

NORTH LINCOLNSHIRE COUNCIL

HIGHWAYS AND NEIGHBOURHOODS CABINET MEMBER

FOOD SERVICE PLAN 2011/2012

1. OBJECT AND KEY POINTS IN THIS REPORT

1.1 To seek Cabinet Member approval of the Authority's Food Service Plan for 2011/2012.

1.2 The key points in this report are:

- Each Food Authority is required to prepare an annual Service Plan setting out its proposed food service activities for the year.
- The Food Service Plan 2011/2012 details how the available resources will be deployed by the Food and Safety Team in the Communities and Environment Division and the Trading Standards Division to deliver the broad range of activities required by the Food Standards Agency (FSA) and European law.
- In addition to risk based food safety enforcement the Plan incorporates a broadening of the service to deliver a number of food safety projects targeting specific high profile food safety topics.
- As in previous years resources will be deployed to secure high levels of compliance at the highest risk premises.

2. BACKGROUND INFORMATION

2.1 Under the Food Standards Act 1999 the Food Standards Agency (FSA) has the power to set standards in relation to Local Authority enforcement of food law.

2.2 In order to ensure that the expected level of enforcement is being performed, each Food Authority is required to prepare a Service Plan setting out its proposed activities for the administrative year.

2.3 The plan has to be given the approval of the Council in order that it has the appropriate status as a strategic document on food safety and consumer protection.

- 2.4 As a Unitary Authority North Lincolnshire is responsible for the enforcement of both Food Safety and Food Standards (Consumer Protection) legislation.
- 2.5 The council also has responsibility for the composition and safety of Animal Feeding Stuff, which is seen as affecting the ultimate safety of the human food chain.
- 2.6 The Plan therefore deals with the Authority's proposed activities for the year 2011/2012 in all these areas of work. (Copy attached). The Plan details how the available resources will be deployed by the Food and Safety Team and the Trading Standards Division to deliver the broad range of activities required by the FSA. In addition to the carrying out of programmed inspections the Food and Safety Team will deliver food safety enforcement via a range of food safety projects. This approach provides the Team with an opportunity to focus on specific areas that have been identified as 'weak links' in the food safety compliance 'chain' in North Lincolnshire. Projects proposed for 2011/2012 will include the continuing reduced commitment to National Food Safety Week, a Cross Contamination/Vacuum Packing Survey, a Private Water Supply Survey, a Low risk premises alternative enforcement strategy, the implementation of the new national Food Hygiene Risk Rating Scheme and inter-departmental working exercise with Schools Catering.
- 2.7 The council will be required to report to the FSA on the fulfilment of the activities proposed under this plan, at the end of March 2012.
- 2.8 Food fraud remains one of the Food Standard Agency's priority areas. A regional food fraud group has been set up to co ordinate sampling activity and gather intelligence on all aspects of the food chain trading standards have a duty to enforce. This type of cross boundary cooperation reduces duplication, enables the more efficient use of resources and presents a wider picture of what is happening in the food industry. Detecting and removing the presence of counterfeit and potentially dangerous alcohol products in the market place is a high priority for the service.
- 2.9 Following the commencement of the Regulatory Enforcement and Sanctions Act, the Local Better Regulation Office (LBRO) has the specific brief to reduce the regulatory burdens on business, while maintaining or even enhancing the current levels of public and environmental protection.
- 2.10 Against this background the Plan aims to ensure high levels of compliance at the highest risk premises. The provision of advice and support to business and the prompt response to complaints and service requests remain a priority.

3. OPTIONS FOR CONSIDERATION

- 3.1 The Food Service Plan is a statutory requirement and the FSA sets out the issues to be covered in a framework agreement.
- 3.2 In recognition of the role of LBRO and the national enforcement priorities of 'hygiene of food businesses', 'animal and public health' and 'fair trading', the council may opt to place greater emphasis on these functions.
- 3.3 The council may decide to ignore the statutory guidance and national priorities and provide a lesser standard of service.

4. ANALYSIS OF OPTIONS

- 4.1 Following the FSA Framework Agreement and LBRO guidelines will ensure that the Service Plan complies with statutory requirements.
- 4.2 Responding to the LBRO brief as well as continuing with the Rogers Review national priorities will require resource prioritisation.
- 4.3 Ignoring the statutory guidance would lead to the likelihood of a further FSA audit of the council and/or intervention by the LBRO.

5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

- 5.1 The financial and staffing details are included in the Food Service Plan. There are no resource implications to consider at this stage.

6. OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION 17 – CRIME AND DISORDER AND OTHER)

- 6.1 An Integrated Impact Assessment has been carried out with regards to this item. The assessment highlights impacts in the following areas:-

6.1.1 Community Safety

Employees and members of the public that engage with businesses will be protected from becoming victims of crime through the application of regulatory controls and graduated enforcement practice.

6.1.2 Health

The plan provides a framework to encourage the development of food businesses that are compliant with current legislation and in so doing impact on the health determinants covered by the assessment.

6.1.3 Economic and Social Inclusion

The application of regulatory action and guidance will impact on local businesses by encouraging a 'non-compliance costs' culture and will contribute towards a 'level regulatory playing field' for businesses.

6.1.4 Statutory Legal Processes

The Council has a statutory obligation to produce and approve a food safety service plan and publicise it to demonstrate transparency and accountability.

6.1.5 Risk

The Council's reputation can be put at risk if it fails to comply with its statutory obligation to make arrangements for the regulation of food safety and standards in accordance with legislation requirements. The plan will obviate this risk.

7. OUTCOMES OF CONSULTATION

7.1 Consultations have taken place routinely with various stakeholders during the compliance process.

7.2 These include:

- i) Businesses, following visits by enforcement staff.
- ii) Consumers, following contact with some aspect of the service.
- iii) Members of staff responsible for delivering the service.

7.3 Views expressed by the consultees are taken into account when enforcement activities are being planned.

8. RECOMMENDATIONS

8.1 That the Cabinet Member approves the Food Service Plan 2011/2012.

DIRECTOR OF NEIGHBOURHOOD AND ENVIRONMENTAL SERVICES

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Date: 24 September 2011

Background Papers used in the preparation of this report:

- (1) North Lincolnshire Council Food Safety Service Plan 2011/2012

NORTH LINCOLNSHIRE COUNCIL

Food Service Plan: - 2011/2012

1.0 Service Aims and Objectives

1.1 Aim

Helping the residents and businesses of North Lincolnshire prosper in a safe, healthy and clean environment.

1.2 Objectives

- Operating a comprehensive compliance regime by means of a mix of sampling, inspection, testing and other interventions as appropriate, to ensure the legality of food and animal feeding stuffs produced or marketed within or imported into North Lincolnshire.
- Promoting food safety via education, persuasion and enforcement and by the monitoring of food and water.
- Providing assistance and advice to local businesses to ensure food safety and to enable them to market products that comply with compositional and labelling requirements.
- Carrying out Food Standards Home Authority enquiries referred by other agencies.
- Preventing the spread of communicable diseases within the local community.
- Investigating complaints/infringements of legislation and taking appropriate action.

- The plan acknowledges the principles identified by the Hampton Review and will endeavour to implement the related guidance issued by the Better Regulation Office. It also reflects the priorities identified by the Rogers Review on regulatory priorities.

1.3 Links to Corporate Vision and Ambitions

1.3.1 The Council's **Vision** is: *“many faces one community working in partnership to transform North Lincolnshire for the benefit of all.*

1.3.2 The Council has ambitions in terms of the area, communities and individuals. Some ambitions have been developed which are shared with the community.

2.0 Background

2.1 Profile of North Lincolnshire

North Lincolnshire Council is a Unitary Authority, established in 1996, covering an area of around 85,000 hectares located on the southern side of the Humber estuary and occupying tracts of land on either side of the River Trent. It is a largely agricultural area and the pattern of settlements reflects this, with market towns surrounded by many small villages. At the centre of the area lies the industrial town of Scunthorpe, which developed in the late C19 as a centre of the steel industry. Although the industry is greatly diminished in scale, Scunthorpe is still one of the major centres of the British steel industry. Like all similar communities, however, the town is endeavouring to develop a more diverse economy to secure its future and the council has been successful in attracting a number of new enterprises to the area. Approximately 50% of the total population of North Lincolnshire live in the town and its immediate environs; and it serves as a centre for shopping, employment, further education etc. for the whole area.

The area has a total population of 158,070. The overall population density of North Lincolnshire is, however, only 1.8 per hectare, which is low compared to most English Unitary Councils. This presents particular problems to the council as it tries to provide a uniform level of service to all its customers.

Agriculture dominates in the rest of the council's area. The other principal towns originally developed as market centres for the surrounding farmlands but this role is now diminished in these days of improved communications.

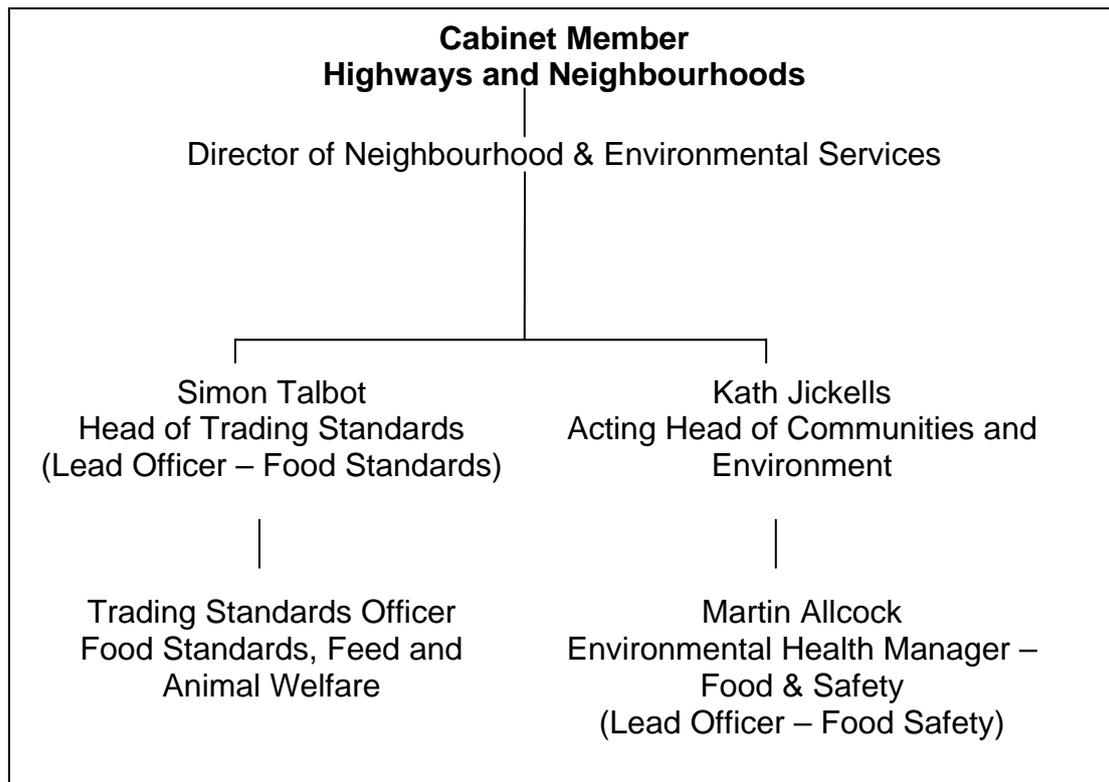
The towns of Brigg, Barton-upon-Humber, Kirton-in-Lindsey, Crowle and Epworth are, however, still important centres for the rural communities and like Scunthorpe are developing economies, more in keeping with modern requirements.

There are 10 ports within the area, including Humberside Airport, that are liable to import food or feed in to this area. There has been a rapid expansion of container traffic at the North Killingholme terminal

The Council is responsible for delivering a full range of local government services. The authority is divided into 17 electoral wards represented by 43 councillors. Within the administrative area there are 8 Town Councils and 49 Parish Councils.

The 2001 Census of Population shows the following distribution of ages: 25% less than 20 years, 58% aged between 20 and 64 and 17% aged over 65. The cultural diversity of the local population has increased over recent years with the influx of many ethnic groups including representatives from the expanded European Union.

2.2 Organisation



2.3 The Scope of the Food Service

As a Unitary Authority the council is responsible for the full range of duties required by European Food law.

It is also responsible for the enforcement of legislation dealing with the production and sale of animal feeding stuff, which is regarded as an essential step in assuring the safety of food.

The Food Service is delivered by the Food and Safety Team in the Communities and Environment Division and the Food/Animal Health Team in the Trading Standards Division.

Food Safety is the responsibility of the Food Safety Team of Communities and Environment Division, which also enforces Health and Safety legislation as a joint discipline. Infectious disease control, sampling and health promotion activities are carried out by the same team.

Food Standards and **Feeding Stuffs** are the responsibility of the Food/Animal Health Team which also enforces Legal Metrology and other consumer protection legislation in retail and manufacturing premises (Prices, Description, Animal Welfare and Fertiliser etc). Food hygiene at primary producers (mainly farms) has increased workload for a variety of reasons including education, extra inspections etc.

Where opportunities for joint working are recognised, staff from the two services work together in the interest of efficiency and effectiveness. They also share information about new businesses and other matters of common interest.

The area contains a mix of retail, catering and manufacturing premises. The manufacturing sector is eclectic in nature, as it is not based upon any particular primary industry. The businesses vary in nature from simple co-packing operations to complex food manufacturing enterprises producing from raw materials. The retail and catering businesses range from major national traders to small and medium sized enterprises. The town of Scunthorpe, in particular, contains a number of catering and retail businesses operated by traders of Sikh, Pakistani, Bangladeshi Chinese Eastern European origin. Generally the owners of these businesses have a good command of English, but provision has been made for leaflets to be put into native languages to address the needs of kitchen staff where this is needed. The Council also has access to translation services should these be required.

2.4 Demands on the Food Service

Premises Profile: Food/Animal Health and Food Safety

Premises type	Number
Primary Producers	17
Slaughterhouses	0
Manufacturers/processors/packers	35
Importers/Exporters	3
Distributors/Transporters	36
Retailers	543
Restaurants and other caterers	1258
Manufacturers and Suppliers of Materials and Articles in contact with food	2
Total number of premises	1894

Service Delivery Points. The Food Service is based at:

Church Square House
 Church Square
 Scunthorpe
 DN15 6NL

Church Square House is a Local Link Office in a town centre location, and is routinely available during normal office hours (9-00am to 5-00pm Mon – Thurs, 9-00am to 4-30pm Fri). Direct dial telephone capability is used to enhance the accessibility of the service. An increasing amount of information is being made available via the Council's Web site (www.northlincs.gov.uk) and contact via e-mail is encouraged.

An email address has been established for food safety related enquiries at food.safety@northlincs.gov.uk.

The service is also accessible via a network of 7 other Local Link offices based in Barton, Brigg, Crowle & North Axholme, Epworth & South Axholme, Winterton, Scunthorpe and Ashby.

24hr emergency contact is available via the Council's Emergency Control Centre. **(01724 276444)**

There is an out of hours answer phone facility for contacting the Trading Standards Service. **(01724 297664)**

All Trading Standards consumer complaints are initially dealt with by Yorkshire and Humberside Consumer Direct **(0845 040506)**.

Matters requiring further action or investigation are referred back to the Authority.

2.5 Enforcement

The Neighbourhood and Environmental Services Enforcement Policy provides an umbrella policy for all enforcement work carried out by its Divisions. Operating within this general enforcement framework are documented policies for the Food Service i.e. Inspection, Complaint Handling, Sampling, Enforcement of Legislation and dealing with matters of non-compliance. The council recognises the Department for Business Enterprise and Regulatory Reform's Regulators Compliance Code, whose principles are adopted when dealing with Businesses. The service also follows the Code of Conduct of the Crown Prosecution Service, which recognises that prosecution is only one of a suite of remedies that can be used, and that others may be considered more appropriate in many cases of non-compliance.

3.0 Service Delivery

3.1 FOOD STANDARDS AND FEEDING STUFFS

As in previous years the plan aims to ensure high levels of compliance at high and medium risk premises. The provision of advice and guidance to all businesses that seek or need help together with the investigation of complaints will remain a high priority.

As an outcome from the Spending Review 2010 the sampling budget has been reduced by 25% for 2011/12.

A trainee Trading Standards Officer will spend some time seconded to the food team.

Enforcement will be by means of "interventions" as opposed to "inspections". This is the result of procedural changes prompted by the Hampton report and channelled through BERR, LBRO and FSA to LAs. The idea is to use monitoring, sampling, auditing, verifying, surveying and inspecting as means of control as opposed to only inspections. However this authority has always used varied means for ensuring legal compliance and not relied on inspections alone so the effect will have little impact on day to day working.

Sampling will be targeted at local manufacturers, 'Home Authority' businesses regional initiatives and food fraud. A number of surveillance visits will be made to low risk premises primarily in the "take away" food sector. Checks on the nutritional makeup of pre school meals are being undertaken. The Food Standards Agency's

imported food and feed sampling project is an annual national initiative that is supported locally and organised regionally. In effect funds are provided nationally to fund targeted local sampling.

Food Standards and **Feeding Stuffs** under the risk assessment system, currently in place, premises should receive a programmed inspection at the following intervals:

Cat A (High Risk) premises every 12 months
 Cat B (Medium Risk) premises every 24 months
 Cat C (Low Risk) premises every 60 months

Food Standards Premises Profile

Food Standards Premises Profile	Food	Feed	TOTALS
Total number of premises	1266	721	1987
Producers	17	455	472
Manufacturers & packers	32	6	38
Importers/exporters	2	1	3
Distributors/transporters	26	63	89
Retailers	460	182	642
Restaurants/caterers	728	0	728

Food Premises	Total Planned	Due for Visit
High Risk premises	45 (100%)	45
Medium Risk premises	190 (40%)	484
Low risk premises	12 (2%)	621
Premises outside programme	1	1
Unrated premises	2	2
Total	250	1153
Estimated number of AECs	70	
Estimated number of revisits	30	

Feed Hygiene Regs	Due for visit
High risk	3
Medium risk	15
Low risk	50
NIR	0
Unrated	23

Food Hygiene Primary Production	Total Premises	Due for visit
Not Farm Assured	89	23
Farm Assured	140	3
Unrated	228	228

It should be noted that the majority of these premises have only become due for an inspectional visit for the first time this year and as such most are still not assessed.

Estimate of resources required for programmed interventions (0.8 FTE)

It is estimated that sufficient resources exist to undertake the **planned** Visit/AEC level, but this represents only 32% approx of those that the **Food Standards Agency** expects to be addressed.

Other enforcement activities are prioritised over inspections. Service Requests, Home Authority Referrals, Health Agenda matters and Consumer Complaints link directly to the council priority for Customer Service (North Lincolnshire customers) Sampling also takes priority because of our regional co-ordinated sampling programme. The Council has, again, committed itself to participate in an Inter-Authority Audit Process. The time necessary for this and any consequent actions has been accounted for in this years plan.

3.1.1 Targeted Inspection Activity

The following premises will be targeted:

Food Standards:

Premises rated as Category A, particularly Importing, Manufacturing, Primary producers or Packing premises where North Lincolnshire acts as Home or Originating Authority.

New premises not yet rated.

Premises that match with local ambitions and that are considered important under local area agreements.

Feeding Stuffs

Manufacturers producing compound feeds where additives are incorporated into farm feed

Stores where feed materials are entering the Community or UK (Prime Import)

All feed premises to be registered under the Feed Hygiene Regulations, including transport, primary producers, wholesalers etc.

Food Hygiene at Primary Production

Premises involved with the primary production of food will be inspected under food hygiene legislation. Inspection frequencies:

Farm Assured = 2% per year

Non Farm Assured = 25% per year

3.1.2 Access to expertise

Following a competitive tendering process the Public and Agricultural Analytical Services are currently provided by West Yorkshire Joint Services based in Morley. The contract will be re-tendered this year in a joint procurement exercise with North Yorkshire, North East Lincolnshire and York Councils. The Humber Authorities Calibration Centre in Hull carries out calibration of metrological equipment

3.1.3 **Food Complaints**

Estimated Number of Complaints 37

Estimated FTE **0.05**

This is a demand led activity and will be carried out in full.

The introduction of Consumer Direct in August 2004 (where the initial response to Complaints will occur at a remote call centre) impacts upon the manner and speed with which, complaints are dealt. It also impacts upon the complexity of the complaint received by the service as simple complaints are dealt with by CD.

3.1.4 **Home Authority Principle**

North Lincolnshire is fully committed to the Home Authority Principle and acts upon matters received from other agencies that concern North Lincolnshire based premises.

Estimated FTE **0.10**

This is a demand led activity and will be carried out in full although in recent years there has been a gradual reduction in numbers due to the ongoing work performed by officers at HA premises.

3.1.5 **Advice to business**

The Service has a policy of offering comprehensive advice to any business for which the Service is, or is likely to be, Home Authority or Originating Authority for any part of the business based within the area.

For **Food Standards and Feeding Stuffs** this includes giving advice on legal and technical matters where officers have expertise; vetting and approving premises, packaging, labelling etc; assisting in the resolution of queries involving other enforcement agencies etc. It should be noted that although there has been a reduction in enquires from large companies there has been an increase in start-up businesses wanting advice.

Requests for such assistance currently run at 2 per week.

Estimated FTE required: - **0.2**

This is a demand led activity and will be carried out in full.

3.1.6 **Food and Feeding Stuffs Sampling**

The target number of food standards and feeding stuff samples is 230 per annum.

There is an enhanced level of sampling, required by the FSA, for Feed Materials being imported into the area and feeds produced by 'on-farm mixing'. There is a need to test consignments of fishmeal for the presence of Dioxins and PCBs which is labour intensive and involves high analytical fees (Up to £1000 per sample). A number of food standards complaint samples are also submitted for test in addition to the programmed samples. These are demand led and will be carried out in full. Regional initiatives (e.g. examining salt levels in food) are paid for out of the budget.

Imported food and feed sampling are activities the FSA considers to be of great importance and each year regional groups can bid for funding for sampling specific items. North Lincolnshire Council will again participate in this year's programme.

The **Food Standards** sampling programme is decided at the beginning of the year (as required by FSA) but is subject to alteration as circumstances change. It also takes into account the sampling programme of the Yorkshire and Humber Trading Standards Group so that a co-ordinated submission of samples can be arranged, where possible. This enables some samples to be analysed at a cheaper rate.

It also takes into account the health agenda and sampling of school and pre-school meals is undertaken. It is intended to extend that sampling to include vulnerable adults and the elderly.

An internal Performance Indicator requires 15% of samples to be adversely reported thus encouraging a targeted approach to sampling.

Estimated FTE required for sampling programme: 0.8

3.1.8 **Business Training Seminars**

Training for businesses is to be used as a means of dissemination of information on topics that are current/important.

Estimated FTE required for business training 0.05

3.1.9 **Food and Feed Alerts**

Food and Feed Alerts are the responsibility of the **Food/Animal Welfare Team**. A co-ordinated approach with the **Food and Safety** Team is adopted where Alerts relate to food safety matters.

It is the Council's policy to handle all food alerts in accordance with the relevant Food Safety Act Code of Practice and local input.

Estimated FTE required for food and feed hazard warnings: 0.05

This is a demand led activity and additional resources are made available if required.

3.1.10 Liaison

The Council is committed to ensuring the Food Service is consistent with that of neighbouring authorities. As a consequence the Council supports a number of national and local liaison groups to secure this aim.

The Council receives and takes cognisance of guidance from the Food Standards Agency, LACORS and the professional bodies, the Trading Standards Institute and the Chartered Institute of Environmental Health.

For Food Standards issues the authority is a member of The Yorkshire and Humber LACORS regional group.

For Feeding Stuff matters the authority has membership of The LACORS Feed and Fertilisers Focus Group. It should be noted that a member of staff in the Trading Standards food and feed team is the national LACORS feed hazard warning co-ordinator.

A Joint Food Management Team comprising Environmental Health and Trading Standards staff meets several times a year to discuss matters of mutual interest.

The department is a member of the Food in Schools group dealing with nutritional and healthy eating issues in North Lincolnshire educational establishments.

Estimate of FTE required for liaison: 0.1

3.1.11 Health Agenda

It is envisaged that there will be more involvement in matters pertaining to the health of North Lincolnshire residents. This will be achieved through increased co-operation with other bodies such as Health Improvement and Partnerships or with schemes like obesity awareness.

Estimate of FTE required for health agenda: 0.1

3.1.12 Imported Food

Policies and procedures were implemented to ensure that appropriate action is taken when food and feeding stuffs are imported into the Councils area from outside the European Community.

Estimated FTE required for imported food/feed enforcement included in sampling FTE allocation: 0.05

3.1.13 Resources

Below are the details of the resources provided for food and feed purposes only by the Food/Animal Welfare Team. Other officers are available to assist in major alerts/issues. It should be noted that there is a reduction in financial allocation by nearly £44,000 which translates into a reduction of over 30%.

Financial Allocation

Staff costs	£ 61,713
Travel	£ 8,200
Budget for Analytical work	£ 24,000
Training	£ 2,600
Equipment	£ 1,100
Total Cost	£ 97,613

Food Standards and Feed (FTE) Operational

Trading Standards Manager/Principal Officer	0.05
Trading Standards Officers	0.7
Enforcement Officer	0.5
Enforcement Assistant	0.3
Animal Welfare Officer	0.05
Technical Clerk	0.1
Trainee	0.1

Total number officer hours available for Food Standards/Feedstuffs work in 2011/2012

Operational:	(1.8FTE)
Management / QA etc:	(0.2FTE)
TOTAL	(2.0FTE)

The resources needed to complete this years plan is calculated as being FTE 2.25 which is a shortfall of 11%. This will probably mean a reduced number of interventions in particular physical inspections.

3.1.14 Staff Development Plan

Staff individual training needs are identified formally during Employee Appraisals held annually with an optional review after six months. The Food/Animal Welfare Team completes its own Training Plans through this process. This formal process does not preclude additional training needs being addressed during the year or prevent staff from taking advantage of other opportunities that may arise. Training will be provided using a range of techniques including formal qualifications; external training courses; internal training courses; cascade training; shadowing and mentoring.

3.2 FOOD SAFETY

3.2.1 The food premises profile for food safety purposes is as detailed below:

Food Safety Premises profile	
Total number of premises	1572
Producers	6
Manufacturers and packers	31
Importers/exporters	3
Distributors/Importers	31
Retailers	396
Restaurants / Caterers	1105
7 Approved Establishments approved for:	
Meat Products only	3
Minced Meat only	1
Dairy Products only	1
Meat Products, Fish Products and Milk Products	1
Cold Store	1
Enhanced Remote Transit Sheds	2

Food Safety inspections are programmed in accordance with Food Safety Act Code of Practice which is currently under review following consultation. The premises profile and inspection programme is summarised below.

Risk Category	No	Required Inspections 2011/2012
Category A premises (High risk)	14	28
B	76	76
C	643	423
D	271	127
E (Low Risk)*	547	133 *
Unclassified (new premises awaiting inspection)	21	21
Total	1572	675

*These premises include 10 premises that did not respond to last year's self assessment questionnaire. The remaining premises will be subject to an Alternative Enforcement Strategy (AES) which will involve the completion of a self assessment food safety questionnaire. Non responding businesses will however generate the need for visits.

These figures do not include new premises which open during the year. During 2010/2011 141 food premises closed and 211 new food premises were inspected in addition to the programmed inspections.

3.2.2 Targeted Inspection Activity

Food Safety:

The inspection programme is required to reflect as a minimum the inspection frequency dictated by the rating scheme contained in the FSA Food Safety Code of Practice. This means that dependant on risk; all premises will receive an inspection from the Food and Safety Team every 6 months to 2 years. The code also permits the use of alternative enforcement strategies (AES) such as questionnaires for low risk premises on a rolling 3 year cycle. This year this approach will continue to be utilised for all low risk businesses. The information generated from this segment of the food sector will update the food safety database and through personal engagement with food business operators will provide opportunities for food safety promotion.

In addition to the carrying out of programmed inspections as detailed above and at 3.2.1 the Food and Safety Team will continue to develop the delivery of food safety enforcement via a range of food safety projects. This approach to food safety regulation provides the Team with an opportunity to focus on specific areas that have been identified as 'weak links' in the food safety compliance 'chain' in North Lincolnshire. Projects proposed for 2011/2012 will include the continuing commitment to National Food Safety Week, Cross Contamination/Vacuum Packing Survey, Private Water Supply Survey, Low risk premises alternative enforcement strategy, the implementation of the new national Food Hygiene Risk Rating Scheme and inter-departmental working exercise with Schools Catering.

Following on from its successful implementation last year, a project focussing on those premises that have been identified as repeat offenders will continue. This approach demonstrates a commitment to improve the compliance levels of the small number of consistently poor premises in North Lincolnshire by providing their operators with an opportunity to engage with Officers from the Team to achieve and sustain food hygiene performance.

Inspections of catering premises and restaurants will continue to be focussed towards the implementation of the compliance guidance schemes such as Safer Food Better Business (SFBB). The SFBB model will continue to be utilised where appropriate during the inspection of catering and retail premises which has resulted in an increase in the inspection time for this section of the food premises profile.

In line with Hampton principles enforcement officers also undertake health and safety 'project based hazard spotting' inspections when carrying out programmed food safety inspections. This in turn reflects the priorities highlighted by the Government report 'Common Sense, Common Safety' which advocates combined inspections to reduce the regulatory burden on business.

Estimate of resource available to carry out programmed inspections is **3.993 FTE**.

3.2.3 Access to expertise

The Health Protection Agency (HPA) Laboratory, Leeds provides bacteriological analysis of food and potable water and faecal samples. The NHS Laboratory in Leeds provides bacteriological analysis of faecal samples.

Killgerm provide a free identification service for insects found in food premises or manifesting themselves as food complaints.

The Consultant in Communicable Disease Control, North Yorkshire and the Humber Health Protection Unit, provides specialist support in relation to infectious disease control.

The Director of Public Health and the Specialist Health Promotion Service, North Lincolnshire PCT & North East Lincolnshire PCT provides specialist advice on health related aspects of food safety.

3.2.4 Food Safety Complaints

Estimated Number Food Safety Complaints 2011/12 50 (33 in 2010/11)

Estimated Number Food Premises Complaints 2011/12 50 (45 in 2010/11)

Food Safety/Premises complaints are responded to as a matter of priority within a planned response time of 3 working days

Estimate of resource available to carry out food complaints investigations- **0.349 FTE**

It is estimated that this level of resourcing is adequate for the anticipated level of demand.

3.2.5 Home Authority / Primary Authority Principle

There are no formal Home Authority or Primary Authority arrangements in place for Food Safety issues as few local manufacturers have their Head Office in this area. However support is provided to those companies, both directly and acting as an intermediary for enquiries from other local authorities. Whilst the Council does not currently have any primary authority agreements with any businesses it will remain open to requests and will respect these arrangements where they are relevant to the enforcement of food safety at premises in North Lincolnshire. The level of

resourcing will have to be reviewed if an opportunity to enter into a formal PAS arrangement arises

Estimated resource available for dealing with home authority issues: **0.076 FTE**

It is estimated that this level of resourcing is adequate for the anticipated level of service and demand.

3.2.6 **Advice to Business**

The Service has a policy of offering comprehensive advice to any business for which the Service is, or is likely to be, Home Authority, Originating Authority or Primary Authority for any part of the business based within the area.

For Food Safety this includes giving advice on legal and technical matters where officers have expertise; vetting and approving premises; packaging; labelling; and assisting in the resolution of queries involving other enforcement agencies.

The implementation of the Food Safety (Food Hygiene) Regulations 2006 introducing a new requirement for the provision of a documented risk based hygiene system continues to generate an increased number of requests for assistance.

Requests for such assistance or service user requests currently run at approximately 10 per week for food safety (517 requests received in 2010/11). This level of contact with the food sector will increase with the increased exposure of food safety compliance levels offered by the availability of the Council's Food Hygiene Risk Rating Scheme and increasing financial constraints on the food sector in general.

Estimated resource available for the provision of advice to business is 0.196 FTE

3.2.7 **Food Safety Sampling**

The Food Safety sampling programme includes the sampling of food and potable water, both public and private supplies. The programme is determined annually and comprises a local sampling programme in addition to contributions to national programmes co-ordinated by LACORS or HPA. For potable waters the programme includes provision for the sampling of each of the 11 water supply zones supplied by Anglian Water and Yorkshire Water in North Lincolnshire and the sampling of the 18 potable private water supplies in the Councils area.

The programme is designed around the seasonal availability and high-risk nature of certain foods and the results it generates contribute to the data collected nationally on the microbiological quality of ready to eat foods. Food samples are generally collected informally to allow the samples to be purchased in much the same way that a member of the public would have received the food. All business proprietors are advised of the results of samples and unsatisfactory sample results are subjected to further detailed investigation.

Bacteriological analysis of food and water samples is provided by HPA. Following a procurement review the Environment Agency have been contracted to provide chemical analysis of potable water. HASS or CCFRA provide chemical analysis of food samples.

The food and drinking water microbiological analysis service provided by the HPA through their laboratory in Leeds is delivered in accordance with a service level agreement which now limits the number of free charge samples and prescribes charges for sampling beyond these levels or for certain specified sample types. The Food and Safety Team will continue to maintain its sampling levels because of the invaluable microbiological data that they provide despite the budget pressure that this will present. During 2010/11 424 food samples were taken of which 34 were unsatisfactory and required follow-up action. During 2010/11, 204 water samples were taken and 24 were found to be unsatisfactory requiring further action. Sampling activity in 2010/11 was affected by a 3 week 'shutdown' caused by severe weather conditions. In 2011/12, 600 food and 350 water samples will be taken a part of the annual sampling programme.

Estimate of resources available for carrying out sampling programmes: 0.369 FTE

It is estimated that this level of resource is adequate for the anticipated level of service.

3.2.8 Food Alerts

Food Alerts are the Food Standards Agency's way of letting the Council and consumers know about problems associated with food and in some cases provide details of specific action to be taken. They are issued under two categories: Food Alerts for Action and Food Alerts for Information. And they are received by direct email to the Food and Safety Team.

Food Alerts are also copied to the Consultants in Communicable Disease Control, Trading Standards Officers and food trade organisations to alert them to current food issues.

In 2010 - 2011 the Team received 48 Food Alerts and 47 of these were Food Alerts for Information. 1 Food Alerts for Action required investigatory visits and where necessary the recovery/disposal of unsafe food by the Food and Safety Team.

It is anticipated that the number of Food Alerts will remain at a similar level in 2011/2012 and the available resource for responding to food alerts is estimated at **0.137 FTE.**

It is estimated that this level of resourcing is adequate for the anticipated level of demand.

3.2.9 Control and Investigation of Outbreaks and Food Related Infectious Disease

The control and investigation of outbreaks and food related infectious disease is the responsibility of the Food & Safety Team. The fundamental principle of this role is to prevent the secondary spread of infectious disease.

It is the Council's policy to assess all cases and suspected cases of infectious disease notified to the Council, either formally from Humber Health Protection Agency or informally from other sources, to determine which of those require a full investigation. The target is to achieve initial assessments within one working day of receipt.

Where practicable initial assessments are conducted by telephone to establish food histories and/or common food links and to identify individuals (cases or contacts) working in high-risk environments thus posing a risk of further transmission. These cases or contacts are subjected to a full investigation. The use of self-completed postal questionnaires has continued for cases requiring the investigation of the most common pathogen (*Campylobacter*) to release officer time. In practice however because of the poor quality of returns this initiative increased investigation times and has as a consequence been reserved for the small number of cases that cannot be interviewed directly.

Establishments associated with confirmed or suspected cases are also investigated if within the Council's area or notified to the appropriate local authority for investigation.

The Consultant in Communicable Disease Control, Humber Health Protection Unit with whom exclusion and clearance policies have been agreed, provides expert advice.

Analytical services are provided jointly by the Health Protection Agency Laboratory, Leeds and the HPA Collaborating Laboratory in Hull.

It is the policy of the Council to assist other local authorities where cross boundary incidents may have arisen.

In 2010 – 2011, 246 infectious disease notifications were investigated of which 17 were viral outbreaks mainly in institutions, and it is estimated that a similar number will be reported in 2011 - 2012. In response to resource constraints the investigation procedure for *Campylobacter* food poisoning cases has been amended to reduce the amount of time taken up by this work which generates epidemiological data but is of minor value to public health protection.

The available resource to carry out infectious disease control is **0.278FTE**. It is estimated that this level of resourcing is adequate for the anticipated level of demand.

3.2.10 Food Safety Liaison

The Council is committed to ensuring the Food Service is consistent with that of neighbouring authorities. As a consequence the Council supports a number of national and local liaison groups to secure this aim.

The Council receives and takes cognisance of guidance from the Food Standards Agency, LACORS and the professional bodies, the Trading Standards Institute and the Chartered Institute of Environmental Health. For Food Safety issues the authority is a member of The Humber Authorities Food Liaison Group and the District Control of Infection Committee. Formalised liaison arrangements are also in place for the review of Planning and Building Control applications made to the authority. Both teams are statutory consultees under the Licensing Act 2003.

A Joint Food Management Team comprising of relevant Environmental Health and Trading Standards staff meets several times a year to discuss matters of mutual interest within North Lincolnshire.

The available resource available for food safety liaison arrangements is **0.082 FTE**. It is estimated that this level of resourcing is adequate for the anticipated level of demand.

3.2.11 Food Safety Promotion

This year will see the development of the Councils 'Scores on the Doors' scheme and the migration of data from this scheme to a national Food Hygiene Rating Scheme. This initiative operates in a similar way to the existing 'Scores on the Doors' scheme that has been successfully operated since November 2008 and publishes on the Council's website in a format that is easy for the public to understand.

As part of the scheme businesses have been provided with a window sticker/certificate for optional display on the premises. This is particularly helpful for members of the public who do not have access to the Internet. The scheme has been shown to have a positive effect on the compliance levels of businesses in North Lincolnshire and remains popular with members of the public who by using the scheme are able to make informed decisions about their food safety purchases. So far the Council's Scores on the Doors website has registered over 67,000 hits and there are currently 885 premises on its database.

National Food Safety Week in June 2011 provides an annual opportunity for the Food and Safety Team to continue its hygiene awareness raising initiative in local schools. This successful initiative will target Junior School children with a 'hand washing road show' and related competitions aimed at raising hand hygiene awareness of the importance of hand hygiene and the 4 'Cs' (Cross-contamination, cleaning, chilling and cooking). The Food and Safety Team are grateful for the continued financial support provided by local businesses which enables this initiative to be maintained.

Where possible, presentations to schools and local bodies will be provided during the year to maintain the profile of the service in the eyes of the business sector and

public. Such presentations will be resource constrained and their provision will only be entertained where the food service can accommodate their delivery.

The Food and Safety Team also receives and responds to a range of enquires relating to topical food safety issues. Enquiries may be received from the public, business or the media and are responded to as appropriate, sometimes in consultation with the Director of Public Health and/or the Specialist Health Promotion Service.

It is envisaged that there will be more involvement in matters pertaining to the health of North Lincolnshire residents. This will be achieved through increased co-operation with other bodies such as Health Improvement and Partnerships on schemes promoting healthy eating initiatives.

Estimate of resources required for health promotion:

Estimated resource available for food safety promotion; **0.38 FTE**

It is estimated that this level of resourcing is adequate for the anticipated level of activity.

3.2.12 **Imported Food**

In recognition of the increased focus in this area the Council has authorised designated Officers in this respect. Policies and procedures have been implemented to ensure that appropriate action is taken when food and feeding stuffs are imported into the Councils area from outside the European Community. The monitoring of the arrangements in place at our local airport and ports will take place during the year. In addition enforcement focus at a local level has been enhanced through the food safety inspection programme and project based interventions.

**Estimated resource available for carrying out imported food function
0.09 FTE**

3.2.13 Resources

Financial Allocation - The base budget for 2011 -2012 is detailed below:

Staff costs	£189,655
Travel	£ 13,770
Equipment/Sampling	£ 36,770
Other	£ 2,850
Income	£ -5,160
Total (Net)	£237,885

Staffing Allocation

	Level of Authorisation High - Low		Full Time Equivalent (Establishment)	Posts
EH Manager Food & Safety	#		0.550	1
Environmental Health Officer	#		1.913	4
Senior Food & Safety Officer	#		0.618	1
Food & Safety Officer		#	2.143	4
TOTAL Operational Resource			5.224*	10

*Anticipated resource available for the delivery of the Food Safety function in 2011/12 has been reduced due to budget constraints. The impact of the 2010 Spending Review will see further reductions in operational resource.

3.2.14 Staff Development Plan

Staffs' individual training needs are identified formally during Employee Appraisals held annually with an optional review after six months. The Food and Safety Team completes its own training plan through this process. This formal process does not preclude additional training needs being addressed during the year or prevent staff from taking advantage of other opportunities that may arise. Training will be provided using a range of techniques including formal qualifications; external training courses;

internal training courses; cascade training; shadowing and mentoring. The Council supports all members of the Team in maintaining continuing professional development (CPD) and encourages its Environmental Health Officers to maintain membership of the Chartered Institute and minimum CPD levels as required by the Food Safety Code of Practice. Currently 2 members of the Team hold Chartered Environmental Health Officer status.

4.0 Quality Assessment

Neighbourhood and Environmental Services currently hold Investors in People status. The Service Plan includes a number of performance indicators against which the Service is assessed. Detailed below are the food related performance indicators for each aspect of the Food Service. The Food and Safety Team were included in an audit by the Food Standards Agency of Inter Authority Auditing (IAA) arrangements in 2009 acknowledged the effectiveness of the auditing system operated by North Lincolnshire Council as a member of the Humber Authorities IAA Group. As a member of the Humber Authorities Inter Authority Auditing Group, the Council will be subject to an annual audit on an aspect of its service. The Team were also contributors to the Regulatory Services Peer Review Challenge initiative in February 2010.

4.1 Food Standards Performance Indicators

Percentage of staff participating in an EDR (target 100%)

Result for 2010/2011 100 %

Percentage of planned visits carried out (target 100%)

Result for 2010/2011 83 %

Percentage of food/agriculture samples reported adversely (target >10%)

Result for 2010/2011 25 %

Number of samples taken as a percentage of population (target 0.25%)

Result for 2010/2011 0.22 %

4.2 Food Safety Performance Indicators

Percentage of staff participating in an EDR (target 100%)

Result for 2010/2011 - 60 %

Percentage of planned food safety inspections completed (target 100%)

Result for 2010/2011 - 100 %

Percentage of service users surveyed during the year regarding attitudes to service provision (target 80%)

Result for 2010/2011 - 100%

(all inspections generated a service user questionnaire in 2010/11)

Complaints/enquiries to the service responded to within one working day (target 95%)

Result for 2010/2011 - 95 %

Percentage of user satisfaction with the food complaint investigation service (target 100%)

Result for 2010/2011 - 71 %

Percentage of food complainants satisfied with the investigation outcome (target 80%)

Result for 2010/2011 - 60 %

Percentage of user satisfaction with the food hygiene inspection service rated excellent/Good (target 80%)

Result for 2010/2011 - 94%

4.3 **Peer Auditing**

The Food Service will take part in the Inter Authority Auditing (IAA) Programme which will provide a peer review of a designated service area in line with the Food Standards Agency audit principle.

Estimate of Resource needed for Peer Audit

Food Standards (0.05 FTE)

Food Safety (0.09 FTE)

5.0 **Review**

5.1 **Review against the Service Plan**

This Food Service Plan will be formally reviewed on an annual basis. Performance against key indicators is detailed at 4 above.

5.2 **Identification of any Variation from the Service Plan**

A review of the service to establish where the Authority is at variance with this Service Plan and, where appropriate, the reasons for that variance will be carried out at the end of 2011/2012. The review process will set out any relevant improvement plan or service development identified as necessary by the review.

5.3 **Service Review**

A review of the Food Standards and Feeding Stuffs and Food Safety elements of the Food Service in 2010/2011 is attached at Appendix 1 and Appendix 2 respectively.

Appendix 1

Review of Food Service Plan 2010/2011

Food Standards and Feeding Stuffs

1. Review against the Service Plan

The service plan for food standards and feeding stuffs has been reviewed by the Head of Trading Standards, and team responsible for the enforcement of food and feeding stuffs registration.

The review conducted in May 2011 compared the year's performance against targets set out in the plan 2010/2011 and relevant standards.

Overall results were satisfactory both in terms of visits and sampling achieved. All the planned visits to high risk premises were achieved but there was a shortfall in the visits achieved for medium risk premises. Of the 336 high and medium risk premises due to be visited a total of 251 were visited. The plan called for all high risk and 293 medium risk premises to be visited, plus alternative enforcement interventions to unrated premises with a number of surveillance visits to low risk premises. In all a total of 352 interventions were initiated. The target number of medium risk visits was not achieved due to lack of staff.

During the year the team leader for food, feed and animal welfare took phased retirement and now works only 4 days per year. This impacted on the above results.

There have been no Food Standards Agency audits of the authority during the year. In Feb 2010, in conjunction with other regulatory divisions, trading standards took part in the Regulatory Services Peer Challenge Initiative. Following the self assessment peer challenge team visit an improvement plan has been drawn up.

Due to a decrease in the number of animal welfare staff it was necessary for an enforcement officer to perform more of this work.

253 visits were made to Feeding Stuffs establishments during the year. However the major area of work was in connection with the new Feed Hygiene Regulations

There was a decrease in the total number of 312 food and feedings stuffs samples were taken during the year, (288 food and 24 feeding stuffs). Of these 25% were found to be unsatisfactory either in respect of composition or labelling. There have been a number of internet purchases of supplements and pseudo- medicines that proved to be incorrect and have been dealt with using the HA principle. Local performance criteria called for a minimum of 15% of samples taken to have some element of non-compliance to ensure correct targeting of the sampling budget.

The 11 councils of the Yorkshire and Humber Regional Group were successful in bidding for additional funding from the FSA, amounting to £30000, to sample imported foods. North Lincolnshire helped compile the bid and did £1800 worth of

sampling. Samples taken included imported poultry products, fish, herbs and spices, fruits and nuts, oils and coffee and materials in contact with food.

The service dealt with 13 complaints from members of the public, which was a considerable decrease from the previous year. The majority of the complaints concerned out of date food on display at retail premises. All complaints have been thoroughly investigated and appropriate guidance given or enforcement action taken.

During the year 16 referrals were received from other local authorities under the Home Authority Principle. This is an increase of 33% over the previous year. All referrals were recorded and taken up with the local producers.

66 requests were received from local food and feed producers for assistance under the Home Authority Principle; this was a little less than the previous year which had been abnormally high. It was noticeable that there were a much increased number of small businesses operating from domestic premises.

Training of staff was as usual high on the agenda with all specialist food and agriculture officers receiving the necessary training to maintain their relevant competences.

Food alerts (whether from the FSA or local food premises) totalled 60. This was the same as the previous year.

The two officers training to be TSO's as part of the divisions succession planning have successfully completed the TSI food module.

There were 24 animal by-products enquiries during the year.

2. Identification of any variation from the Service Plan.

A shortfall in the general food businesses assumed inspection numbers (20% of medium risk premises proposed for the year not completed).

An increase in small business starting up in the year.

3. Areas of Improvement

A more rigorous approach to the production of the yearly sampling plan has resulted in an increased level of unsatisfactory samples.

Appendix 2

Review of Food Service Plan 2010/2011

Food Safety

1. Review against Service plan

This review of the service plan for food safety compares the year's performance against targets set out in the 2010/11 plan and relevant standards.

Overall results were highly satisfactory both in terms of the level of quality and quantity of work carried out during the year. Customer and service user surveys show that we continue to maintain excellent relationships with local food businesses and provide an excellent service to the consumer. This level of service is even more creditable when considering that it has been delivered with constrained resources and in an increasingly complex legislative climate.

A significant impact on the workload of the Team was made by the continued implementation of new food safety legislation requiring food businesses to adopt a more documented approach to food safety.

In 2010/11 100% of the food safety inspection programme was completed. This level of inspection performance was only achieved through the reallocation of resources from other work areas in the Food and Safety service area. This has resulted in underperformance in some discretionary functions and other areas of lower priority.

During the year the Team piloted a new approach by introducing food safety project work. Projects were designed to focus on specific and relevant food safety topics that would benefit from this concentrated approach and effective use of resources. Project areas for the year included, National Food Safety Week 2010, a targeted inspection focus on poorly performing food premises an alternative enforcement strategy for low risk premises, the production of a food safety newsletter for businesses, a focus on imported food and out of date foods and an event catering safety project. All projects have been successfully completed. The activities of the Team during Food Safety Week were well received by schools and children who received hand washing talks. In addition the focus placed on poorly performing premises has also reaped benefits and the level of compliance in this small section of the food sector has improved as a result. The engagement of low risk premises through the use of a self assessment questionnaire has provided invaluable information from these businesses that do not often appear on the 'food safety radar' and the food safety database has benefitted from this project as a result.

Sampling is recognised as an important part of the enforcement and monitoring of food safety compliance. The Food and Safety Team sampling programme has regard to the inspection programme, centrally co-ordinated

FSA and LACORS sampling initiatives and local and topical issues. Where appropriate sampling is co-ordinated with neighbouring authorities in the Humber Region. During the year 424 food samples were taken and submitted to the HPA collaborating laboratory for analysis. Of these 34 required follow up action because of poor results. In addition to food sampling, 20 samples of drinking water from private supplies (3 were found to be unsatisfactory), 42 samples from mains supplies (increase in number due to Legionella investigations, 184 water samples from swimming pools (8 were found to be unsatisfactory) and 24 spa pool samples (10 were found to be unsatisfactory and a spa pool was closed as a result) were also taken and analysed. Follow up and remedial action has been taken where unsatisfactory sample results have been identified.

Complaints about food businesses and food products manufactured or sold in North Lincolnshire from consumers and business proprietors provide valuable intelligence regarding legal compliance and general standards. The Food and Safety Team investigated 33 complaints relating to food and 45 complaints about food premises during the year. All complaints have been thoroughly investigated and appropriate guidance given or enforcement action taken.

The creation of a thriving local economy is a Council priority requiring informed compliant and successful businesses. The Food and Safety Team continued to contribute to this objective by providing consumers and businesses with accurate timely and easily understood advice and guidance through a variety of mechanisms including the web based information newsletters and articles in the local press. The Team has responded to 517 requests for guidance advice and information during the year. Many of these related to the implementation of new food safety legislation.

The Food and Safety Team works closely with the Health Protection Agency in providing an investigatory and advisory service for notified cases of food borne infectious disease. During 2010/11 it investigated 246 cases of food borne infectious disease that included common food poisoning infections such as Campylobacter and Salmonella as well as more exotic pathogens such as Giardia. In addition to individual cases of food poisoning 17 gastro enteric outbreaks were investigated during the year all of which were found to be viral in origin and associated with institutions.

On the education front the Food and Safety Team successfully promoted food hygiene during National Food Safety Week with competitions and a hand washing road show that visited over 1500 schoolchildren in 22 primary schools. It also promoted food safety through the local media and at the annual children's Gala in Scunthorpe.

The Council's 'Scores on the Doors' Scheme continues to be well received by the public and the website has recorded over 67,000 hits in 2010/11. The range of premises included in this scheme will be expanded in years to come to provide a more comprehensive picture of food safety compliance for the public in North Lincolnshire with the development of the national Food Hygiene Rating Scheme.

2. Identification of any variation from the Service Plan.

There were no significant variations from the Service Plan

3. Areas for Improvement

6.2.1 The level of customer satisfaction with the food complaints investigation service was below target in 2010/11. Although this statistic is based on a small return of questionnaires, this area of service will be reviewed to determine strategies for improvement in 2011/12.

6.2.2 Improvements of EDR performance have been identified for action in the 2011/12 Service Plan.