

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

## **HUNTINGDONSHIRE DISTRICT COUNCIL**

**Title/Subject Matter:** Monitoring Report on the delivery of the Service Plans for Food Law Enforcement and Health and Safety Regulation

**Meeting/Date:** Licensing and Protection Committee – 15 May 2024

**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 Service Plans for Food Law Enforcement and Health and Safety Regulation 2023-24 were approved by committee on 28 June 2023.

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

For both service areas programmed work such as food hygiene inspections 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.

Appendices 1 and 2 contain detailed information about the delivery of Service Plans for Food Law Enforcement and Health and Safety Regulation 2023-24.

### **Recommendation:**

**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 Service Plans for Food Law Enforcement and Health and Safety Regulation for Quarter 4.

## **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**

- 3.1 The overall aim of the Service Plan for Food Law Enforcement is to ensure that food placed or intended to be placed on the market for human consumption which is produced, stored, distributed, handled or purchased within Huntingdonshire is without risk to public health or the safety of the consumer. This is fulfilling our statutory duty under the Food Safety Act 1990 and the Food Hygiene and Safety (England) Regulations 2013. There are several key objectives which contribute to the delivery of the overall aim.

- The delivery of a programme of inspections and other interventions in accordance with the FSA's Code of Practice
- To respond to complaints and requests for service in accordance with any internal service standards
- To respond to any FSA Food Alerts for Action (FAFA) subject to available resources

- 3.2 The overall aim of the Service Plan for Health and Safety Regulation is to work with businesses and employees to protect all people, including members of the public, from unsafe working conditions by fulfilling the council's statutory role as a 'Health and Safety Enforcing Authority'

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

- 4.1 The main risk of not carrying out the work on these plans would be to the health, wellbeing and safety of those who live, work or visit the Huntingdonshire area. They could be exposed to unsafe food or unsafe working conditions.
- 4.2 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.
- 4.3 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. PROGRESS AGAINST APPROVED SERVICE PLANS**

- 5.1 **Service Plan for Food Law Enforcement**

5.1.1 The main focus of this service plan is the planned routine inspections of food businesses. 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 2023:

<b>Category</b>	<b>Number of Premises</b>
A	6
B	63
C	290
D	542
E	720
Unrated	53

*There are 66 food business outside the rating programme*

5.1.2 In Quarter 4 there were 264 food hygiene inspections carried out, this brings the total to 768 food hygiene inspections being undertaken during the year 2023-24. This exceeds the level of activity predicted.

5.1.3 In Quarter 4 there were 78 new food business registrations received, this is slightly less than previous quarters and shows the continuing flux of food businesses. 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. The service is still finding that some businesses are registering a long time before they intend to open and this has been fed back to the Food Standards Agency.

5.1.4 Progress against the Alternative Enforcement Strategy remains at Red status, however, going into 2023-24 some temporary additional resource has been secured to go continue going through the list of Category E businesses and identify which need inspecting and then create an inspection record for the relevant officer.

5.1.5 In Quarter 4 there were 9 compliance checks undertaken, these are revisits to check compliance where the food hygiene inspection has uncovered issues that need attention. The level of predicted activity will be slightly exceeded for compliance checks, this is due to a number of the businesses that were inspected this year having not been inspected for up to 4 years and regrettably standards having dropped.

- 5.1.6 Appendix 1 also shows that requests for export certificates was lower than anticipated based on previous years data, this is something that as a service we cannot influence and is determined by what manufactures are exporting where. The predicted income has been adjusted accordingly.
- 5.1.7 Requests for rescoring continue to be higher than anticipated in Quarter 4, over the year 31 rescore requests were received when only 20 were predicted. This shows how businesses are keen to ensure they receive the highest possible rating of 5 by request a rescoring inspection and providing details of how they have addressed any matters outstanding at their programmed inspection.
- 5.1.8 Officers have continued to take part in UK Health Security Agency's sampling study, topics were 'Ready to Eat (RTE) Salad and salad components from Retail and Catering' and 'Cooked Ready to Eat (RTE) Sliced or Cut Meat from retail and catering premises'. Where samples were unsatisfactory notification was provided to the Food Standards Agency and 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.
- 5.1.9 The level of activity with regard to infectious disease control has increased slightly due the UK Health Security Agency re starting notifications of certain confirmed food and waterborne gastrointestinal pathogens and requests for Environmental Health to contact the case to undertake a questionnaire relating to possible exposures.

## **5.2 Service Plan for Health and Safety Regulation**

- 5.2.1 The majority of health and safety work in Quarter 4 was reactive, there were 16 accidents reported of which 5 investigations commenced. The selection of accidents for investigation is founded upon the risk-based criteria in Local Authority Circular (LAC) 22/13. There were 26 other service requests responded to and the majority of these were licensing consultations where a new premises, street trading or pavement licence had been applied for by a business in the district.
- 5.2.2 In Quarter 4 there were 11 skin piercing registrations issued for premises and practitioners within the district.

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

- 6.1 The work covered by the two Service Plans largely sits under Priority 3 - Delivering good quality, high value-for-money services with good control and compliance with statutory obligations.

## **7. RESOURCE IMPLICATIONS**

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

## **8. LIST OF APPENDICES INCLUDED**

Appendix 1 - Food Activity 2023-24

Appendix 2 - Health and Safety Activity 2023-24

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