so prescribed.
- (b) The number of those disclosures in relation to which the Prescribed Person decided during the reporting period to take further action.
- (c) A summary of –
  - (i) The action the Prescribed Person has taken during the reporting period in respect of those disclosures; and
  - (ii) how those disclosures have impacted on the Prescribed Person's ability to perform its functions and meet its objectives during the reporting period.
- (d) An explanation of the function and objectives of the Prescribed Person.

**In the period 1 April 2018 to 31 March 2019 inclusive:**

(a)(i)	We received a total of 88 disclosures which have been assessed against the Public Interest Disclosure Act 1998 (PIDA) and the statutory requirements of the Food Standards Agency (FSA).
(a)(ii)	We reasonably believe that 88 disclosures were qualifying disclosures and fell within the matters in which the FSA is a Prescribed Person.
(b)	We decided to take action on 86 of the 88 disclosures which we reasonably believed to be qualifying disclosures.
(c)(i)	<p>Of the 86 disclosures on which we decided to take action:</p> <ul style="list-style-type: none"> <li>• 58 were redacted in to sanitised, anonymised intelligence reports and provided to the appropriate authority (either within the FSA or an external public agency) for action.</li> <li>• 28 disclosures were the subject of additional intelligence development activity by the FSA, following which the Agency made an informed decision to lead, support or coordinate further action where the intelligence case indicated wrongdoing may have occurred.</li> </ul> <p>Outcomes achieved in relation to the 86 disclosures on which we decided to take action include:</p> <ul style="list-style-type: none"> <li>• Non-compliance with food safety procedures identified and addressed by the appropriate authority.</li> <li>• Lawful seizure and destruction of unsafe food by the appropriate authority.</li> <li>• Food hygiene concerns identified and addressed by the appropriate authority.</li> <li>• Prevention of non-compliant activity by food businesses and disruption of unregulated food production through targeted joint working with partner agencies.</li> <li>• Insufficient evidence identified to substantiate any wrongdoing.</li> </ul> <p>No action was taken in respect of 2 of the 88 disclosures because the concerns raised were already known to the appropriate authority.</p>
(c)(ii)	<p>All 88 disclosures impacted the ability of the Food Standards Agency to perform its functions and meet its objectives by:</p> <ul style="list-style-type: none"> <li>• Assisting the FSA and other appropriate authorities to consider potential food safety risks and implement appropriate risk management actions.</li> </ul>

	<ul style="list-style-type: none"> <li>• Enabling the FSA and other appropriate authorities to identify non-compliance with food hygiene and food safety processes, directing appropriate remedial action be taken by the relevant food businesses.</li> <li>• Build the FSA's knowledge and understanding of food safety risks, enabling strategic priorities to be determined and resources allocated to those priorities.</li> </ul> <p>In doing so, the disclosures have contributed to the FSA's work to ensure food is safe and is what it says it is.</p>
(d)	<p>The mission of the FSA is to use our expertise and influence so that people can trust that the food they buy and eat is safe and what it says it.</p> <p>The FSA is a Prescribed Person for matters which may affect the health of any member of the public in relation to the consumption of food and matters which concern the protection of the interests of consumers in relation to food.</p> <p>Food Standards Agency  Floor 7  Clive House  70 Petty France  London SW1H 9EX</p> <p>Telephone 0207 276 8787  Webform <a href="https://www.food.gov.uk/contact/businesses/report-safety-concern">https://www.food.gov.uk/contact/businesses/report-safety-concern</a>  Email <a href="mailto:foodcrime@food.gov.uk">foodcrime@food.gov.uk</a></p>