

APPENDIX



ENVIRONMENTAL HEALTH

**REVIEW OF FOOD SAFETY SERVICE PLAN
2007/2008**

January 2009

South Hams District Council

Review of Environmental Health Food Safety Service Plan 2007-2008

This document forms the annual performance review of the Council's Food Safety Service Plan for 2007-2008 and sets out the issues facing the Service for 2008-2009 and beyond. This review is a requirement under the Local Authorities Framework Agreement with the Food Standards Agency.

The purpose of the document is to discuss performance against key targets, highlights changes in service delivery and provides a general update and issues facing the Service. It should be read in conjunction with the Service Plan for 2007-2008 which gives the general overview of the function and relates to various sections of the plan in the format prescribed by the Food Standards Agency.

This review is subject to Member approval.

Aims, objectives and demand on Service (Sections 1 & 2 of Service Plan)

The aim of the Food Safety Service is to secure the safe production, storage, distribution and retail of food and to reduce risk liability of business enterprises by providing support and advice on food hygiene matters. We attach primary importance to the planned inspection of food premises and the prompt resolution of complaints and enquiries. Local and national food safety initiatives will be supported to the extent that resources allow.

The Service's main objectives are to:

- Identify potential risks and promote safe and hygienic conditions in food premises and places for which the Council has a statutory responsibility for enforcement and to secure compliance with relevant legislation.
- Ensure food produced in the South Hams is of the highest microbiological standard and is without risk to the consumer.
- Prevent the occurrence and spread of infectious disease and food poisoning.
- Engage in activities which encourage the promotion of health and food safety.

Organisational Structure:-

Our internal organisation structure has slightly altered in so far as food safety is concerned in that we have lost 0.5 of a technical officers post but gained 0.6 FTE of an Environmental Health Officer (EHO) and this was achieved by savings elsewhere within the Environmental Health Service without any

additional expenditure being incurred. In consequence of maternity leave and funding by the Safer Food Better Business initiative (see later) we were able to undertake some of our proactive inspection programme by the appointment of an external contractor. (See also 'Resources').

Demands:-

There has been an overall increase in the number of food premises registered by the Council. There are now some 1350 premises on the database. These premises will need some form of intervention (see later).

In 2007-2008 we noticed an increase from 220 to 279 in the number of food export certificates issued (a chargeable service). These certificates allow food originating in the South Hams to be sold outside the EU.

Smokefree laws coming into effect on 1st July 2007 have placed an additional demand on the Service and compliance is assessed on each visit to premises for food safety or health and safety purposes. This also reduces burdens on business where checks are carried out in conjunction with other statutory functions. Most premises have been wholly compliant with the smokefree laws and very few problems have arisen.

Likewise, assessment for compliance of Premises' Licences issued under the Licensing Act 2003 now forms part of the team's remit and is also undertaken during a routine food safety inspection. Very few problems have been encountered.

The team delivering the food safety service also undertakes the occupational health and safety function (as well as other duties such as infectious disease control and caravan/camping site licensing). Changes nationally to the way the health and safety service is delivered is likely to require a greater resource input which may impact upon delivery of the food safety service. It is anticipated that any additional burdens on the service will be offset by efficiencies to be gained through the shared services agenda.

In 2009 the Government is likely to launch the national Scores on the Doors scheme where food premises will be required to display their score rating following a food safety inspection. The Council will be seeking to embrace this initiative. The implementation and management of the scheme is likely to create a great administrative demand on the service and its support staff. There may also be some cost implications associated with upgrading computer systems to allow public access to the scores awarded. This is yet to be clarified.

It is envisaged that the new food safety interventions scheme to be implemented also in 2009 will require additional staff training and considerable management input. This is discussed later in the next section 'Service Delivery'.

Our approach to enforcement will be affected by the Government's Better Regulation Agenda based on the recommendations of the Hampton Report. The Regulator's Compliance Code embeds a risk based, proportionate, targeted and flexible approach to regulatory inspection and enforcement. We will need to review our existing enforcement policy to ensure that these requirements are encompassed.

The Regulatory Enforcement and Sanctions Act 2008 sets up the Primary Authority scheme which gives for the first time the right for companies to form a statutory partnership with a single local authority. The objective of this is to provide robust and reliable advice on compliance that other Councils must take into account when carrying out inspections or dealing with non-compliance. (The previous voluntary 'Home Authority' scheme has now been replaced. No local businesses exercised the option to enter into this scheme). The Primary Authority scheme will have some impact on field and management staff where a local business operates across council boundaries. The degree of impact is difficult to determine because this will dependant upon whether any business eligible for the scheme, actually takes up the option. The scheme does allow for cost recovery from businesses embarking upon the partnership but the final details are subject to public consultation.

Service Delivery (Section 3 of Service Plan)

a) Food premises inspections

There is a statutory duty for food premises to be inspected. The frequency of inspections is based upon the risk the premises and their activities pose to public health, i. e. the greater the risk, the more frequent an inspection is required.

A total of 1834 visits (all visits, including inspections) were made to food premises in 2007-2008 this is an increase from 1700 the previous year.

Overall we met our risk-based inspection performance target of 96% by achieving 97.4%. However, we do need to review our quarterly target profile and adjust where necessary to ensure that we have a more uniform spread of inspections throughout the year and avoid peaks at certain times which puts a strain on the Service.

A total of 294 revisits or follow up inspections were made and this exceeded that anticipated (100-200). Revisits are made to ensure compliance with legal requirements.

To assist with our heavy inspection programme and given the staff resources available, we appointed a contractor to carry out some 266 inspections of category B and C premises (high risk); funding being made available via the Safer Food Better Business initiative and savings on maternity leave.

There are limitations on the appointment of contractors and this departs from our view that a local service should be delivered by a local team who have the

knowledge and aspirations of our businesses, are able to provide 'added value' during inspections and adopt the Council's ethos. Our use of contractors is limited to a short term solution to staffing resource issues. The contractors work is subject to close monitoring and requires additional management input. Follow up inspections and any subsequent enforcement action is carried out by our own team.

The following tables illustrate our profile of premises within the South Hams

Risk Rating Profile 2008-2009

Inspection Frequency	6 month Category A	12 Month Category B	18 month Category C	24 month Category D	36 month Category E
No of Premises	8	158	566	92	411

Premises Type Profile

Premises Type	Primary Producers	Manufacturing	Packers	Distributors	Retailers	Caterers	Manufacturers mainly selling retail
No of Premises	27	43	5	20	280	849	11

For the 2008-2009 high risk premises inspection programme we expect 97% achievement of the 590 programmed inspections as part of the Council's Performance Indicators. Due to the manner in which the risk based inspection programme operates, this target requires some 100 extra inspections than the previous year.

The following table updates the Council's performance in food premises risk rated inspections. However, due to the implementation of the new Food Standards Agency's Intervention Scheme (detailed below), the matter of presentation of data in subsequent reviews/Service Plans is likely to be different.

Category of Premises	High Risk	2005/6	2006/7	2007/8 est	2007/8 achieved	2008/9 est.
	A	7	6	14	15	16
B	74	112	136	127	158	
C	335	344	372	339	416	
Non High Risk						
D	42	64	56	32	54	
E *	12	

* These premises now fall outside the actual inspection programme and are subject to an alternative enforcement strategy i.e. self assessment etc.

Food safety enforcement interventions

In light of the Regulatory Reform agenda, the Food Standards Agency in its revised code of practice has introduced a range of interventions in order to drive up business compliance with food law in those premises falling short of

the required standard, whilst allowing a more flexible approach in certain lower risk compliant premises. This is achieved by adopting a suite of Official Controls outside the recognised inspection/audit system of enforcement. Whilst the Council has historically adopted the approach of using regulation against those non compliant businesses presenting the greatest risk and non-compliance, there is a need to adopt a formal Intervention Strategy and we will be working on this approach with other local authorities in Devon on a partnership basis. This is likely to be implemented in 2009-2010. In 2007-8 one business was prosecuted for breaches of hygiene regulations.

b) Complaints (These relate to food purchased within the district and about premises or practices within premises).

2005/6	2006/7	2007/8 est	2007/8 actual	2008/9 est
138	90	90	113	100

c) Requests for advice (These relate to advice given to businesses and individuals about food safety matters)

2005/6	2006/7	2007/8 est	2007/8 actual	2008/9 est
87	67	70	34	30

Reactive work showed an increase as regards various food safety complaints (paragraph b) above) and a reduction in the service requests to business (paragraph c) above). We shall be examining these trends when the 2008-2009 statistics are available and in light of that information, consider whether or not to review our approach.

d) Food sampling

Our sampling programme is reviewed each year and reflects national and local initiatives and allows us to monitor the quality of food available locally and take any necessary follow up action.

The profile for food samples is as follows:

2005/6	2006/7	2007/8 est	2007/8 actual	2008/9 est
111	172	140	147	150

These figures do not include our demanding shellfish sampling programme as part of our statutory duties in monitoring production areas. For this in the region of 250 samples are taken per annum.

e) Control & investigation of outbreak and food related infections

We work closely with the Health Protection Agency in this work for which we give priority. The profile is given below and includes infected diseases, food poisoning and zoonoses. This shows a fairly static picture.

No of Notification – all infections	2005/6	2006/7	2007/8 actual	2007/8 actual	2008/9 est
	356	341	390	357	350

There were no significant outbreaks arising from premises in the South Hams.

f) Food safety incidents

These are the notifications sent to all local authorities from the Food Standards Agency requiring action or providing information about national food hazard warnings or alerts. This is a fairly uneven picture over which we have no control.

2005/6	2006/7	2007/8 est	2007/8 actual	2008/9 est
100	60	130	160	150

g) Food safety promotion

In partnership with Teignbridge District Council in 2005 we were awarded £79,000 by the Food Standards Agency to assist small catering businesses across both districts to meet new legal requirements to have documented food safety management systems in place. The Safer Food Better Business initiative concluded in 2007 and was a great success. In 2008 this project was extended to specifically target Bengali and Chinese food businesses and assist them with their particular needs. This was again operated across both districts. Some 32 businesses attended. In addition, in the previous year we worked in partnership with Plymouth City Council for those ethnic businesses in the western part of the district to attend similar training courses. This also proved to be a successful venture. As with all businesses attending these training sessions we will monitor progress and adopt a staged approach to enforcement for breaches of these important legal requirements.

To enable an efficient and effective service delivery to continue we will look to partnership arrangements especially with West Devon Borough Council as part of the Shared Services agenda and also identify other partners as required.

Resources (Section 4 of the Service Plan)

Approximately 4.5 FTE staff are devoted to food safety. However, given the changing agenda and increasing demands in health and safety enforcement, this is likely to reduce marginally. The expectations placed on local authorities' food safety work are ever changing (see Section 6), especially the new interventions suite and Scores on the Doors proposals. It is anticipated that we will need increasing dependency on contractors for basic inspection work whilst team members provide all other necessary areas of work and those requiring specialist input i.e. approved premise, business advice and complaint work.

As part of the Shared Services agenda with West Devon Borough Council, we will be looking at areas where expertise can be shared and examine cross warranting to allow staff to work in either area.

Training of staff so as to maintain their competency remains a service priority. Our procedures and the requirement of the Food Standards Agency means that each officer has a minimum of 10 hours training based on CPD per annum. In many cases, this standard is adequately met, however we need to keep this under regular review.

The service costs are shown in the attached Appendix.

Quality Assessment (Section 5 of Service Plan)

We continue to seek to provide a quality food safety service and continue to undertake monitoring and auditing internally and by peer local authorities. Any external contractors used to assist service delivery will continue to be subject to additional monitoring to ensure a quality and professional service is provided in the best interests of the Council.

Review (Section of Service Plan)

Annual reviews of the Service Plan are undertaken. Although work demands have been somewhat varied throughout 2007/8 there was no significant variation to the Service Plan for that year and our original expectations and targets were largely met.

There are concerns about the future work demands, however by careful management and partnership working we expect to continue our quality service.

Areas for improvement and future development

- As part of the Shared Services agenda with West Devon Borough Council we need to align our policies and procedures ensuring our business planning is co-ordinated and adopt 'best of breed' approach.
- Adoption of the national 'Scores on the Doors' initiative with partner local authorities.
- Integration of an intervention strategy with our partner local authorities so that our inputs into our visits to food premises continue to be proportionate to the risk posed.
- As part of our work on the Scores on the Doors initiative and our interventions strategy, have a clear plan as to how we can drive up business compliance for National Performance Indicator 184 (Food premises which are broadly compliant) and satisfy the Government's aim for 85% achievement and also to meet the Food Standards Agency's target for 75% of all food premises to be fully compliant by 2010.

- Examine how the Food Safety Service can embrace the relevant Local Area Agreement priorities.
- Examine how we can give further support to business including the signposting of advice/guidance for services outside the traditional Environmental Health remit.
- Continue to benchmark our function with other local authorities and ensure that we are fit for the future, particularly in light of Local Government Review.

REVENUE BUDGET 2009/2010

Actual		Actual		Estimate	Estimate	Probable
2006/07		2007/08		2008/2009	2009/2010	2008/2009
				(At Nov. 07	(At Nov. 08	
				Prices)	Prices)	
£	£			£	£	£
232,100	251,971		Employees - Headquarters	270,600	270,900	225,000
5,952		5,570	Supplies & Services	6,700	7,000	7,000
11,000	16,969		Support Services	15,200	18,100	15,100
23,000	23,000		FRS 17	23,000	23,000	23,000
272,052	297,510		TOTAL EXPENDITURE	315,500	319,000	270,100
(340)	-		Income	-	-	-
271,712	297,510		NET TOTAL COST OF SERVICE	315,500	319,000	270,100

MAIN VARIATIONS
2009/2010 Estimate compared to that of 2008/2009

	Inflation £	Growth £	£
2008/2009 Budget provision brought forward			315,500
Employees - Headquarters	6,200		
- review of allocations		(5,900)	
Supplies & Services	300		
Support Services	300		
- review of allocations		2,600	
TOTAL ESTIMATED NET COST OF SERVICE 2009/2010	6,800	(3,300)	3,500
			<u>319,000</u>

