

**Public**  
**Key Decision - No**

## HUNTINGDONSHIRE DISTRICT COUNCIL

**Title/Subject Matter:** Monitoring Report on the Delivery of the Food Law Enforcement and Health and Safety Service Plans.

**Meeting/Date:** 28 June 2023

**Executive Portfolio:** Executive Councillor for Customer Services – Cllr S Ferguson

**Report by:** Kate Penn – Environmental Health Service Manager

**Ward(s) affected:** All

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### **Executive Summary:**

The Food Law Enforcement Service Plan and Health and Safety Service Plan 2022-23 were approved by committee on 29 June 2022.

The report provides information about the delivery of the two Service Plans for Quarter 4.

Programmed work is delivered alongside reactive work, the volume of which by definition is impossible to predict. This work is carried out according to risk. Complaints and accident investigations are prioritised using risk-based selection criteria, and the volume of work is reported here to attempt to identify any emerging risks in terms of resource provision.

The Food Standards Agency permitted all planned food safety inspections to resume mid June 2021 and activities continue to be completed in line with the Food Standards Agency Recovery Plan.

Appendices 1 and 2 contain detailed information about the delivery of the Food Law Enforcement Service Plan. Appendix 3 contains detailed information about the delivery of the Health and Safety Service Plan.

### **Recommendation(s):**

The Committee is asked to review progress and provide any comments considered appropriate on the delivery of the two Service Plans for Q4.

## **1. PURPOSE OF THE REPORT**

1.1 The report provides information about the delivery of the two Service Plans for Q3 of 2022-23, the period 1 January 2023 – 31 March 2023.

## **2. WHY IS THIS REPORT NECESSARY/BACKGROUND**

2.1 Members have asked to be kept informed about the delivery of the work in the approved plans.

## **3. SERVICE AREAS COVERED BY THE REPORT AND ANALYSIS**

3.1 Food Law Enforcement consists of the following areas of work:

- Planned activities such as routine inspections of food businesses, food and environmental sampling and the provision of food hygiene training courses;
- Unplanned (reactive) work such as the investigation of customer complaints, dealing with requests for compliance advice and following up notifications of food poisoning;
- Liaison with other departments in the interests of coordinated service delivery: in particular licensing and planning;
- Supporting national strategies and the wider public health agenda.

3.2 Appendix 1 and 2 provide details of the number of proactive and reactive activities that have taken place throughout the year compared to the number of activities predicted.

3.3 Health and Safety regulation consists of these areas of work:

- Planned activities such as unannounced inspections of high risk businesses and targeted interventions in line with the HSE's strategic aims;
- Unplanned (reactive) work such as the investigation of notifiable accidents, prescribed diseases, complaints and dealing with serious risks that are identified during other activities (Matters of Evident Concern);
- The provision of compliance advice to businesses.

3.4 Appendix 3 provides details of the number of activities that have taken place throughout the year compared to the number of activities predicted.

## **4. KEY IMPACTS / RISKS**

- 4.1 The failure to monitor the delivery of the approved Service Plans could invite criticism from the Food Standards Agency (FSA) and the Health and Safety Executive (HSE) in their capacities as the national regulators.
- 4.2 Members have asked to be kept informed about the delivery of the approved Service Plans in order that they can comment on the way in which the service is provided as well as the available resources.

**5. ACTIONS TAKEN AND PROGRESS AGAINST THE APPROVED PLANS**

**5.1 Food Safety Service Plan**

- 5.1.1 The inspection programme for 2022-23 is being completed in line the FSA Recovery Plan which determines new business and highest risk businesses must be inspected first.
- 5.1.2 All food businesses are risk rated category A to E with A being the highest risk. The risk rating mechanism is provided in the Food Law Code of Practice (England) and considers the consumers at risk; the level of current compliance with statutory obligations and any relevant industry codes of recommended practice in relation to the hygiene and structure of the premises; and the confidence in management/control processes in place. For example, a care home or nursery may be Category A due to their consumers being in a vulnerable group. Most restaurants, pubs and catering businesses are Category C or D. Category E are the lowest risk premises and will include small retailers selling pre-packed food and home caterers making cakes only.

The table below shows the categorisation of food businesses in Huntingdonshire on 31 March 2022:

<b>Category</b>	<b>Number of Premises</b>
A	5
B	46
C	333
D	481
E	713

- 5.1.3 The FSA Recovery Plan comprises of two phases, Phase 1 from 1 July 2021 to 30 September 2021 and Phase 2 from 1 October 2021 onwards. A graphic from the FSA Recovery Plan showing the key milestones is below. Progress against the Recovery Plan is reported quarterly to the FSA as a response to their ‘Temperature Check’ surveys.



5.1.4 In Quarter 4 the target was for all food businesses rated Category C for hygiene and broadly compliance or better (food hygiene rating of 3, 4 or 5) to have received an onsite intervention. All but 4 Category C premises were inspected by the 31 March 2023, these inspections only remained outstanding due to difficulty accessing the premises.

5.1.5 More new business registrations were received in Quarter 4 than Quarter 3. A new business registration can occur when an existing business changes hands and a new food business operator takes over or an entirely new business starts up. In Quarter 4 there were 77 new food business registrations received compared to 44 in Quarter 3.

5.1.6 Appendix A shows that 195 inspections were achieved in Quarter 3 making a total of 671 inspections in the year. This is still under the number required to achieve the predicted activity (and complete all overdue inspections) hence an Amber status. It should be noted that the high number of predicted activity is due to the inspection programme stopping during the pandemic so all premises becoming overdue for an inspection.

5.1.7 Sickness absence has continued to impact on the team in Quarter 4 with 1FTE being unavailable during this time. Paid additional hours have been offered to the team to increase the number of inspections undertaken, however, the uptake has not been as much as hoped.

5.1.8 Appendix 1 shows that the alternative enforcement strategy continues to be at a red status. This is not however an immediate concern as these are our very low risk premises therefore considered appropriate to be assessed by other means than visits. This work does not form part of the FSA Recovery Plan.

5.1.9 Appendix 2 refers to the number of unplanned, reactive activities undertaken. The number of customer complaints and service requests is driven by demand

which can be unpredictable, in Q4 109 service requests were received which is slightly less than anticipated based on previous years.

5.1.10 Officers are continuing to participate in the UK Health Security Agency's sampling study which is why a higher number of samples has been taken than predicted. In Q4 the topics were 'Ready to eat plant based (Vegan) Meat, Fish and Dairy substitutes' and 'Ready to eat hot or cold smoke fish'. Where samples have raised concerns, additional visits have been undertaken to provide advice and guidance to businesses and further samples carried out to check for improvement to the required standard.

## **5.2 Health and Safety**

5.2.1 During Q4 there were 3 accidents investigated and 42 other service requests responded too, these comprise both complaints from members of the public and businesses requesting advice as well as skin piercing registrations and notifications of defective lifting equipment.

5.2.2 Officers have also been contributing to the Safety Advisory Group (SAG) as event notifications begin ahead of the summer months. The purpose of SAG is to offer advice to event organisers to promote public safety at events within the district.

5.2.3 Work has continued on the Health and Safety Project Work for 2022-2023 detailed in the Service Plan. The projects identified are listed below:

- Inflatable amusement devices
- Raising awareness of electrical safety in hospitality settings
- Raising awareness of the need to prevent injury to members of the public from accessing large commercial waste and recycling bins

These projects will carry forward into 2023-2024 as they were largely impacted by the prioritisation of food hygiene inspections and therefore have not been completed.

## **6. LINK TO THE CORPORATE PLAN, STRATEGIC PRIORITIES AND/OR CORPORATE OBJECTIVES**

6.1 These reporting arrangements support the key corporate priority - Delivering good quality, high value-for-money services with good control and compliance with statutory obligations.

## **7. CONSULTATION**

7.1 No consultations are required as part of this report.

## **8. LEGAL IMPLICATIONS**

8.1 None.

**9. RESOURCE IMPLICATIONS**

- 9.1 The failure to report the delivery of the approved Service Plans may prejudice the Council's ability to provide the necessary resources.

**10. REASONS FOR THE RECOMMENDED DECISIONS**

- 10.1 To keep Members informed about the delivery of the approved Service Plans.

**11. LIST OF APPENDICES INCLUDED**

Appendix 1 - Food Safety Service Plan: programmed (proactive) Activity

Appendix 2 - Food Safety Service Plan: Reactive Activity

Appendix 3 - Health and Safety Activity

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