

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 – 27 September 2023

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

Report by: Kate Penn – Environmental Health Service Manager

Ward(s) affected: All

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 1.

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 Q1

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 1.

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:

Category	Number of Premises
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 1 there were 185 food hygiene inspections carried out, the majority of these inspections were at overdue category D premises that did not form part of the Food Standards Agency's recovery plan. Some of these premises have not been inspected since 2018 and the aftereffects of the pandemic, the energy crisis and staffing shortages has meant there can be been a drop in standards and officers are working to support these businesses to ensure the food they are producing is safe for consumers.

5.1.1 There were 55 new food business registration received in Quarter 1. 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. This number of registrations is line expectation.

5.1.3 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. In July (Quarter 2) worked started with reviewing the status of these premises to determine which are still operating and need inspecting and which have ceased trading.

5.1.4 Appendix 1 also shows that requests for export certificates has been a little lower than anticipated, this is something that as a service we cannot influence and is determined by what manufactures are exporting where.

5.1.5 There have been more rescore requests received than anticipated in Quarter 1, this shows where businesses have not got the highest rating

they are striving to improve it and may also be a reflection of some Category D premises not being inspected for longer than usual due to the pandemic and standards suffering.

- 5.1.6 Officers have been participating in the UK Health Security Agency's sampling study, in Quarter 1 the topics were 'Ready to Eat (RTE) Salad and salad components from Retail and Catering' and 'Hygiene in Catering Premises' which included taking swabs and environmental samples around the premises. 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 Service Plan for Health and Safety Regulation

- 5.2.1 During Quarter 1 there were five accidents investigated of the seven reported and 39 other service requests responded to, a break down of service request types is shown in Appendix 2, the majority of these were licence consultations. This was slightly higher than the number of service requests anticipated, however, the number of accidents occurring was less than anticipated.

- 5.2.2 There has also been activity concerning 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. This advice from officers can be written or it can be given during SAG meetings or site visits. During Quarter 1 advice was given ahead of summer events. Large events in the district such as Secret Garden Party can take up significant amounts of officer time where documentation has to be reviewed.

- 5.2.3 Environmental Health have now fully taken over the administration of the skin piercing registrations within the district and 13 skin piercing registration applications were received in Quarter 1.

- 5.2.4 The number of premises inspections and interventions is less than anticipated, this is driven by what service requests come in and whether inspection or intervention would be considered to be a proportionate regulatory intervention inline with the Health and Safety Executive's statutory guidance.

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 2023-2024

Appendix 2 - Health and Safety Activity 2023-24

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