

Key Decision - No

HUNTINGDONSHIRE DISTRICT COUNCIL

Title:	Monitoring Report on the Delivery of the Food Law Enforcement and Health and Safety Service Plans
Meeting/Date:	Licensing and Protection Committee – 20 September 2017
Executive Portfolio:	Executive Councillor for Community Resilience, Well-Being and Regulatory Services, Cllr Angie Dickinson
Report by:	Operational Manager (Business) – Susan Walford
Ward(s) affected:	All

Executive Summary:

The Food Law Enforcement Service Plan and Health and Safety Service Plan 2017-18 were approved by committee in June 2017.

This monitoring report covers the period from 1 April 2017 to 31 August 2017. The first five months of the implementation of these plans. In general terms the monitoring report accounts for work undertaken by the Business Team within the defined period and compares this to the service plan to ensure that the service is on target to deliver the programmed work.

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.

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):

Members are requested to:-

1. Note progress on the delivery of the two Service Plans for the period 1 April 2017 to 31 August 2017

1. PURPOSE OF THE REPORT

- 1.1. The report provides information about the delivery of the two Service Plans for the period between 1 April 2017 and 31 August 2017.

2. WHY IS THE REPORT NECESSARY?

- 2.1 Members have asked to be kept informed about the delivery of the work in the approved plans.

3. A DESCRIPTION OF THE SERVICES COVERED BY THE REPORT

- 3.1 Food Law Enforcement consists of the following areas of work:
- a) Planned activities such as routine inspections of food businesses, food and environmental sampling and the provision of food hygiene training courses;
 - b) Unplanned (reactive) work such as the investigation of customer complaints, dealing with requests for compliance advice and following up notifications of food poisoning;
 - c) Liaison with other departments in the interests of coordinated service delivery: in particular licensing and planning;
 - d) Supporting national strategies and the wider public health agenda.
- 3.2 Health and Safety regulation consists of these areas of work:
- a) Planned activities such as unannounced inspections of high risk businesses and targeted interventions in line with the HSE's strategic aims;
 - b) 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);
 - c) The provision of compliance advice to businesses.

4. PROGRESS AGAINST THE APPROVED PLANS

- 4.1 Appendices 1 and 2 relate to the delivery of the Food Law Enforcement Service Plan.
- 4.2 Appendix 1 compares the recorded activity in each of the programmed work service areas with the predicted activity in the approved Service Plan.
- 4.3 The key activities of scheduled inspections, compliance revisits, inspections of new businesses and sampling visits are all green. The alternative enforcement strategy is currently at amber; this is not currently a concern as these are our low risk premises and will be picked up in the latter part of the year. Current enforcement activity is low with businesses generally compliant, however one Huntingdonshire business is resisting support to bring them to compliance resulting in consideration of formal action in line with our enforcement policy.
- 4.4 Our new format food hygiene training programme was launched over the summer and bookings have been going well. There are four sessions planned and more can be organised if there is sufficient demand.
- 4.5 Primary Authority work has centred on our existing partner, Cambridgeshire Catering Services to review the terms and conditions of the agreement in line with the revised Statutory Guidance which reflects the changes to the scheme introduced by the Enterprise Act 2016. The review needed to be completed prior to transition to the new Primary Authority website on 1 October 2017 and following this we will agree a work programme with CCS to provide them with tailored assured advice that supports business compliance with regulations. The 2016 Act aims to extend and simplify the process enabling all UK businesses to benefit including pre-start-ups. Regulatory

Delivery the section of government who promote primary authority expects 250,000 businesses to be included by 2020.

4.6 The service plan also refers to two new initiatives that are being explored for roll out by the team.

1. Discussions around Better Business for All, have been held with Regulatory Delivery and the Growth Hub to plan next steps, resulting in an agreement from RD to support a county-wide workshop to introduce the project to all stakeholders. It is envisaged that this will take place in early December, bringing together business representatives such as the LEP, Chamber of Commerce and the Federation of Small Businesses with local regulators to identify the issues facing local businesses, and to then shape the provision of effective support to promote compliant economic growth.
2. Development of the plan to implement the Healthier Options programme is progressing. A multi-pronged approach will identify areas where there is a higher incidence of obesity in the district and activity will be targeted on these areas to increase the number of outlets that provide a healthier fast food. The scheme will also be generally promoted and any business wishing to be part of the initiative will be supported to implement the necessary changes. It is hoped that the One Leisure Zest Cafes along with Brookes in Pathfinder House, and the café at Hinchingsbrooke Country Park will become early adoptors of the scheme once their new menus are launched, joining the staff canteen at Acushnet Ltd in St Ives. The business team are looking at ways to evaluate the programme in terms of the health benefits to customers although this is proving challenging owing to the variables involved.

4.7 A further round of consultation has been undertaken by the Food Standards Agency on the Regulating our Futures programme. This is the new strategic plan for delivering food safety and standards in the UK. The aim is a sustainable, flexible and adaptive system designed to leverage changes in business's behaviour, rather than to deliver regulation in the traditional sense. Proposals aim to lead to a different balance of activities at local authority level, all contributing to food being safe by building a modern, risk-based, proportionate, robust and resilient system. There are three main elements :

- Enhanced registration focussing on capturing better information on which to identify and manage risk across the food chain.
- Risk segmentation. Including two new categories, "consistently compliant" and "no inspectable risk" taking account of factors such as change of ownership, data from other agencies and the nature of the business. We will then be able to make proportionate decisions inspection and assurance schemes.
- Developing confidence in businesses that they are doing the right thing. Depending on how good the information is that businesses provide, including their past performance, we will set the frequency and type of inspection activity. The Food Hygiene Rating system will continue and it is proposed that display will become mandatory.

The Food Standards Agency recently wrote to all Local Authorities asking that these proposals are brought to the attention of members. Further details of why legislation needs to change and how the FSA propose to implement this can be found at <https://www.food.gov.uk/news-updates/news/2017/16363/fsa-publishes-plans-future-regulation>. It is envisaged the new programme will be largely in place by 2020.

4.8 Appendix 2 refers to the unplanned (reactive) work. The number of customer complaints and service requests is driven by demand, so they are closely monitored and prioritised according to risk using publicly available selection criteria. Any intelligence emerging around trends can be used to inform proactive work through education or enforcement action.

- 4.9 The Health and Safety Service Plan (Appendix 3) also contains a mixture of programmed work, reactive work and the provision of compliance information and advice.
- 4.10 There do not appear to be any emerging issues at this point however it is important that complaints are considered according to risk and approached in a proportionate manner. The number of complaints and service requests is monitored closely and it may be necessary to introduce some selection criteria if the numbers continue to rise. Accident investigations are already selected according to established selection criteria. Resources continue to be channelled into investigation and research around the recent work place death reported at Hamerton Zoo. Liaison with the police, HSE and the wider zoo community involves considerable officer time whilst we prepare for the coroner's hearing in November.
- 4.11 Officers continue to witness serious health and safety problems whilst carrying out other duties. These are identified as "Matters of Evident Concern" (MEC). The frequency with which they are reported is an indication of the extent to which businesses fail to manage serious risks without our intervention.

5. RISKS

- 5.1. The failure to monitor the delivery of the approved Service Plans could invite criticism from the Food Standards Agency and the Health and Safety Executive in their capacities as the national regulators.
- 5.2. 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.

6. LINK TO THE CORPORATE PLAN

- 6.1. These reporting arrangements support the wider corporate objectives to "*Improve the efficiency of service delivery and become more business-like*" and to "*drive service priorities*".

7. LEGAL IMPLICATIONS

- 7.1 None

8. RESOURCE IMPLICATIONS

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

9. OTHER IMPLICATIONS

- 9.1. None.

10. REASONS FOR THE RECOMMENDATION

- 10.1. To keep Members informed about the delivery of the approved Service Plans.

11. APPENDICES

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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