

Title of Report:	REVIEW OF THE FOOD LAW CODE OF PRACTICE AND PRACTICE GUIDANCE (NORTHERN IRELAND)
Committee Report Submitted To:	Environmental Services Committee
Date of Meeting:	13/05/2025
For Decision or For Information	For Decision
To be discussed In Committee	No

Linkage to Council Strategy (2021-25)	
Strategic Theme	Cohesive Leadership
Outcome	
Lead Officer	Head of Health & Built Environment

Estimated Timescale for Completion	
Date to be Completed	N/A

Budgetary Considerations	
Cost of Proposal	N/A
Included in Current Year Estimates	YES
Capital/Revenue	N/A
Code	
Staffing Costs	

Screening Requirements	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	Yes/No	Date:
	EQIA Required and Completed:	Yes/No	Date:
Rural Needs Assessment (RNA)	Screening Completed	Yes/No	Date:
	RNA Required and Completed:	Yes/No	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	Yes/No	Date:
	DPIA Required and Completed:	Yes/No	Date:

1.0 Purpose of Report

- 1.1 The purpose of this report is to inform Members of a consultation by the Food Standards Agency (FSA) on proposed changes to the Food Law Code of Practice and Practice Guidance (Northern Ireland), and to seek approval for the Council's draft response.

2.0 Background

- 2.1 The Food Standards Agency (FSA) has launched a Consultation on the proposed amendments to the Food Law Code of Practice (Northern Ireland). This consultation seeks stakeholders' views on proposed changes to the Northern Ireland Code and the accompanying Practice Guidance.
- 2.2. The Food Law Code of Practice provides official guidelines for Councils on how to enforce food safety and hygiene laws, ensuring food businesses comply with regulations. The Food Law Practice Guidance complements the Code, offering non-statutory advice and best practices to help Councils implement food safety enforcement consistently and effectively.
- 2.3 The proposed amendments aim to provide Councils with greater flexibility in delivering official food hygiene controls and allow more effective targeting of resources to address emerging risks in the food chain. The Food Standards Agency is required to consult on any revisions prior to implementation. Details of the Consultation can be found at:

<https://www.food.gov.uk/news-alerts/consultations/consultation-on-proposed-amendments-to-the-food-law-code-of-practice-and-practice-guidance-northern-ireland> .

- 2.4 The closing date for submission of responses is 19th May 2025.

3.0 Key Issues

- 3.1 The consultation outlines several key proposals designed to enhance food hygiene enforcement and ensure that practices align with current challenges and needs. These proposals focus on:
- Adopting a revised risk-based approach to prioritise and set timescales for initial inspections of new food establishments.
 - Allowing adjustments to an establishment's food hygiene intervention risk rating, based on a broader range of control methods, including remote techniques.
 - Expanding the range of activities that can be performed by officers without formal food hygiene qualifications, provided they are competent.
 - Clarifying the approach to interventions at food establishments in risk category E premises.

- Removing the mandatory requirement for a specific number of hours for continuing professional development (CPD).
- Implementing various amendments to align with legislative changes, improve clarity, enhance consistency, and keep the Code current.

3.2 A draft consultation response, attached as appendix 1, prepared in collaboration with Environmental Health teams across all Councils in Northern Ireland, highlights the following main points:

- The updated risk-based approach to prioritisation and scheduling of new food business inspections is supported but limitations are noted due to IT system constraints (MIS), resource pressures, and limited time savings from remote assessments.
- The use of remote inspections for Category C and D businesses is opposed as previous experience shows these methods are less effective than physical inspections. Remote assessments should only be used for Category E premises or to verify follow-up actions.
- Extending official control duties to unqualified staff for D and E category premises is also opposed due to supervisory burdens and capacity limitations. However, using unqualified staff for administrative and low-risk tasks is supported.
- The clarification in the approach to Category E premises is welcomed.
- The proposal to remove the prescriptive number of CPD hours, emphasising that the 20-hour CPD requirement (including 10 core hours) is not supported. It is considered that it should remain to ensure officers maintain up-to-date expertise, professional credibility, and adequate training standards.
- Relocating the FSA endorsed qualification from the Code to the Practice Guidance is strongly opposed and warn that this could lower professional standards and fragment the profession.

4.0 Summary

4.1 The suggested Council response broadly supports the aims of the proposed changes, particularly those promoting a risk-based and flexible approach. However, some concerns remain around the practical implementation, impact on enforcement quality, and the risk of undermining professional standards.

5.0 Recommendation

It is recommended that Council approves the response.

Consultation response form on proposed amendments to the Food Law Code of Practice and Practice Guidance (Northern Ireland)

In relation to proposal 1, an updated risk-based approach to the prioritisation and timescales for undertaking initial official controls of new food establishments:

- **Question 1a. Do you consider that the approach will provide Competent Authorities with the ability to deploy current resources more effectively? If not, why not? (Please specify any aspects of the proposal which requires further consideration, and why).**

Causeway Coast and Glens Borough Council acknowledges the introduction of the flexibility regarding the timescales for initial official controls of new food businesses. Causeway Coast and Glens Borough Council agrees that this will enable Councils to prioritise initial or due official controls of higher risk premises.

Although the Food Law Code of Practice (FLCoP) provides for an initial official control for lower inherent risk businesses within 3 months of commencing operations, the FSA should be aware that Councils will be pressured to provide businesses which are included in the Food Hygiene Rating Scheme (FHRS) with a rating in a shorter time scale for commercial reasons. The Food Standards Agency (FSA) should be aware that Causeway Coast and Glens Borough Council's objectives include the economic support of businesses.

The business types where Councils can avail of remote official controls would be limited to those that are low-risk and exempt under the FHRS such as childminders, chemists, certain off licences and food brokers. Within the Causeway Coast and Glens Borough Council area the number of these types of businesses is low and they do not frequently change ownership, therefore it is limited as to officer time saved.

Causeway Coast and Glens Borough Council would consider a 'competent person' to be one who meets the qualifications in the current FLCoP. While unqualified staff may be able to gather information, a suitably qualified person, as per the FLCoP, will be required to make the inherent risk assessment.

Currently the Council's Management Information System (MIS) is not set up to accept an inherent risk assessment, therefore further development of the MIS system is required to input data and to extract data. Currently data in respect of the initial risk assessment would not be able to be retrieved or reported on.

Our current MIS defaults to 28 days for a planned initial official control on acceptance of a food registration's proposal. To introduce an initial desktop assessment to provide an inherent risk will require additional administration time. Without the appropriate adaptations to the MIS clarity is sought on how this should be recorded.

Due to limited information being provided through Register a Food Business (RAFB) at the time of registration, it will be necessary to contact businesses to

clarify all three elements to accurately assess the “potential hazard”. This will require additional staff resources.

The FSA should consider developing additional mandatory fields in RAFB to capture the necessary business information for both food hygiene and good standards.

There is no confirmation in the consultation that the FSA will cover the costs of the necessary future development of the MIS.

- **Question 1b. It is proposed that, for food hygiene, timescales are provided for initial official controls of all establishments. For food standards, timescales are currently only provided for the highest risk establishments in the Code, with timescales for lower risk establishments provided in separate guidance. Would you agree or disagree with moving the food standards timescales into the Code in the future, so all timescales are in one document? Please describe the main reasons for your answer.**

Causeway Coast and Glens Borough Council disagrees with moving the food standards low-risk establishment's timescales into the FLCoP. Retaining the low-risk food standard timescales in the Practice Guidance will provide Councils with the flexibility to use their resources effectively and make their inspection programme more efficient. Where there may be different risks associated with food hygiene and food standards at the same premises then Councils will be better able to manage their inspection programmes based on highest risk and priority. Low risk food standards inspections may be carried out at the time of the due food hygiene inspection.

- **Question 1c. Proposal 1 relates to the timescales for initial official controls. No changes to the timescales for due official controls are proposed as part of this consultation, these will remain, as currently, at 28 days for all establishments. However, to assist us in planning future policy in relation to the timescales for due official controls, do you agree or disagree with keeping the timescales at 28 days? Please describe the main reasons for your answer.**

Causeway Coast and Glens Borough Council agrees that 28 days should be retained, but only for those premises where the greatest risk is identified ie. A, B and non-compliant Cs. The timescale of three months should be extended to broadly compliant C, D and E categories. This flexibility would assist Councils to address in-year activities such as food safety incidents, food poisoning outbreaks etc. but still meet the requirements of the FLCoP and ensure the integrity of the FHRS and consumer confidence in the scheme.

In relation to proposal 2, enabling, in certain circumstances, an establishments food hygiene intervention rating to be amended following a wider range of official control method and techniques including those undertaken remotely:

- **Question 2a. Do you consider that the proposal will enable Competent Authorities to deploy current resources more effectively? If not, why not?**

(Please specify any aspects of the proposal which require further consideration, and why).

Causeway Coast and Glens Borough Council acknowledges the benefits to the proposed flexibilities for the undertaking of official controls, however the mandatory FHRS in Northern Ireland limits their use. In order to maintain consumer confidence in the integrity of the FHRS scheme, it is not a viable option to make use of other official controls in broadly compliant C and D premises. An official control inspection is always required to revise the rating.

The proposal recognises that establishments within the scope of the FHRS can avail of a non-official control which can be undertaken remotely, but the rating cannot be revised. Causeway Coast and Glens Borough Council does not agree with this proposal as this would diminish the consumer confidence in the FHRS scheme when consumers become aware that premises are legally displaying ratings that maybe issued 3 or 4 years prior.

With lessons learned during the Covid-19 pandemic, the lack of physical inspections by Food Safety Officers resulted in a decline in food safety standards, including in those premises previously deemed to be in a lower inherent risk category e.g. category D premises. Causeway Coast and Glens Borough Council found that remote assessments were not a suitable means for applying official controls and could only be used to assist a physical inspection rather than a means to adequately risk score a food business. The time required to set up and prepare for a remote assessment with the Food Business Operator (FBO) was found by the Council to be equivalent in time to carrying out a physical official control by an authorised officer.

FSA research has shown that consumers have a view that a FHRS rating inspection is carried out at much shorter intervals between primary inspections. This is supported by FSA consumer research, which indicates consumers would expect businesses to receive inspection regularly, with expectations ranging from a few times a year to every two years; (<https://www.food.gov.uk/research/value-of-fhrs-consumer-research-executive-summary>).

As a result of the mandatory Food Hygiene Rating Scheme in Northern Ireland and Wales, there may be inconsistency of approach to official controls across the three nations (England, Wales and Northern Ireland). The Council is aware that England does not operate a mandatory FHRS scheme and therefore has the greater flexibility to avail of a wider range of official controls as detailed in the FLCoP, including the use of remote assessments, which do not require a physical inspection or to inspect all food safety aspects within a food business.

Causeway Coast and Glens Borough Council agrees with the retained approach to Category E establishments where currently an Alternative Enforcement Strategy (AES) can be utilised; the proposal enables Councils to alternate between official and non-official controls. This proposal could save officer time carrying out official control visits on low risk category premises.

- **Question 2b. If responding on behalf of a Competent Authorities, would you, if implemented, utilise the flexibility to undertake some methods and techniques remotely? If not, why not?**

Causeway Coast and Glens Borough Council does not agree with the use of remote inspections for category C and D establishments. In the experience of officers within the Council, they found that remote assessments were not an alternative means for applying official controls. Such remote assessments could only be used as a method of verification and often required a follow up physical inspection. Therefore, the use of remote inspections is not considered as a means to adequately risk assess the premises.

As previously stated, Causeway Coast and Glens Borough Council would only consider using an official control remotely for category E establishments.

Causeway Coast and Glens Borough Council would also consider using remote assessments for the verification of work carried out by a business following a physical inspection e.g. a photograph of structural repairs completed.

In relation to proposal 3, extending the activities that officers, who do not hold a 'suitable qualification' for food hygiene or food standards, can, if competent, undertake:

- **Question 3a. Do you consider that the flexibilities will enable Competent Authorities to deploy resources more effectively? If not, why not? (Please specify any aspects of the proposal which require further consideration, and why).**

Causeway Coast and Glens Borough Council does not support the use of officers who do not hold the current appropriate qualifications to carry out official food hygiene and food standards controls in category D and E premises, as well as low-risk food standards premises. The Council maintains that official controls should continue to be conducted by officers who meet the current qualification requirements as set out in the FLCoP.

The oversight and supervision required by currently qualified officers and lead officers of any officer who meets the newly proposed qualification standards would negate any resource advantage to the Council.

On page 19 of the consultation document, there is recognition of the fact that Local Authority Officers may undertake food related controls at the "same time as other regulatory activities". We wish to emphasise the point that small businesses benefit from a single officer being able to act as a point of contact or source of advice on different pieces of legislation. Whilst some of the other "regulatory activities" may fall outside of the scope of the FSA, suitably qualified officers are well placed to take a holistic and business-responsive approach, using their discretion and expertise to judge risk.

Causeway Coast and Glens Borough Council do however make use of staff without suitable qualifications to carry out other food related duties. The use of such officers to take on administrative duties allows resources to be used efficiently. Assistance in these areas enables qualified officers to spend more time carrying out official control inspections.

The Council would draw FSA to the fact the current MIS does not allow the extraction of data based on specific risk scores and it would therefore not be possible through an automated process to determine which Category D premises have a 5 or 10 for type of food/method of handling rendering this proposal impracticable without changes to the MIS system.

In addition, please also see response to question 1 of **Questions in relation to future potential developments – Qualifications.**

- **Question 3b. If responding on behalf of a Competent Authority, would you, if implemented, utilise this flexibility and authorise officers, if competent, to undertake additional activities, and if so, how many officers would you anticipate authorising? If not, why not?**

The Council would not consider the authorisation of other officers that do not meet the qualification within the current FLCoP, as it would not meet the operational needs of the service. The Council employs Environmental Health Officers with suitable qualifications that enables them to be flexible and responsive to undertake other duties in the area of Environmental Health. For example, officers may be utilised to respond to incidents in other core functions such as legionella outbreaks, accident investigations or other public health related matters.

In relation to proposal 4, a clarification in approach to interventions at food business establishments that fall into risk category E for food hygiene:

- **Question 4. Do you consider that the proposed approach will provide clarity and consistency in the frequency of official controls at these establishments? If not, why not? (Please specify any aspects of the proposal which require further consideration, and why).**

Causeway Coast and Glens Borough Council agrees with this proposal.

In relation to proposal 5, removal of the prescriptive number of hours required for continuing professional development (CPD):

- **Question 5. Do you consider that the approach will provide Competent Authorities with greater flexibility to determine appropriate levels of CPD and training that officers undertake? If not, why not? (Please specify any aspects of the proposal which require further consideration, and why).**

Causeway Coast and Glens Borough Council disagrees with this proposal. The FLCoP should retain the requirement of a minimum 20 hours Continuous Professional Development (CPD), with 10 of these being described as core hours i.e. specially food related learning.

The Council recognises the significance of professionally qualified officers and that these officers will maintain a level of continuing professional development. It is therefore considered important that this element of 20 hours is protected in the FLCoP.

The Council considers that officer's regular training, including refresher training, is needed to support their competency in food-related matters. Food legislation and food technology is continually evolving, and regular training is necessary to ensure that officers have the most up-to-date knowledge. The FSA should recognise that competency and training are mutually inclusive. In court proceedings the officer's expertise may be questioned by the defence and proof of training can support an expert status.

In relation to proposal 6, other amendments to reflect legislative change, provide clarity, improve consistency and keep pace with current practices:

- **Question 6a. Do you consider that the examples of where the additional score of 22 for vulnerable risk groups would not be used, provides further clarity and will improve consistency in the application of the score? If not, why not? (Please specify any aspects of the proposal which require further consideration, and why).**

Causeway Coast and Glens Borough Council agrees with this proposal.

- **Question 6b. Do you agree that the inclusion of additional descriptors, regarding food safety culture, in part 3 of the food hygiene intervention rating scheme, will provide clarification in the assessment of food safety culture? If not, why not? (Please specify any aspects of the proposal which require further consideration, and why).**

Causeway Coast and Glens Borough Council agrees with this proposal.

- **Question 6c. Do you consider that the clarification within the food hygiene intervention rating scheme about how allergen cross-contamination is taken into account will improve consistency? If not, why not? (Please specify any aspects of the proposal which require further consideration, and why).**

Causeway Coast and Glens Borough Council agrees that this clarification will improve consistency in the risk assessment process.

- **Question 6d. Do you consider that moving the guidance on parts two and three of the food hygiene intervention rating scheme from the FHRS Statutory Guidance to the Practice Guidance will improve clarity as to**

where the guidance can be found? If not, why not? (Please specify any aspects of the proposal which require further consideration, and why).

Causeway Coast and Glens Borough Council agrees with this proposal.

- **Question 6e. Do you have any objections to the inclusion of the following qualifications within the Code:**
 - **Trading Standards Professional Apprenticeship with the food module as an appropriate qualification for food standards**
 - **Degree in Environmental Health awarded by the Dublin Institute of Technology (awarded from June 2012 onwards)**
 - **Degree in Environmental Health awarded by the Technological University Dublin**

If you have any objections, please provide reasons for these. (Please specify any aspects of the proposal which require further consideration, and why).

Causeway Coast and Glens Borough Council agrees with this proposal.

- **Question 6f. Do you consider that the amendments to the terminology in the Code and Practice Guidance has improved clarity and consistency between the documents? If not, why not? (Please specify which sections and any aspects of the proposal that require further consideration, and why).**

Causeway Coast and Glens Borough Council agrees with this proposal.

- **Question 6g. Do you agree or disagree with the proposal to remove references to the Competency Framework from the Code but retain references to it in the Practice Guidance to enable the revised approach to competency assessment as set out in the draft Code? Please describe the main reasons for your answer. (Please specify any aspects of the proposal which require further consideration, and why).**

Causeway Coast and Glens Borough Council agrees with this proposal.

- **Question 6h. Do you agree or disagree with the removal of references to the Practice Guidance and Framework Agreement from the Code? Please describe the main reasons for your answer. (Please specify any aspects of the proposal which require further consideration, and why).**

Causeway Coast and Glens Borough Council agrees with this proposal.

Additional comments and suggestions

- **Question 7. Do you have any additional relevant comments or suggestions regarding the draft Code and Practice Guidance?**

Causeway Coast and Glens Borough Council would seek clarification on the following issues with the food standards risk assessment descriptors.

Scale of Supply and Distribution

- Under the Practice Table 1: Inherent risk profile (Page 87) under the heading Definition – low hazard. The wording is not correct – it states - *Establishments supplying or distributing food locally, with known local suppliers to the business (including small and local food establishments selling ready to eat food such as corner shops, cafes and restaurants).*

This score factor is in relation to food being supplied by the specific business and the number of its customers. The descriptor needs to be changed as it could be interpreted that the food being received into the business from local suppliers.

The Council queries the wording related to ‘ready to eat’ food in this descriptor. For example, if a local butcher supplies cooked ham to a local café this would be scored as ‘low risk’ however, if they supplied raw mince steak this activity would not meet the definition of ‘low risk’, under the current descriptor wording.

We would suggest the wording needs amended to reflect establishments supplying/distributing food locally to small businesses such as corner shops, cafes and restaurants.

- International, National and Regional

The Council would suggest a definition of international, national and regional supply is needed, taking into account the local context of Northern Ireland.

- Complexity of Supply Chain

The descriptors for ‘Significant and Minor Hazard’ make reference to the UK. For Northern Ireland Councils this definition would need to reflect NI’s unique position in regard to being in the EU Regulatory regime.

The descriptor for ‘Serious Hazard’ refers to countries outside the UK equivalent regulatory oversight. The Council is unclear as to its meaning and further explanation would be required.

- Allergens Information Compliance Risk Factor

The guidance for scoring the allergen information compliance risk factor includes questions in relation to allergen cross-contamination such as ‘has a risk assessment for allergen cross contamination been carried out?’

The draft Food Law Practice Guidance states ‘It is recommended that controls for any allergen-related cross-contamination, when preparing food specifically

for consumers with a food allergy or intolerance, are assessed during a food hygiene official control’.

Having allergen cross-contamination mentioned in both the food hygiene and food standards risk assessments could result in confusion and officers double scoring businesses where contraventions have been identified. The Council would request further clarification in the guidance on situations where cross-contamination is to be considered as part of a food standards risk assessment.

- **Question 8a. Do you agree or disagree with our assessment of the impacts on Competent Authorities and our assumptions on familiarisation and training resulting from the proposed changes to the Code? Please describe the main reasons for your answer.**

Causeway Coast and Glens Borough Council agrees.

- **Question 8b. Do you agree or disagree with our assessment of the impacts on Competent Authorities in relation to changes to procedures? Please describe the main reasons for your answer.**

Causeway Coast and Glens Borough Council agrees with this proposal.

- **Question 8c. If responding on behalf of a Competent Authority, how long would you estimate that it will take to update local policies and procedures if the proposals were implemented? If providing an estimate, please explain which proposal (or proposals) it relates to.**

Causeway Coast and Glens Borough Council would estimate one day to review and amend local policies and procedures.

- **Question 8d. Do you foresee any other impacts from the implementation of the main proposals detailed beyond those we have identified? Where possible, please explain your views, which proposal (or proposals) they relate to, and provide quantifiable evidence (for example, costs associated with updating your administration systems, existing procedures, the benefits of greater flexibility to allocate staff to activities.)**

Causeway Coast and Glens Borough Council would request confirmation that the FSA will cover the cost of any changes necessary to the Council’s MIS.

Questions in relation to future potential developments – Qualifications

- **Question I. Do you consider that moving the list of FSA endorsed qualifications to the Practice Guidance could provide flexibility to recognise new qualifications more expediently without reducing the professional standards subject to an agreed and published governance procedure being in place? If not, please provide your reasons and evidence of the impact you think this will have.**

Causeway Coast and Glens Borough Council strongly opposes the proposal to move prescribed officer qualifications from the Food Law Code of Practice (FLCoP) to the Practice Guidance. This change risks undermining professional standards and compromising the integrity of the food safety profession.

While we recognise the ongoing recruitment and retention challenges faced by local authorities, particularly post-Covid-19, we do not believe that weakening qualification requirements is the solution.

The FLCoP currently provides a clear, consistent benchmark for officer competence. Shifting qualifications to Practice Guidance would downgrade them to optional status, creating inconsistencies in enforcement, regulatory oversight, and recruitment across Councils.

The previous removal of the Chartered Institute of Environmental Health – Environmental Health Registration Board (EHRB) has already weakened national consistency in qualification standards. Any further erosion may diminish public confidence in food safety enforcement, especially as consumers expect officers to hold recognised, independently verified qualifications.

The proposed changes would make it more difficult for the FSA to assess officer competence during audits and could expose officers to legal challenges over their status as competent authorities. It could also undermine their credibility as expert witnesses in legal proceedings.

EHOs possess a broad skill set developed through rigorous professional training, enabling them to make sound, independent decisions during inspections and emergency responses. These qualifications are essential, not optional. Diluting qualifications risks devaluing the role, making the Environmental Health profession less attractive, and potentially leading to salary adjustments and reduced investment in training. Therefore, making the role less attractive to new entrants.

EU legislation sets standards for food safety officers, in that food safety units must have a sufficient number of suitably qualified, authorised and experienced staff i.e. have obtained a recognised qualification rather than just training. For example, the Trade in Animals and Related Products (TARP) regulations make the distinction between Official Fish Inspectors being qualified and assistants being trained. Current legislation also set standards for premises within the Council area. This proposal could potentially affect premises approved under EU legislation, if the EU deem officers in NI as not suitably qualified.

Introducing inconsistent qualification pathways could lead to complications within Councils in terms of recruitment and recognition of equivalence qualifications. It could also result in a fragmented workforce with varied competencies, weakening current collaborative frameworks that at present ensure national consistency in food safety regulation, incident response, and enforcement.

Furthermore, any proposed changes to diluting the qualifications could increase the interest of third-party contractors wanting to take advantage of the changes.

Replacing public enforcement officers with private contractors raises serious concerns around impartiality, conflict of interest, and reduced public accountability and trust. Unlike EHOs, private contractors are profit-driven and are not bound by the same FSA governance, transparency, or ethical obligations.

Rather than dilute existing standards, the FSA should focus on implementing other proposed flexibilities within the FLCoP and evaluate their effectiveness first. Investment should also continue in recruitment and outreach initiatives. Our Council actively works with Ulster University, schools, and colleges to promote Environmental Health careers. Continued FSA support for such initiatives would be invaluable in building a sustainable, skilled workforce.

Upholding professional standards is essential to maintain public trust, ensure consistent enforcement, and protect public health.

- **Question II. What do you perceive to be the advantages, disadvantages and impacts if we move the list of qualifications from the Code to the Practice Guidance?**

Causeway Coast and Glens Borough Council would refer you to the answer in Question 1 above.

- **Question III. Is there an alternative way that we could more expediently update the list of FSA endorsed qualifications from the one presented?**

While it is acknowledged that changes to the list of FSA prescribed qualifications are infrequent, the potential impact of such changes on local authorities is significant. Developing alternative or equivalent qualifications is a time intensive process, and any amendments, however minor require careful consideration to ensure that operational capacity and regulatory compliance are not compromised.

The Council is particularly concerned about the proposal to relocate prescribed qualifications from the Code of Practice to the Practice Guidance. Unlike the FLCoP, the Practice Guidance is not subject to a statutory consultation process. Removing qualifications from the FLCoP could therefore result in changes being made without formal stakeholder engagement, limiting the ability of local authorities to raise legitimate concerns.

This lack of consultation could have unintended consequences. For example, if qualifications are amended or removed without notice, current staff who were previously deemed competent could suddenly fall outside the revised criteria. This could undermine workforce stability and restrict the ability of councils to fulfil their regulatory duties.

To avoid such risks, it is essential that the FSA remains open to consultation on any changes or amendments to qualifications.