

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: The Service Plan for Food Law Enforcement 2014-15

Meeting/Date: Licensing and Protection Panel 24 June 2014
Council – 30th July 2014

Executive Portfolio: Executive Councillor for Strategic Economic Development & Legal

Report by: Senior Environmental Health Officer, Commercial Team,
Environmental and Community Health Services

Ward(s) affected: All

Executive Summary:

Huntingdonshire District Council has responsibility for most food safety and hygiene enforcement functions within the district. The Food Standards Agency (FSA) is the Competent Authority and National Regulator for food safety and hygiene issues within England and it requires every local authority (food authority) to outline how it will fulfil its duty to deliver official food controls, national priorities and standards within the district. The arrangements detailing how and at what level the official controls will be delivered must be laid down in the form of a service plan. The requirement to do so is specified within the FSA's 'Framework Agreement on Official Controls by Local Authorities', which was developed in consultation with local authorities, the LGA and other professional organisations.

The food safety and hygiene enforcement function within the Council is delivered by the Commercial Team within Environmental and Community Health Services and the purpose of the Food Safety Service Plan entitled 'Service Plan for Food Law Enforcement' is to explain how that enforcement function will be delivered. It also details the resources required to deliver it, together with a review of the previous year's performance.

Financial implications – see Section 10

Recommendation(s):

As the submission of the Service Plan is a statutory duty, the Council is recommended to adopt the Food Safety Service Plan for 2014-15.

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1. WHAT IS THE PURPOSE OF THIS REPORT?

- 1.1 The report formally presents the Food Safety Service Plan to the members of the Licensing and Protection Panel and seeks their approval of that plan. This enables the Council to discharge its duty as an enforcing authority for food safety and hygiene.

2. WHY IS THIS REPORT NECESSARY?

- 2.1 Huntingdonshire District Council has responsibility for most food safety and hygiene enforcement within the district. The Food Standards Agency (FSA), as the Competent Authority and National Regulator for food safety and hygiene issues within England, requires every local authority to outline how it will fulfil its duty to deliver official food controls, national priorities and standards within the district. The FSA requires local authorities to lay down details of the arrangements in the form of a service plan, specifying how and at what level the official controls will be delivered. This requirement is formalised within the FSA's 'Framework Agreement on Official Controls by Local Authorities', which was developed in consultation with local authorities, the LGA and other professional organisations.
- 2.2 The food safety and hygiene function within the Council is delivered by the Commercial Team within Environmental and Community Services and the purpose of the Food Safety Service Plan is to explain how that service will be delivered. It also details the resources required to deliver the service, together with a review of the previous year's performance.

3. OPTIONS CONSIDERED/ANALYSIS

Not applicable

4. COMMENTS OF OVERVIEW & SCRUTINY PANEL

Not applicable

5. KEY IMPACTS/RISKS

- 5.1 The failure to produce an appropriate food safety service plan outlining how the Council intends to fulfil its duty to deliver official food controls, national priorities and standards within the district is likely to invite criticism from the Food Standards Agency which, as the Central Competent Authority, oversees local authorities undertaking official food controls. This in turn may lead to contact from the FSA's Local Authority Audit team.

6. TIMETABLE FOR IMPLEMENTATION

- 6.1 The work identified within the service plan will be delivered during the financial year 2014-2015. The food safety and hygiene service will be delivered alongside the Commercial Team's other core regulatory functions, including health and safety, food-related infectious disease control, smoking in public places and private water supplies.

7. LINK TO THE LEADERSHIP DIRECTION

- 7.1 The delivery of an effective, risk-based, proportionate, consistent and transparent food safety and hygiene service will contribute to the Leadership Direction. In particular it will contribute to a strong economy and will help to

improve the quality of life within Huntingdonshire by working with businesses and communities and by being part of a customer-focused and service-led council.

8. CONSULTATION

8.1 Presentation to Chief Officer Management Team on 2 June 2014.

9. LEGAL IMPLICATIONS

9.1 See 5.1

10. RESOURCE IMPLICATIONS

10.1 The overall budget for 2014-15 is £448,830 which represents an increase of 1.7% on the previous financial year. Despite the overall staffing resources within the Commercial Team decreasing, with a net saving of 0.4 full time equivalent staff (FTE), there has been a slight increase in FTE staff doing food safety and hygiene. This is due to an adjustment in the balance of work load between food safety and health and safety because of a change in staff and changes in National Agenda priorities. It is anticipated that the budget will be sufficient to meet the demands of the service but in the event of a complex investigation or legal case, or the introduction of central sampling charges, additional funds may have to be sought.

11. OTHER IMPLICATIONS

11.1 The Food Standards Agency expects local authorities to carry out our official controls in an effective, risk-based, proportionate and consistent way. It also expects local authorities to comply with the requirements of good regulation, which in addition to the above, expects accountability and transparency. The production, publication and delivery of the Food Safety Service Plan will meet these expectations.

12 REASONS FOR THE RECOMMENDED DECISIONS

12.1 See 2.1, 5.1, 7.1 and 11.1.

13. LIST OF APPENDICES INCLUDED

13.1 Appendix 1 – Executive Summary of the full Service Plan for Food Law Enforcement 2014-15

BACKGROUND PAPERS

The Food Safety Service Plan 2014-15

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A full copy of the Food Safety Service Plan for 2014-15 is available in the Members' Room. If you wish to have an individual copy, please contact the Environmental Health Admin Section on 01480 388302.

Appendix 1

EXECUTIVE SUMMARY 2014/15

AIMS AND OBJECTIVES

The overall objective of the Food Safety Service is to work with businesses and consumers to endeavour to make sure that food intended to be placed on the market for human consumption which is produced, stored, distributed, handled and purchased within Huntingdonshire is without risk to public health or the safety of the consumer. The aim is to achieve this by delivering an effective, risk-based, proportionate, consistent and transparent Food Safety Service.

The service is linked to the Huntingdonshire District Council's Corporate Plan 2014-2016 and Sustainable Community Strategy 2008-2028, the FSA's Strategy to 2015 and Cambridgeshire's Health and Wellbeing Strategy.

The following key activities are identified within the performance management system and will be measured to determine the effectiveness of the listed activities and actions.

- Planned and reactive inspections of registered and approved food establishments
- Percentage of food premises assessed as being broadly compliant
- Number of new food businesses starting up
- Investigation of service requests relating to foods and food premises
- Investigation of cases and outbreaks of food-borne and food poisoning illnesses.

The service will seek to achieve this through a number of key actions that are identified within this service plan.

Table One: Changes in resources from 2013/14 to 2014/15

STAFF (Full Time Equivalent (FTE))	2013/14	2014/15
Environmental Health Officers (EHO)	2.0	1.7
Environmental Health Protection Officers (EHPO)	1.2	2.0
Senior Environmental Health Officer	0.8	0.8
Commercial Team Leader	0.5	0.5
Health Protection Manager	0.2	0.0
	4.7	5.0*
Admin Support Staff	1.3	1.3
Total	6.0	6.3*
FINANCIAL	2013/14	2014/15
Direct Costs (Employees)	£275,440	£281,520
Overheads (FLARE, Printing, Admin Support Central Support)	£157,850	£162,010
Other Direct costs (specialist equipment, laboratory services and sampling)	£10,070	£10,300
Total	<u>£443,360</u>	<u>£453,830</u>
Income (Primary Authority Partnership, health certificates)	<u>-£2,000</u>	<u>-£5,000</u>
NET EXPENDITURE	<u>£441,360</u>	<u>£448,830**</u>

* Overall the resources within the Commercial Team have decreased and there is a net saving of 0.4 full time equivalent staff (FTE), however the increase in FTE staff doing food safety is due to an adjustment in the balance of workload between food safety and health and safety. This is due to a change in staff and changes in National Agenda priorities.

** The overall budget for 2014/15 represents an increase of 1.7% on the previous financial year.

Table Two: Actions and Time Allocations

All calculations assume 1 x FTE = 1290 hours per year (215 working days x 6 productive hours per working day). Time does not include administrative support.

Proactive Tasks	Level of activity		Hours	FTE
	Actual 2013/14	Estimate 2014/15	Estimate 2014/15	Actual 2014/15
Planned food hygiene inspections (risk group A-D, in addition to those below)	474	392	2748	2.13
Alternative Enforcement Strategy (AES) (cake makers child-minders)	25	130		
Unrated food business interventions (during the course of the year)	37	52		
Revisits	149	129		
Inspection of new food businesses (occurring during course of year)	125	150		
Inspection of temporary food businesses	16**	30		
Inspection of Approved Establishments*	4	5		
Primary Authority Partnership			65	0.05
Other proactive visits (food, water and environmental samples/advisory)	240	250		
Overdue inspections from previous year	241 [#]	67		
TOTAL				
Prosecutions	4			
Formal action (service of notices)	61			
Food safety and public health promotion	Project work linked to delivery of corporate aims; targeted food business support visits following inspections; advice given at the time of each inspection and the delivery of the targeted interventions; National Food Hygiene Rating Scheme (FHRS); Alternative Interventions to specific business groups including newsletters; development of targeted advice, newsletters, leaflets, website; promoting food safety initiatives; and leaflets providing information on preventing the spread of infectious diseases.		697	0.54
Liaison with other organisations	Maintenance and development of			

and agencies	existing links and initiatives, both internal and external.	194	0.15
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*includes meat cutting, gelatine re-wrapping, egg packing establishments and establishments producing meat products.

**did not inspect as many temporary market stalls and food vendors at temporary events as have done in previous years.

includes 192 risk group E businesses and 33 new businesses not yet inspected

Reactive Tasks	Level of activity		Hours	FTE
	Actual 2013/14	Estimated 2014/15	Estimated 2014/15	Estimated 2014/15
Food-related service requests/complaints and service requests/complaints re: food businesses	645	600	1303	1.01
Food, water and environmental sampling (reactive)	19*	20	90	0.07
Infectious disease control - notifications of food-borne/food poisoning illnesses	168##	200	65	0.05
FSA food alerts for action	22	15	39	0.03
Advice to business, enquiries/response to business and consumer queries	Estimated 450+ service requests including support to new and existing businesses; responding to requests from colleagues in other organisations, including other local authorities and central government; and enquiries from the public and businesses on food safety matters, including individuals, voluntary organisations and event organisers.		568	0.44
Staff development and training	Internal and external training courses, peer review exercises, update events, research		168**	0.13
Service management	Overall supervision and management of service, policy and procedural development. Responding to central government consultations and audits.		516#	0.4
Total			6453	5.0

* reduction in sampling due to other commitments and sampling officer leaving

**In addition to usual research, training etc., one member of team doing higher certificate in food control.

2 new members of staff; and support for recently qualified officer taking first prosecution case

The number of infectious diseases positively linked to businesses within Huntingdonshire in 2013/14 was only one although this was later confirmed to be a 'Norovirus' outbreak introduced by a guest.

The overall budget for 2014/15 represents an increase of 1.7% on the previous financial year. It is anticipated that the budget will be sufficient to meet the demands of the service but in the event of a complex investigation or legal case, or the introduction of central sampling charges, then additional funds may have to be sought.

The administrative support workload includes producing post-inspection letters; data entries to Flare and Anite; taking and recording enquiries and service requests; collating data on infectious diseases; and collating information for the Food Standards Agency.

A balanced workload has been proposed for 2014/15 which incorporates a full range of enforcement actions including food safety interventions, advice and assistance. Due to the nature of the service some interventions are carried out during evenings and weekends. The plan has been based upon the service being fully staffed. If staffing levels are not maintained, then the service will be under-resourced to meet the requirements of the service plan. This is likely to have an impact on completing inspection targets (particularly lower-risk ones) and the delivery of the development plan as outlined below. The occurrence of any major incidents, a food poisoning outbreak or any large investigations, legally or technically complex cases or enforcement action, would also have a significant impact on the delivery of the service plan.

The impact of large scale events such as the Secret Garden Party (SGP) and other major organised events also needs to be recognised. In 2013 the SGP resulted in approximately 121 hours of officer time including staff involvement in food hygiene, water provision and health and safety issues both before and during the event.