

## EU EXIT

### Report by Rod Ainsworth

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#### 1. Summary

1.1 The main purpose of this paper is to record to the Business Committee the substantial completion of the FSA's Programme of work to prepare for the UK's Exit from the EU. The paper also explains the way in which the various Programme outcomes are being dealt with, in light of the continuing delay to the UK's EU Exit.

#### 2. Evidence and Discussion

- 2.1 As the annexed slide illustrates, each of the workstreams within the FSA's EU Exit Programme had reached a satisfactory conclusion before 29 March 2019 so that had the UK left the EU on that date, the FSA's overriding objective – ensuring that there would be an effective food safety regime in place for the protection of UK consumers (whatever the terms of the UK's departure) – had been achieved.
- 2.2 The Programme Team worked with colleagues across the FSA to ensure that prior to 29 March all of the work preparing for Exit – the creation or enhancement of systems and processes and the recruitment of new FSA officials to increase our capacity in key areas – had been integrated into the ongoing day to day work of the organisation, so that by the time of Exit, our preparations could form part of "business as usual".
- 2.3 Having reached that stage, and notwithstanding the continuing delay to the UK's Exit, the decision was taken that the work of the EU Exit Programme itself was finished. A decision will be taken as to the appropriate way to approach future EU Exit-related work – whether to have a new Programme, or some other approach – in the light of future developments.
- 2.4 In the meantime, all of the work carried out under the EU Exit Programme, and the Programme outcomes, have been reviewed. They will be treated in one of three ways:
- "Banked": some outcomes, for example the organisational changes to create separate Science and Policy Directorates, and the development of a full-function Food Crime Unit, are measures the FSA would have wanted to take at some stage in any event and it would make no sense to contemplate "undoing" them. These features of the FSA now form part of the organisation for the future, regardless of the eventual relationship between the UK and the EU;

- “Put on the shelf”: some measures – the programme of “no deal” Statutory Instruments (SIs) is an example – are not needed at the moment but might be in future, depending on events in the UK and the outcome of negotiations with the EU. They will be held in readiness in case they are necessary;
- “Keep warm”: some preparations – the best example is the FSA’s emergency response readiness – might need to be re-activated at short notice, again depending on how other matters progress. The FSA must avoid allowing its state of readiness to grow too stale, or knowledge of its processes to dissipate. Although the teams who were involved have been “stood down”, there will be regular checks to ensure that we can escalate our readiness again very rapidly should we need to.

2.5 In addition to the above, work is continuing, at the request of the Cabinet Office, further to develop the UK Framework for Food and Feed Safety, and to respond to requests from other Departments working on various parts of their own EU Exit Preparations. Given ongoing uncertainties we have so far held off commencing any thorough “lessons learned” exercises, (although this will undoubtedly be undertaken in due course) but we have already, within the Executive team, committed to seek to build some of the successful features of the FSA’s approach to EU Exit into our continuing work. We have, over the last two years, learned new ways of working together across the FSA. We are keen not to “unlearn” them.

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	Apr – Jun 18		Jul – Sep 18		Oct – Dec 18		Jan – Mar 19		Day 1 Ready	
<b>Imports</b>	Changes to business processes for import controls identified	Pre-Notification (EU High Risk products) principles agreed X-Govt	Recruitment for additional FSA capacity started	Resource available to enable ports / FSA to deliver new processes	Start date for Pre-Notification confirmed by DEFRA.	Industry / Officials understand changes required from Day 1 & beyond.	Additional FSA imports capacity in place	Systems and process for MVP in place	Law is ready to underpin import control regime	
<b>Incidents</b>	Solution build for handling food alerts started	Recruitment for additional capacity started		Stakeholder strategy implemented	Start date for Pre-Notification confirmed by DEFRA.	Solution in place for handling food alerts	Additional FSA incidents capacity in place	Roles and responsibilities clear for incident handling	Law is ready to enable incident response / action	
<b>Legal Conqs</b>	Inoperabilities identified		Fixing SI's Drafted (extends through to Sep)	Consultations started	Parliamentary process started		Consultations complete	Parliamentary process complete	Law is ready to underpin regulatory regime from Day 1	
<b>Risk Assm't</b>	Day 1 Lab capacity in place	Recruitment for additional FSA capacity started		Additional FSA RA capacity in place		Scientific committees expanded	Risk Communication methods agreed	Risk Assm't Principles in place	Law is ready to underpin RA responsibilities	
<b>Risk Mgmt</b>	XGovt agreement to RM proposals	Ministerial response to RM proposals	Shadow Regulatory Forum established	Governance for decision making developed	Process for decision making agreed	Resources in place to undertake new responsibilities	FSA Board Agreement to Governance & Process	Food Safety RM Forum Operational (in shadow form)	Law is ready to underpin RM responsibilities	
<b>Surv'lan ce</b>	Specific case studies agreed		Methods & process in place				Case studies completed	Successful outputs operationalised		
<b>Enhanced Reg</b>	Discovery complete	Alpha complete		Private Beta Phase	Initial Delivery Agents understand requirements			Enhanced Reg System in use (MVP)		
<b>NFCU</b>	HMT approved business case	FSA Board Approval	NFCU Recruitment Launched	Senior Management recruited	Middle Management recruited		Staff Trained	Case Management System live (15 April)	Law ready to allow full range of activity	
<b>Exports</b>	New Health Mark agreed by FSA		Informal consultation with industry	Plan in place for listing premises with EC.	Consultation on health marks complete			Industry / Officials understand requirements	Replacement meat stamps issued	

ANNEX