

**ST ALBANS CITY AND
DISTRICT COUNCIL**

**Community Services
SERVICE PLAN FOR
FOOD LAW
ENFORCEMENT
2019/2020**

INTRODUCTION

Department

Community Services

Service Area

Regulatory Services Section, Business Compliance Team

Lead Officers Responsible

Robin Ray – Regulatory Services Manager

Lesley Cameron – Business Compliance Manager

Chris Troy – Lead Officer

Gheorghe Nafornta – Lead Officer

Head of Department

Joe Tavernier – Head of Community Services

Lead Member responsible

Councillor Mandy McNeil – Portfolio Holder for Business, Culture and Tourism

This is the Service Plan detailing food law enforcement functions carried out by the Business Compliance Team of Regulatory Services Section within Community Services.

The Summary Plan will be published on the web and views sought from interested parties.

The Food Standards Agency requires the food control service plan to be submitted to the relevant member forum to ensure transparency and accountability. When approved, the plan will be published and available on the website. A summary will be distributed to food businesses.

The Food Safety Act 1990, Section 6 (2) *“to enforce and execute the provisions of the Act”*

Signed and Agreed by:



Regulatory Services Manager

Date: 19/09/2019

SECTION 1: FOOD CONTROL SERVICE AIMS AND OBJECTIVES

1.0.1 Aims

- To work in partnership for the health and well being of those who live, work in or visit the City and District by controlling the risks associated with the consumption of food and drink, and the investigation and control of designated communicable diseases.

1.2.0 Objectives

1.2.1 The aims of the service will be met through the following objectives:

- Standards of hygiene within food premises will be maintained through a programme of inspection and an enforcement mix of interventions that ensures compliance with relevant legislation.
- Inspection of individual premises will be at the frequency required by the Food Safety Act Approved Code of Practice and Practice Guidance and will include alternative enforcement strategies where appropriate.
- Regular sampling of food will take place both according to locally determined requirements and those notified by the Food Standards Agency, Public Health England and through the Hertfordshire and Bedfordshire Chief Officer's Food Liaison Group.
- The Service will work with neighbouring authorities and agencies to ensure consistency within the counties of Hertfordshire and Bedfordshire and to benefit from economies of scale. These will include the Hertfordshire and Bedfordshire Food Study Group and the Hertfordshire Environmental Health Public Health Group
- Service requests including those relating to food purchased, food premises or hygiene practices will be investigated in line with internal operating procedures and within time limits specified in local performance indicators.
- The Service will work with the East of England Health Protection Team and Consultant in Communicable Disease Control at Public Health England.
- Competency levels for the Business Compliance Team will be achieved, maintained and enforced to the highest level achievable by individuals, commensurate with their qualifications and experience.
- To respond to food alerts as notified by the Food Standards Agency and

incidents in accordance with all relevant codes of practice guidance.

- To act as the Primary Authority to certain food businesses where requested and to undertake investigations and enquiries as referred by other authorities and agencies.
- To provide advice, information and training to consumers, employees and operators of food businesses.
- To promote food safety and participate in local and national campaigns.
- To provide efficient, effective and quality services.
- To provide services which are accessible, open and equitable to all.
- To respond promptly and courteously, in accordance with good customer care practice, to all recipients of our services.

1.3.0 Developing a dynamic local economy

- 1.3.1 The team promotes self regulation by all businesses as part of a balanced enforcement and educational approach. Officers offer advice, guidance and support on the development and implementation of food safety systems of control which, not only, assists businesses to reduce risks and losses but also to develop new business and employment opportunities.
- 1.3.2 The purpose of the Food Hygiene Rating Scheme is to allow consumers to make informed choices about the places where they eat out or shop for food thereby encouraging businesses to improve their hygiene standards.

1.4.0 Investing in our people

- 1.4.1 The Business Compliance team ensures that employers fulfil their legal duties, as well as promoting best practice, in relation to the training and competency of employees and thereby improves the vocational skills of the local workforce.
- 1.4.2 The Regulatory Services Section provides affordable food hygiene training courses. The courses are Food Hygiene Level 2 Equivalent and the training is provided by experienced Environmental Health Officers.

1.5.0 Service Contribution to Corporate Objectives

- Corporate Planning – Corporate Performance Plan
- The Corporate Plan sets out the Councils' vision and

commitments and also how the Council will serve its residents, businesses, voluntary groups and other customers over the next 5 years. The four outcomes the Council want to see locally are:

- A thriving community
 - A great place to live and work
 - A vibrant economy; and
 - A cost effective Council
-
- Service Planning – Community Services, Business Plans
 - how each service contributes to the Corporate Plan
 - Food Law Enforcement Service Plan
 - how the Council complies with its statutory duties and the teams' contribution to the corporate objectives
 - Individual Performance Appraisal Scheme
 - how each member of staff contributes to the service plans and Council objectives

1.5.1 The food control service aims to support and implement the Council's vision and to contribute to a high quality life for all residents by delivering outstanding services, by working with the Community, County, Town and Parish Councils.

1.5.2 The key objectives and targets for 2019/20 for Regulatory Services, Business Compliance Team in food law enforcement context are:

- to provide high quality, services and strive for excellence through continuous improvement
- engage with and ensure our services are easily accessible to all, paying particular attention to minority groups, people with disabilities and other people with specific needs
- Work in partnership with other voluntary, statutory, commercial and community organisations to meet the needs of the whole community
- Help people feel safe and be safe whilst living in, working in the district
- Improve services, facilities and opportunities which provide a healthy environment and healthier lifestyles for all local residents.

- Constantly review methods of operation to ensure that best practice and modern processes are adopted and maintained.
- There is also a rapid turnover of businesses within the district which has resulted in the need for additional resources to be devoted to the maintenance of an accurate and complete database.

1.6.0 **Cross Linkage with Other Plans**

1.6.1 The Annual Corporate Plan and Budget Strategy detail the corporate policy framework for the Council.

1.6.2 Continuous improvement will be undertaken in accordance with the performance management process.

1.6.3 The Service Plan for Community Services 20019/2020 contains a compilation of the aims, objectives and targets for the department including food safety work.

1.6.4 The work of the Regulatory Services, Business Compliance Team clearly links in with St Albans City and District Council Nottingham Declaration Action Plan 2008 – 2025. In particular;

- **A.5 “Food Safety and Hygiene Adaptation Programmes:** To develop and complete risk assessments for all registered food businesses in the district that may be susceptible to increases in food-related illnesses from hotter climatic conditions. To promote the related issues to businesses to increase awareness and reduce risk”

Officers conducting food safety inspections are ideally placed through their routine intervention programme, to contribute significantly to these objectives, by the delivery of advice and data collection.

1.7.0 **Partnership and Joint Working**

1.7.1 The Business Compliance Team has active links with many other SADC services and is actively seeking to find new ways of joint working. Established links include;

- Environmental Compliance Team (also in Regulatory Services)
- Building Control
- Planning
- Licensing/Street Trading (also in the Business Compliance Team)
- Markets Service
- Chief Executive and Policy
- Legal Section

The service has links with the Clinical Commissioning Group (CCG),

Public Health England (PHE) and all the Hertfordshire and Bedfordshire Food Safety Teams. The Food Hygiene Rating Scheme (FHRS) is a local authority/ Food Standards Agency partnership initiative.

SECTION 2: FOOD CONTROL SERVICE - SCOPE AND OVERVIEW

2.0.0 Profile of the Local Authority

2.1.0 The district has a population of approximately 147,100 (ONS 2016 mid – year population estimates) and covers an area of 63 square miles. It is within the Hertfordshire Green Belt; a few miles from the northern edge of London. The main settlements are the historic cathedral city of St Albans and the largely residential town of Harpenden. In addition there are several large villages and hamlets in a predominately agricultural landscape.

2.1.2 The District has a reputation as being affluent, prosperous and highly qualified.

- Minority Groups 11.6% (2011 Census)
- Unemployment Rate 0.9% (July 2017)
- The 2015 Index of Local Deprivation ranked St Albans District in the 5% least deprived districts in England.

2.1.3 Due to close proximity to London and rail and transport connection, around 20% of the residents commute to London for work.

2.1.4 The local economy is predominantly offices, small enterprise, retailing and tourism based businesses hence the high percentage of restaurants, cafes and public houses.

2.1.5 There is one large food manufacturer located in the district together with three major food distributors serving the South-East.

2.2.0 Organisational Structure

2.2.1 The Business Compliance Team sits within the Regulatory Services Section, is part of the Community Services Department. The Head of the Community Services Department is accountable to the Chief Executive.

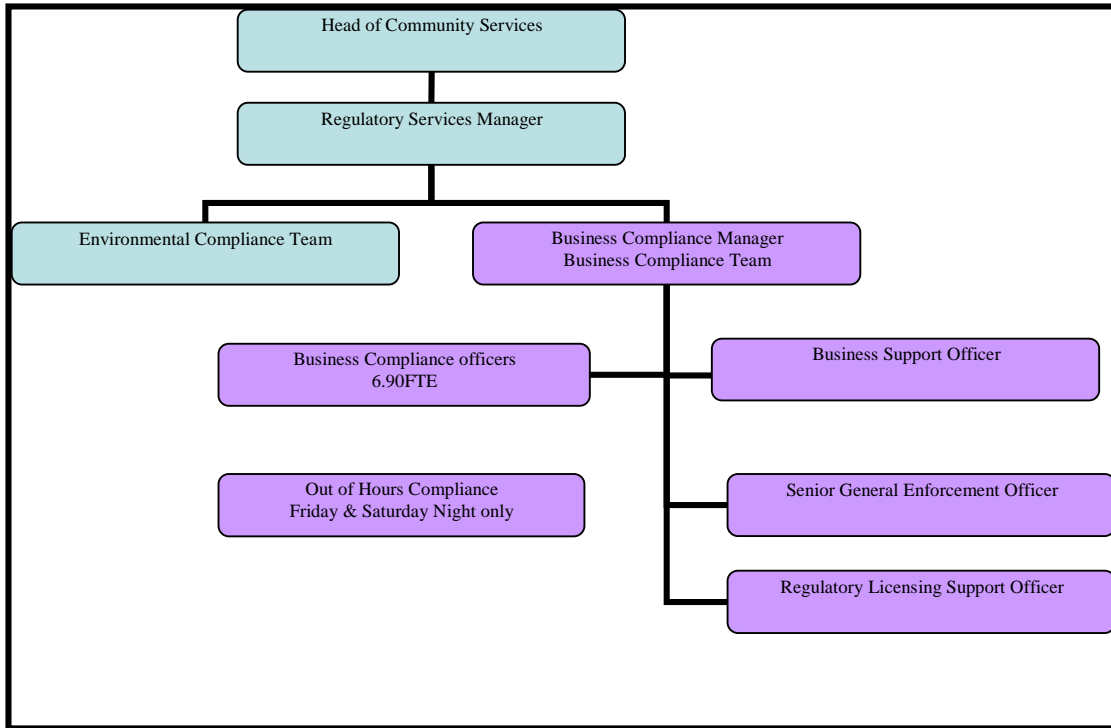
2.2.2 The responsibility for the implementation of the food control service lies with the Business Compliance Manager, who reports to the Regulatory Services Manager.

2.2.3 The structure of the Business Compliance Team is shown in fig.1.

2.2.4 Specialist support services are provided by external agencies detailed in Appendix 3.

ORGANISATIONAL STRUCTURE

Figure 1:



2.3.0 Committee Structure

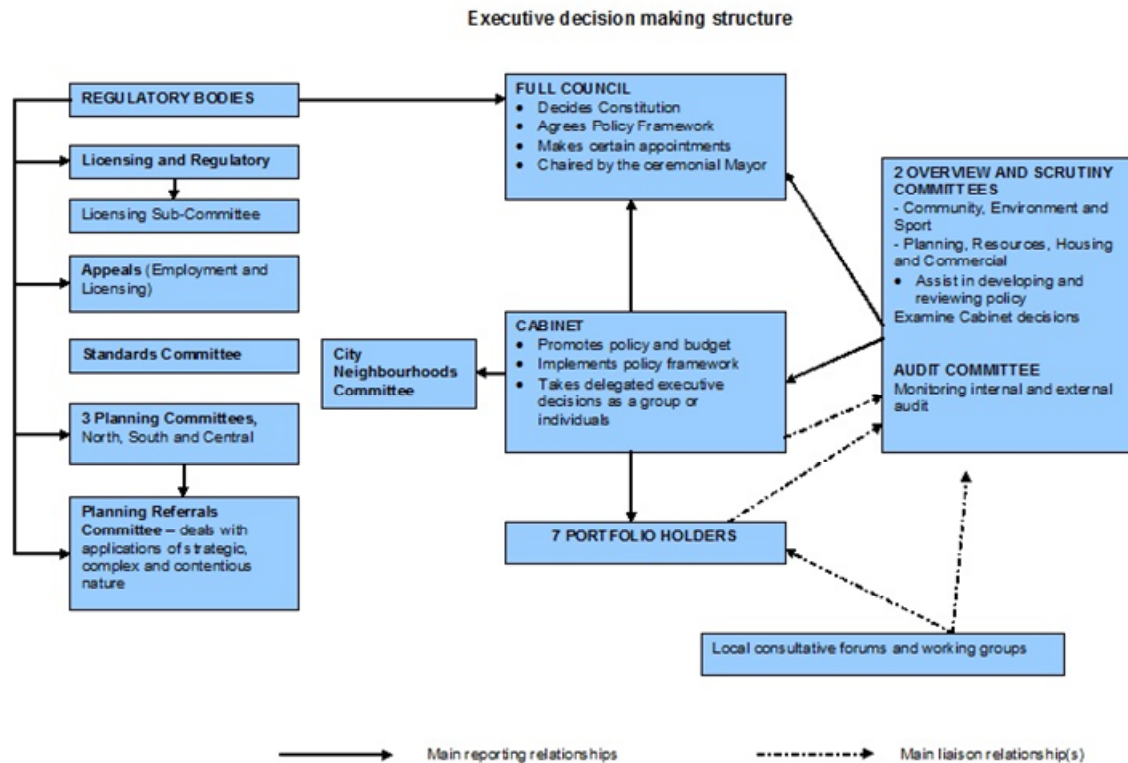
2.3.1 The Council operates a Cabinet style of decision making.

2.3.2 The Community – Environment & Sport Scrutiny Committee review decisions made or actions taken and make recommendations to Council/Cabinet.

2.3.3 The Committee exercise the right to call in for recommendation decisions made but not implemented by the Cabinet.

2.3.4 The Committee Structure is set out in Figure 2.

Figure 2:



2.4.0 **Scope of the Food Service**

2.4.1 The Business Compliance Team (Figure .1) cover the following broad areas of work:

- food safety enforcement work: food premises inspections and revisits, food examinations
- alternative enforcement strategy for lower risk premises including questionnaires and visits as deemed necessary
- food safety advisory work (includes examination of plans, advice to prospective food business owners, new businesses)
- responding to the Food Standards Agency (FSA) Food Alert Scheme
- food safety information and advice to the public
- maintenance of database and register of food premises
- infectious disease investigation

- The Food Hygiene Ratings Scheme

- Preparation for Brexit

2.4.2

In addition the team is responsible for:

- health and safety enforcement (all business premises subject to Local Authority enforcement)
- corporate health and safety
- pest control and contained stray dog service
- licensing of special treatment establishments
- enforcement of smoke free legislation and provision of advice/consultation to businesses.
- investigation of food complaints
- investigation of hygiene complaints
- routine food sampling
- examination of food
- examination of imported food
- Hackney Carriage and Private Hire Licensing
- Gambling
- Alcohol Licensing
- Street Trading
- Pavement Licensing

2.5.0 **Use of Contractors**

2.5.1 It is the policy of the Council to utilise external contractors to cover maternity leave/vacancies due to long term sick leave, or to carry out project work agreed in advance by the Head of Service.

2.6.0 **Demands on the Food Service**

2.6.1 **Food Premises**

The spread of premises types within the district according to risk is as follows;

Figure 3

	Total	A	B	C	D	E	U	O/S
A – Producers	4	0	0	1	2	0	1	0
B- Slaughterhouses	0	0	0	0	0	0	0	0
C- Manufacturers	6	0	1	3	0	1	1	0
D - Packers	0	0	0	0	0	0	0	0
E- Importers	1	0	0	0	1	0	0	0
F- Distributors	19	0	0	0	3	13	0	3
G01- Supermarkets/Hypermarkets	29	0	0	0	15	13	1	0
G02- Smaller Retailers	146	0	3	18	39	71	1	14
G03- Retailers Others	61	0	0	3	2	23	1	32
H01- Restaurant/Café/Canteen	242	1	13	94	93	29	12	0
H02- Hotel/Guest House	10	0	2	1	3	3	0	1
H03 – Pub/Club	118	1	5	31	56	24	1	0
H04- Take-away	85	1	6	37	35	3	3	0
H05- Caring Establishment	169	0	27	33	28	22	2	57
H06- School/College	77	0	4	7	61	5	0	0
H07- Mobile Food Unit	32	0	0	3	17	7	3	2
Ho8- Restaurant/Caterer - Others	165	0	2	8	29	73	16	37
I – Material and Article Suppliers	0	0	0	0	0	0	0	0
Total	1,164	3	63	239	384	287	42	146

2.6.2 1 approved premises producing hospital meals

2.6.3 Catering premises make up the bulk of registered businesses

	Total	A	B	C	D	E
Interventions due 2019/2020	494	4	61	150	175	104

2.7.0 Access to Food Control Service

2.7.1 The food control service is located in the Civic Centre Offices in the centre of St Albans.

- Personal visits can be made between:
 - ❖ Monday - Thursday 8.45am - 5.15pm
 - ❖ Friday 8.45am - 4.45pm
- By e-mail: [name]@stalbans.gov.uk (individual officer) or environmental@stalbans.gov.uk or www.stalbans.gov.uk

2.7.2 Due to the fact that food businesses are often open in the evening and at weekends the Business Compliance Team work both evenings and weekends as deemed necessary.

2.8.0 External Factors Impacting the Service

2.8.1 The high cost of living and property prices, has resulted in difficulties with the recruitment of staff for the service as a whole.

2.8.2 The Council runs a thriving street market on a Wednesday and a Saturday and a farmers market on a monthly basis, operating from two separate geographical areas within the district. In addition there are seasonal markets, e.g. Christmas and Continental markets. There are also regular Farmers Markets operating primarily in Harpenden.

2.9.0 Enforcement Policy and The Regulators Code

2.9.1 The Council signed up to the L.G.A. Enforcement Concordat (May 1998). The food control service works to an enforcement policy which was updated in April 2016, which complies with the requirements of the concordat. A Corporate Prosecution Policy was approved in August 2016. A policy is provided to all businesses and a copy when enforcement action is taken.

2.9.2 The enforcement policy was updated in April 2016. Enforcement generally is under increased scrutiny with the regulatory reform following the Hampton/McCrory/Rogers/Davidson reviews and the resultant publication of the Compliance Code. These not only have resulted in a move towards risk-based enforcement, but has placed a responsibility upon local authorities to consider their enforcement policies and how they can best target their activities. The principles incorporated within these reviews have resulted in food hygiene being placed as a National Key Priority, (Fig 4).

Figure 4:



2.9.3. The Office for Product Safety is a central government organisation and their core aim is to ensure that local authorities ‘Environmental Health and Trading Standards regulatory functions target the rogue businesses which cause the greatest public health concerns. In terms of the Food Safety service, the Council must target its resources at those businesses that either present a high risk of causing food poisoning or persistently ignore their legal duties. Businesses with a history of good compliance with food safety legislation should be left alone. They are also responsible for primary Authority Co-ordination.

2.9.4 The Regulators Code Section 23 of the Legislative and Regulatory Reform Act 2006 has a direct relevance to our work and we are required to comply with the following;

- Regulators should carry out their activities in a way that supports those they regulate to comply and grow
- Regulators should provide simple and straightforward ways to engage with those they regulate and hear their views
- Regulators should base their regulatory activities on risk
- Regulators should share information about compliance and risk
- Regulators should ensure clear information, guidance and advice is available to help those they regulate meet their responsibility to comply
- Regulators should ensure that their approach to their regulatory

activities is transparent.

- .9.5 The review and subsequent enforcement policy would recognise the importance of a mix of enforcement approaches, referred to now as Interventions, and the external factors or drivers which will affect the final choice. These are summarised in Figures 5a & b.

Figure 5a

The Scope of Interventions

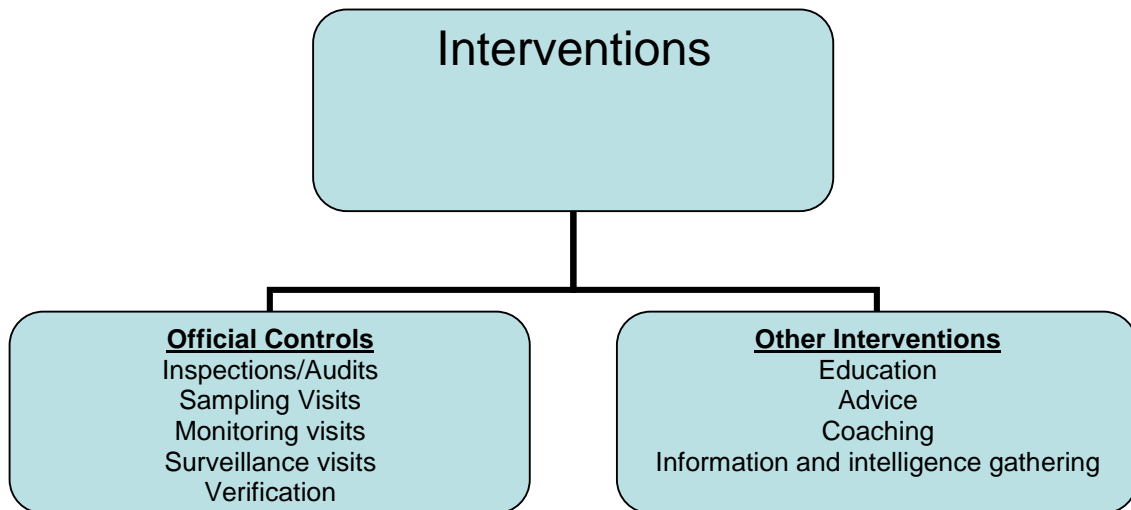


Figure 5b

External Factors impacting upon the Intervention mix

DEMAND DRIVEN	INSPECTION DRIVEN
Requests for Service Food Complaints Food Registrations Home Authority Principle Investigation of Food Poisoning Notifications and Outbreak Control Food Alerts	Inspection Programme Targeted Inspections Sampling Programme
EDUCATION DRIVEN	INTELLIGENCE DRIVEN
Inspection Programme Targeted Inspections Home Authority principle Food Hygiene Training Public Awareness Campaigns	History of compliance Sampling Scientific and Technical Development Inspection Programme Targeted Inspections

Partnerships	Home Authority Principle Food Poisoning Notifications Food Complaints Food Alerts Liaison and Partnership Working
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SECTION 3: FOOD CONTROL SERVICE DELIVERY

3.0.0 Food Inspections

3.1.0 It is St Albans policy to undertake programmed food inspections in accordance with the Food Standards Agency Practice Guidance Intervention Strategy. (See Figure 7)

3.1.1 Premises are inspected at a suitable time of day, which will include out of hours visits in appropriate circumstances – Inspections are generally unannounced. Where appointments are made in advance then the reasons for this are recorded.

3.1.2 Inspections are programmed monthly using a computer database, to ensure that they are undertaken within 28 days of the due date.

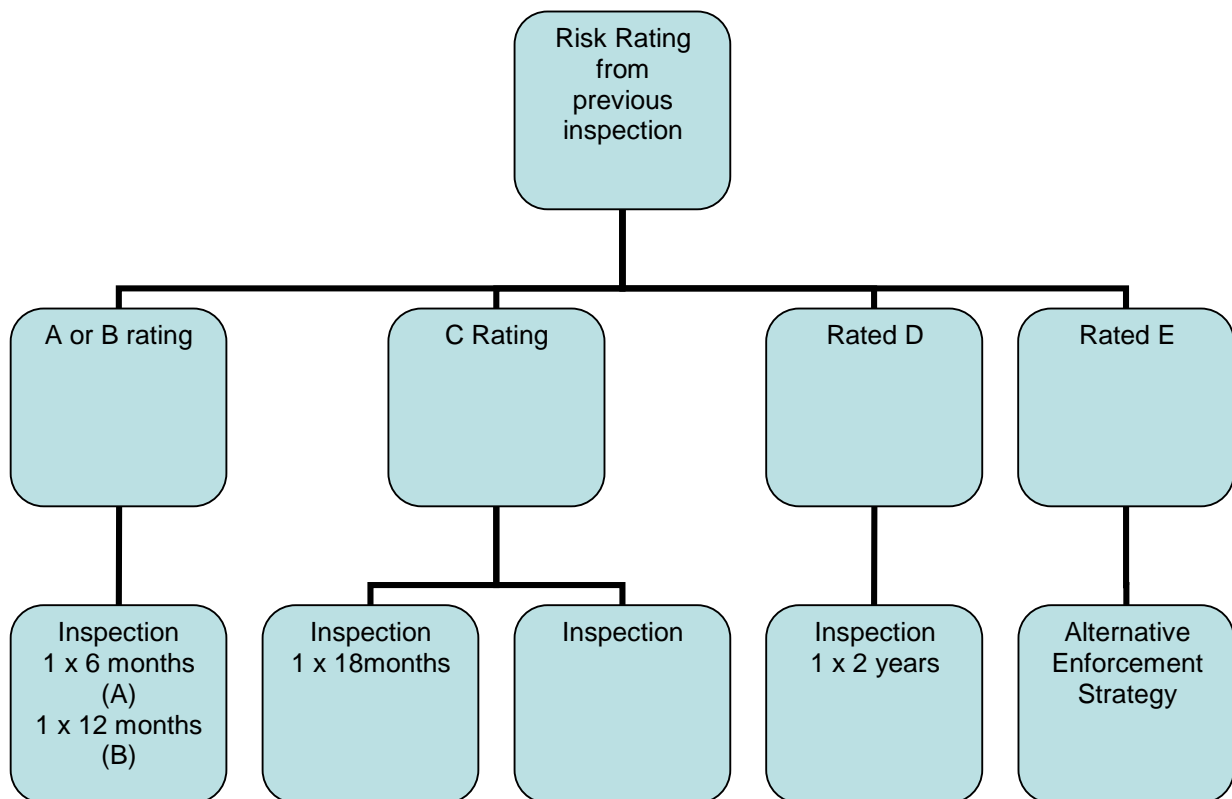
3.1.3 Allocations of premises to individual officers, according to competence levels, are made monthly in advance and arrangements exist for monitoring progress and for rescheduling any premises missed due to unforeseen circumstances. We aim to inspect food businesses within 28 days of their due inspection date.

3.1.4 The Figure 6 shows the number of food businesses which are due to receive a programmed intervention for the year 2019/2020.

Figure 6
Programmed Interventions for 2019/2020

Risk Rating	Number
A	4
B	61
C	150
D	175
E	104
New premises (additional)	Not known
TOTAL	494

Figure 7
Intervention Strategy



3.1.5 Using the information from Figure 6, and the Intervention Strategy outlined in Figure 7; it is envisaged that Food Businesses rated A and B plus C-rated premises falling due for a inspection 2019/20 will receive an inspection for 2019/20. D –rated premises will receive an inspection if they fall due within 2019/20. E-rated premises will be subjected to the Alternative Enforcement Strategy as usual.

Using statistics from previous years it is estimated that the above programme will result in approx 100 revisits, depending upon the risk categories

3.1.6 All officers undertaking inspections, investigating complaints, giving advice and taking samples meet the qualifications and experience

detailed in the Practice Guidance.

- 3.1.7 There is a procedure in place for the verification of officer's qualifications and achievement of continuing professional development.
- 3.1.8 Secondary inspections (for example revisits) are carried out in accordance with Practice Guidance.
- 3.1.9 The staffing resource required to achieve 100% of inspections (risk category A – D) is 3.70 FTE.
- 3.1.10 An alternative enforcement strategy for low risk food premises (E-rated), involves assessment by the Business Support Officer and assessment by a suitably qualified Business Compliance Officer.

3.2.0 Food Complaints/Requests for Service

3.2.1 Complaints which are investigated by the service, receive a first response within 48 hours, and normally are as a result of the following:

- food stuff (contaminated)
- complaints about food businesses (hygiene)
- complaints about food handling (food handlers)

3.2.2 Food stuff complaints are investigated in accordance with *"The Food Complaints procedure"*.

3.2.3 Complaints relating to food businesses or food handling are investigated in accordance with *The Procedure for Dealing with Complaints/Enquires*.

3.2.4 An estimated 100 food related complaints and enquiries will be received in the year 2019/2020 requiring a staffing resource of FTE 0.15 officers.

Figure 8

Complaints for previous years

16/17	17/18	18/19
66	89	98

3.3.0 Primary Authority Principle/Advice to Businesses

3.3.1 St Albans supports the Primary Authority Principle “Commitment to Primary Authority Procedure”. Details of the scheme are set out in Appendix 6

3.3.2 The Business Compliance Team actively works with businesses to help them comply with the law and encourage improvements in the following ways:

- the provision of advice leaflets
- letters to businesses where major changes in procedures/legislation is expected
- lists of available leaflets and order forms are available online
- responding to enquiries
- dialogue with businesses through customer satisfaction surveys.
- advice issued during inspections and other visits.
- Advice given during planning consultation processes
- Advice available on the Council website
- Newsletters to businesses.
- Participation in the Food Hygiene Ratings Scheme

3.4.0 **Food Related Enquires.**

3.4.1 It is estimated that 80 will be received which together with the above initiatives will require FTE 0.15 officers.

Figure 9

Food related Enquires

16/17	17/18	18/19
96	61	74

3.5.0 **Food Inspection and Sampling**

3.5.1 The food control service will sample from and submit for microbiological analysis:

- all manufacturers within the district - food and water supplies
- product specific premises food and water
- premises targeted as local initiatives

- premises targeted local sampling schemes
- premises in conjunction with food incidents
- commercial premises utilising private water supplies
- Imported foods

(NB: Private water supplies come within the scope of the Environmental Compliance Team also within Regulatory Services.)

3.5.2 Sampling is carried out in accordance “St Albans City and District Food Sampling Policy” in conjunction with the sampling programme.

Figure 10

Food Samples

16/17	17/18	18/19
14	42	46

Figure 11

SAMPLING PROGRAMME 2019/20	
Month	Product type
July 2019 – PHE Study	Study 67 – Vac/MA packed RTE foods & swabs
November 2019 – Approved Premises	Study 68 – Raw milk/cheeses (UK 7 non UK)
August 2019 – The Cuisine Centre (approved premises)	Manufactured Hospital Meals
Swimming Pool Water – August 2019	Swimming Pools
Throughout the year	Sampling in response to complaints/ local producers

3.5.3 The sampling programme for the service involves the participation in when these arise:

- Public Health England (PHE)
- Herts and Beds Food Survey
- PAN London Survey

3.5.4 The service aims to take at least the minimum number of samples requested by the testing laboratory.

3.5.5 This service requires 0.10 FTE resources.

3.6.0 Control and Investigation of Outbreaks of Infectious Disease

3.6.1 The food control service investigates all food related infectious disease. The investigations are carried out in accordance with *“The Procedure: The Investigation of Infectious Diseases”*. A 24-hour response time applies to all notification of illness. Consultation with the Consultant in Communicable Disease occurs in all cases of E-coli 0157 and Typhoid Para typhi and where multiple cases occur. The investigation of outbreaks is in accordance with the outbreak control plan as agreed by the Hertfordshire Control of Infection Committee.

Figure 12

Number of Infectious Diseases

16/17	17/18	18/19
41	33	52

3.6.2 This requires a staffing resource of FTE 0.10. However in the event of an outbreak this staffing requirement is significantly higher.

3.7.0 Food Safety Incidents

3.7.1 The food control service, will on receipt of any alerts respond as necessary in accordance with Code of Practice and *“The Food Alert Procedure”*.

3.7.2 The number of Alerts issued is variable and difficult to predict. The extent of action required may be no action to numerous visits to food premises. In addition, the authority investigates Food Allergy Alerts. For this reason assuming 126 Food Alerts and Allergy Alerts, FTE of 0.5 officer is estimated which will result in letters/phone calls to business within the district, and press releases to local radio stations and newspapers.

3.8.0 Liaison with Other Organisations

3.8.1 The Council is committed to ensuring that enforcement action is transparent, and consistent with those of neighbouring authorities.

3.8.2 Liaison and dialogue on enforcement issues takes place via the following groups:

- Herts and Beds Heads of Service Group
- Herts and Beds Environmental Health Officers Promotion Group
- Herts and Beds Chief Officers Food Study Group

- Herts and Beds Food Group
- Hertfordshire and Bedfordshire Health Authority
- Health Protection (PHE)
- Health and Local Authority Water Quality Liaison Meeting
- OFSTED Under 8's Officer
- Care Quality Commission
- Planning, Building Control and Finance
- St Albans Clinical Commissioning Group
- Food Standards Agency
- The Meat Hygiene Service
- M3 User Group – Software Provider
- LGA
- Office for Product Safety and Standards
- Hertfordshire County Council Trading Standards

3.8.3 The participation in these groups has resulted in valuable partnerships which contribute to the corporate vision, aims and commitments, and local area agreements.

3.8.4 It is estimated that during the year 2019/20 this activity will require FTE 0.10 officers

3.9.0 **Food Safety Promotion**

3.9.1 Promotional work during 2019/20 will be undertaken by officers within the Business Compliance Team, Food hygiene training is carried out by a contractor, and administered by the Environmental Compliance Team.

Projects Planned for 2019/20

- Update and expand the Food Safety content of the Council's website

- Participation in National Food Safety Week.
- Offer advice and assistance to businesses regarding Brexit
- Provide advice and raise awareness of Allergen information
- Continued implementation of the Food Hygiene Ratings Scheme.
- Implementation of the introduction of charging businesses for Food Hygiene Ratings Scheme Rescore requests
- Promote healthy eating and improve hygiene practices
- Participate in PHE sampling programme Study 67 & 68

It is estimated that promotional activities during the year 2019/20 will require FTE 0.15 officers.

SECTION 4: RESOURCES

4.1.0 The food enforcement service budget is contained within Food and Health and Safety budget costs centres for this reason the figures for the current and previous year are for both these functions.

Figure 13

	Budget	Budget
	2018/19	2019/20
	£	£
Salaries	317,590	324,240
Car Allowances	6,280	6,280
Car Leasing	3,790	1,550
Central Accommodation	7,690	6,900

Central Services	34,170	38,550
Equipment	400	400

4.2.0 Staffing Allocation

All food enforcement activities are carried out by suitably qualified Business Compliance Officers within the Business Compliance Team, administrative support is shared with Environmental Compliance Team. Training in food hygiene is carried out by the Environmental Compliance Manager and the budget is separate from the above.

4.2.1 The staffing profile for all officers carrying out food law enforcement work

Authorised Officers

Environmental Health Officers Registration Board Registered	1.06
Environmental Health Practitioners	2.84
Vacant Post	1.00
FTE	4.90

4.2.1 Staffing resources detailed in Appendix 4 shows that a total of 3.70 FTE is required for inspection activity and 1.20 FTE is required for other duties detailed in the service plan. The existing establishment is 3.90 FTE. 1 FTE post is currently being recruited to. The above figures do not include the Business Support Officer or administration support.

4.3.0 Staff Development Plan

4.3.1 The service ensures officers are appropriately qualified and receive regular training and refresher training, in order that they may carry out their statutory duties. During 2019/20 all officers will each have access to the equivalent of 20 hours training, 10 hours of which is specific to food.

4.3.2 (N.B. Officer’s who have achieved “Practitioner” status require a total of 30 hours training each year in order to maintain this.)

4.3.3 The training programme includes:

- evidence of formal qualifications (i.e. originals shown and verified with awarding body)
- the completion of a competency matrix detailing specific courses and dates
- competency checking (auditing skills and inspection techniques)
- identification of training needs during annual Staff Development and Review Scheme
- Food Standards Agency Training courses, ABC on-line training and other courses

4.3.4 A staff performance appraisal scheme was introduced in 2012.

- Review achievements and agree tasks and objectives 6-12 months
- Identify training and development needs and populate an individual action plan.

4.3.5 External courses planned for the year:

- Consistency training – Food Hygiene Ratings Scheme
- Sampling Courses
- Interviewing Skills (PACE)
- Imported Food Training
- E-Coli control of cross contamination
- FSA Enforcement Sanctions
- FSA HACCP

4.3.6 An estimated 65 hours training has been allocated to the team just for food safety. Equating a staffing resource of 0.40 FTE officers.

SECTION 5: QUALITY ASSESSMENT

5.0.0 Quality Assessment

5.1.0 Quality is assessed throughout the year in respect of each officer, by means of the following techniques:

- training and competence, officers are sufficiently trained, competent and experts in their field
- operating procedures internal procedures exist to cover food safety work, they are followed by all officers to ensure a consistent approach
- peer review professional scrutiny of inspection documents and letters
- review by Business Compliance Manager and Regulatory Services Manager of post inspection paperwork including computer input and risk assessment:

5.1.1

NB This applies equally to any consultants who may be contracted to assist with the inspection programme in the event of maternity/long term sick leave.

- signing off process. Consultants work once completed is signed off by the Business Compliance Manager, in liaison with a suitably qualified Business Compliance Officer, who supervises the activity later to ensure they comply with policies and internal operating procedures
- Monthly team meetings
- Performance Review. The annual and quarterly reviews of performance gives management and individual officers the opportunity to discuss the performance, identifying areas for improvement and put in place mechanisms to address development needs.
- Performance indicators. Computer audit reports are generated at regular intervals to indicate the extent to which responses comply with time requirements.
- Progress Monitoring – A system has been adopted that allows the Business Compliance Manager to review the progress of the inspection programme on a monthly basis.
- Quarterly performance and target review are carried out by

Regulatory Services management team.

- Inspection feedback follow up telephone calls are made to a randomly selected percentage of businesses after an inspection to indicate the level of satisfaction in the service provided.
- Feedback on customer complaints or customer praise is discussed at team meetings and with individual officers.

5.1.2 The FSA conduct audit programmes of Local Authorities food law enforcement service approximately every five years. St Albans food service was subject to a detailed Audit in March 2013 which examined the Council's arrangements for carrying out its inspection programme, management of the food premises database, enforcement decisions, and internal monitoring with regard to food hygiene law enforcement. The scope of the audit also included an assessment of the Authorities overall organisation and management. The FSA audit identified a number of areas of good practice these included:

- The assessment of officers competency and qualifications
- The level of detail in officers inspection notes(particularly high risk premises)
- The hygiene initiative for poor performing businesses

External Quality Assessment

- 5.1.3 Third party assessments of the Council's Food Safety enforcement service are recognised as an important tool in monitoring standards.
- 5.1.4 The Food Standards Agency expects that all local authorities undergo an audit of their management of health and safety law enforcement at least once every 5 years.
- 5.1.5 Third party assessments may be provided by both The Food Standards Agency and the Council's participation in an inter-authority audit co-ordinated through the Hertfordshire and Bedfordshire Health and Safety Group. An inter-authority audit of the Food Safety service was carried out in 2015.

SECTION 6: REVIEW

6.0.0 Review against the Service Plan

6.1.0 The performance indicators detailed in appendix 1 are provided to the portfolio holder Environment annually in arrears.

6.1.2 The Food Safety Plan will be reviewed by the Business Compliance Manager in line with the Corporate Planning timetable.

6.2.0 Identification of any variation from the Service Plan

6.2.1 The performance indicators listed in appendix 1 are reviewed on a quarterly basis. Any significant variations are reported together with explanations and remedial action to the Regulatory Services Manager and Head of Service.

6.3.0 Areas of Improvement

6.3.1 Any service issues identified during the quarterly reviews or by performance monitoring are recorded and an appropriate action plan is agreed at Departmental Management Team meetings.

Food Safety Performance Plan

Key Performance Indicators

Type	PI Ref	Description	Actual		Actual
			16/17	17/18	18/19
Cost/Efficiency	LOC	Respond to food related service requests within 3 working days	93%	94%	97%
Cost/Efficiency	LOC 10	Respond to food hazard warning in 24 hours	100%	100%	100%
Service Delivery Outcomes	LOC EH1	Inspect all food premises in the District which fall due for inspection within that year	100%	100%	100%
Service Delivery Outcomes	LOC EH1	Respond to infectious disease notifications.	97%	97%	100%

VARIATION FROM SERVICE PLAN

The Audit Commission expect food authorities to provide data for national indicator NI 184 – ***Food establishments in the area which are broadly complaint with food hygiene law.***

This data will is uploaded onto the Food Standards Agency website, “Local Authority Enforcement Monitoring Systems” (LAEMS) as part of the routine reporting process.

Analysis of Service by Activity across previous years

SERVICE ACTIVITIES	ACTUAL 2016/17	ACTUAL 2017/18	ACTUAL 2018/19	PLANNED 2019/20
Food Premises Inspection	435	346	437	494
Revisits	74	88	140	-
Food Registrations	135	131	158	-
Food/Hygiene	137	150	172	-
Complaints/Enquiries and Requests for Service Samples (Total)	15	42	46	-
Infectious Disease	41	33	52	-
<u>Enforcement Action</u>				-
Convictions	0	1	0	-
Prosecutions	0	1	0	-
Improvement Notices - Written Warnings	15	23	1	-
Voluntary Closures	157	153	139	-
	0	2	0	

External Experts in Food Examination and Analysis

Public Analyst

- Examination of Food Samples: Kent Scientific Services, 8 Abbey Wood Road, West Malling, Kent ME19 6YT

Food Examiner

- Microbiological Examination of Food Samples: Public Health England, 61 Colindale Avenue, London NW9 5EQ

Entomology

- Examination and Identification of Insects: Dr J Maunder, Medical Entomology Centre Cambridge University

Estimated Staffing Resources 2019/2020
Food Hygiene Programmed Inspections

PRIMARY INSPECTIONS	390
SECONDARY INSPECTIONS	100
Alternative Enforcements	104
FTE Estimate	3.70

Food Safety Work	Estimates	FTE
Food Complaints/hygiene/food/ service enquiries	150	0.30
Food Samples	40	0.10
Infectious Diseases	30	0.10
Food Safety Incidents/Alerts	120	0.5
Promotional Activities	-	0.15
Training of Officers	-	0.40
Liaison with other bodies	-	0.10
TOTAL		4.90
Total Requirement for all the work programmed		4.90 (Full Time Equivalent Officer)
Staff Resources	Existing	3.90 (FTE)
Consultancy	Resources	0:00 (FTE)
Therefore there is a deficit for the year of		1:00 (FTE) *

- The vacant FTE post is currently being recruited to

Levels of Competency

Levels of competency are expressed with reference to the Food Standards Agency Code of Practice. Numbers are in terms of officers and *not* FTE's

	Competent Officers Number
Inspections A-B	6
Inspection C-F	6
High Risk Activities	6
Service of Improvement Notices	6
Service of Emergency Prohibition Notices	6
Inspection Detention and Seizure of Foodstuffs	6
Inspection of HACCP Based Management Control Systems	6
Sampling Formal	2
Sampling Informal	6
Food Complaints Advice and Actioning	6
Prosecutions	6

Primary Authority Overview

Primary Authority is a means for businesses to receive assured and tailored advice on meeting environmental health, trading standards or fire safety regulations through a single point of contact. This ensures start-ups get it right at the outset and enables businesses to invest in confidence in products, practices and procedures, knowing that the resources they devote to compliance are well spent.

Primary Authority is based on legal partnerships between businesses and individual local authorities. Businesses can set up their own partnership or belong to a trade association (or other type of group) with an existing partnership. Primary Authority was launched in 2009 to make the local regulation of businesses operating at multiple premises across the UK more consistent. Building on the success of the scheme the eligibility criteria for Primary Authority were expanded and from 1st October 2017 all businesses can now benefit from Primary Authority.

Partnerships are available to any type of business, whether starting out or established, as well as other types of organisations such as charities and trade associations. Regulators that can become Primary Authorities include county, district and unitary councils, and fire and rescue authorities.

Primary Authorities provide advice to businesses that other local regulators must respect on compliance with the regulations. They can also produce an inspection plan for a business to improve the effectiveness of visits by local regulators and underpin better sharing of information.

The primary Authority register is a secure on-line service that supports the operation of the scheme. It contains details on every partnership, provides a forum for communications and allows Primary Authorities to make important documents and business information readily available to local regulators.

The Benefits – Businesses:

- Have access to relevant, authoritative tailored advice;
- Gain recognition of robust compliance arrangements;
- Can draw on established and effective means of meeting business regulations; and

- Can be more confident they are protecting themselves and their customers.

The Benefits – Regulators:

- Have a greater clarity over where responsibility lies;
- Can support local economic growth through stronger business relationships;
- Can improve the consistency of local regulation and target resources on high-risk areas;
- Can develop their staff expertise via partnerships ; and
- Can protect front line services through cost recovery

The Benefits – Residents:

- Are better protected as businesses find it easier to comply with legislation; and
- Are at a reduced risk as local authorities better understand the businesses they regulate and can target resources on high risk areas.

“Broadly compliant” – What does this mean within the context of risk rating food premises?

A C-rated food premises may be considered to be “broadly compliant” if it has scored no more than 10 in “Hygiene and Food Safety Compliance”, “Structural Compliance”

Score	Guidance on Scoring System
25	Almost total non compliance with statutory obligations.
20	General failure to satisfy statutory obligations – standards generally low
15	Some major non-compliance with statutory obligations – more work required to prevent fall in standards.
10	Some non-compliance with statutory obligations and industry codes of recommended practice that are not considered significant in terms of risk (but may become significant if not addressed) . Standards are being maintained or improved.
5	Good standards of compliance with statutory obligations, industry codes of recommended practice, with only minor contraventions.
0	High standard of compliance with statutory obligations and industry codes of recommended practice; conforms to accepted good practices in the trade.

and;

No more than 10 on “Confidence in Management” scores.

Score	Guidance on Scoring System
30	Poor track record of compliance. Little or no food safety knowledge and understanding. Little or no appreciation of hazards, risk or quality control. No food safety management procedures. Does not recognise or accept the need for food safety and hygiene controls.
20	Significantly varying record of compliance. Insufficient food safety knowledge and understanding. Poor appreciation of hazards and control measures. No food safety management procedures or unsatisfactory progress in terms of developing, documenting and implementing food safety management procedures, commensurate with type of business, since the last intervention rating. Some reluctance in recognising or accepting the need for food safety and hygiene control procedures.
10	Satisfactory record of compliance. Access to relevant food safety advice source and/or guides to good practice or assurance schemes commensurate with type of business. Understanding of significant hazards and control measures in place. Has implemented satisfactory food safety management procedures or is making satisfactory progress towards documented food safety management procedures, commensurate with type of business. Officers will need to ensure that a business is demonstrating it is actually ‘making satisfactory progress’ towards food safety management procedures. A score of 10 can be awarded for more than one intervention cycle if: <ul style="list-style-type: none"> • The previous non-compliances have been addressed but different non- compliances have arisen: and

	<ul style="list-style-type: none"> The overall risk has not increased.
5	<p>Good record of compliance. Food Safety advice available in-house or access to and use of technical advice from a Primary or Home Authority, trade associations and/or from guides to good practice or assurance scheme commensurate with type of business. Effective management control of hazards. Having effective self-checks with satisfactory documented food safety management procedures commensurate with type of business. Audit by Competent Authority confirms general compliance with procedures with minor non-conformities not identified as critical to food safety.</p>
0	<p>Excellent record of compliance. Food safety advice available in-house or access to , and use of, technical advice from a Primary Authority or Home Authority, trade associations and/or from guides of good practice or assurance schemes commensurate with type of business. Food Business Operator/Manager knowledgeable and competent. Has effective self-checks with satisfactory documented food safety management procedures commensurate with type of business, and may have external audit processes in place. Audit by Competent Authority confirms good compliance with food safety procedures.</p>

Food hygiene intervention frequencies Category	Score	Minimum intervention frequency
A	92 or higher	At least every 6 months
B	72 to 91	At least every 12 months
C	52 to 71	At least every 18 months
D	31 to 51	At least every 24 months
E	0 to 30	A programme of alternative enforcement strategies or interventions every three years