

**FOOD SAFETY AND HEALTH AND SAFETY ENFORCEMENT POLICIES
(Report by Head of Environmental and Community Health Services)**

1. INTRODUCTION

- 1.1 The purpose of this report is to seek Members' approval for the adoption of a revised Food Safety enforcement policy and a revised Health and Safety enforcement policy
- 1.2 It is a requirement of the Food Standards Agency (FSA) and the Health and Safety Executive (HSE) that suitable enforcement policies are developed for the services in accordance with statutory guidance and the Regulators Compliance Code and that these are revised when appropriate.
- 1.3 The enforcement policies for both services were last revised in April 2007. Recent changes in legislation, primarily the Regulatory Enforcement Sanctions Act 2008 and changes to the FSA Food Law Code of practice have necessitated these reviews.

2. SCOPE

- 2.1 This policies are designed to set out the arrangements by which the principles of proportionality, consistency, transparency, helpfulness, openness, and targeting of resources will be incorporated into actions.
- 2.2 In order to achieve these objectives, enforcement action will be proportionate to the risk(s) presented, or the seriousness of the breach of legislation and will be in accordance with these policies
- 2.3 The main revisions are not extensive and do not significantly change the existing policies. The revisions refer to and take into account:
 - The Regulatory Enforcement Sanctions Act 2008
 - The creation of the Local Better Regulation Office
 - The introduction of the Primary Authority Concept
 - The Revisions to the Food Standards Agency Food Law code of practice 2008
 - Changes in internal management structure
- 2.4 The relevant changes have been high lighted in yellow in the attached policy documents.
- 2.5 There is a general requirement to consult those affected by the adoption of an enforcement policy but this has already been undertaken when the existing policies were formulated in 2002 and the changes reflect national policy. The revised polices will be available in hard copy and in electronic format on the Council's website

3. CONCLUSION

- 3.1 It will be necessary for further revisions to the enforcement policies to be made, when appropriate, to reflect future changes in legislation, statutory guidance, government policy and organisational structure.

4. RECOMMENDATIONS

- 4.1 It is

RECOMMENDED

That the panel

- (a) note the contents of this report and approve the revised Food Safety Enforcement Policy and the Health and Safety Enforcement Policy, and
- (b) authorise the Head of Environmental and Community Health Services to review the Food Safety Enforcement Policy and the Health and Safety Enforcement Policy when appropriate and to approve any necessary changes after consultation with the Chairman of the Licensing and Protection Panel.

BACKGROUND INFORMATION

The Food Safety Enforcement Policy Statement 2009
The Health and Safety Enforcement Policy Statement 2009
The Regulatory enforcement Sanctions Act 2008
The Regulators Compliance Code
Food Standards Agency Food law code of Practise 2008

Contact Officer: Susan Lammin
Head of Environmental and Community Health Services
☎ 01480 388280
Chris Lloyd, Lifestyles Manager
☎ 01480 388290