

**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:** Licensing and Protection Committee – 7 December 2022

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

**Report by:** Claudia Deeth – Interim Community 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.

This report provides an update on the delivery of the Service Plans for Quarter 2.

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 are being 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 Q2.**

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

- 1.1 This report provides an update on the delivery of the two Service Plans for Q2 of 2022-23, the period 1 July 2022-30 September 2022.

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

- 2.1 It is necessary to keep Members 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); and
- 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 In Quarter 2 we continue with Phase 2 of the Recovery Plan with the key milestone this quarter being all establishments rated category C for hygiene and less than broadly compliant to have received an onsite intervention. On 30 September it was reported to the Food Standards Agency that there were 6 establishments rated Category C and less than broadly compliant that were overdue an inspection. These have now been inspected in Quarter 3.
- 5.1.3 A high number of new business registrations are still being received, this can include when an existing business changes hands or an entirely new business starting up. There are a small number of businesses registering but never starting to trade so their registrations are closed before they are inspected. In Quarter 2 there were 78 new business registrations and 71 remain open.
- 5.1.4 Appendix A shows that 191 inspections were achieved in Quarter 2 making a total of 315 in Quarters 1 and 2. This is a little behind the number required to achieve the predicted activity hence an Amber status. However, it should be noted that pre pandemic this is close to the number of inspections that would usually be due in a year.
- 5.1.5 Officers are continuing to find standards have declined where businesses have gone a number of years without inspection due to the pandemic, this is leading to longer inspection times. Similarly, the pressure put on businesses due to the cost-of-living crisis is also having an impact, we have had examples where boilers are being turned down to save money but this conflicts with relevant legislation.
- 5.1.6 One voluntary closure took place in Quarter 2. A voluntary closure is when the food business operator (FBO) agrees with the inspecting officer that a health risk condition exists and that they will close the business until the officer has approved that they can reopen. In this case the business has undertaken the necessary remedial work and reopened, subsequent formal action is being taken against the FBO in the form of a Simple Caution.

- 5.1.7 Appendix 1 shows that the alternative enforcement strategy is currently at red; 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.
- 5.1.8 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 Q2 105 service requests were received which is slightly less than anticipated based on previous years.
- 5.1.9 Officers are continuing to participate in the UK Health Security Agency's sampling study which is why a higher number of samples have been taken than predicted. In Q2 the topic remained as 'Hygiene in Takeaway Sandwich and Salad bars' and covered sandwich, salad or component ingredients, swabs from ready to eat contact surfaces and cleaning cloths used in ready to eat areas. 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 in the required standard.

## 5.2 Health and Safety

- 5.2.1 As in Q2 the health and safety activity has been concentrated around health and safety advice given to event organisers through the Safety Advisory Group (SAG). This is an advisory body comprising key representatives from relevant organisations. Its purpose is to offer advice to event organisers to promote public safety at events within the district. There were a number of large events in the district over the summer months and officers took part in multi-agency pre-opening site visits.
- 5.2.2 During Q1 there has also been 6 accidents investigated and several 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.

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

- 6.1 These reporting arrangements support the corporate objectives which are:
- Enhance employment opportunities and supporting businesses
  - Supporting the needs of residents
  - Strengthening our communities

## 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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