

Bolton Council

Report to: Executive Cabinet Member
Environmental Services

Date: 15th August 2016

Report of: Director of Place

Report No: ECMES/09/16b

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Report Title: Food Service Plan 2016 / 2017

Non Confidential: This report does **not** contain information which warrants its consideration in the absence of the press or members of the public

Purpose: The purpose of this policy is to inform Members of the Food Service Plan for 2016 / 2017

Recommendations: The Executive Cabinet Member Environmental Services is asked to

- Endorses the Services food safety delivery program
- Recommend the Council approves the Food Service Plan as part of the policy framework

Decision

Background Doc(s): Food Standards Agency Framework Agreement
Food Law Code of Practice (England)

Signed:

Leader / Executive Member

Monitoring Officer

Date:

Introduction

The Food Standards Agency is the central competent authority, overseeing official food and feed controls in local authorities and seeks to work in partnership to help them deliver official feed and food controls. Service plans ensure that national priorities and standards are addressed and delivered locally.

Bolton Council, as a competent food and feed law enforcement authority, has a vital role in ensuring standards of food safety within the Borough are maintained and improved. Officers in the Food and Health & Safety Team provide the link between national policies, the food industry and the people of Bolton in ensuring provision of a safe and wholesome food supply.

In planning and delivering the food and feed law enforcement service, Bolton Council takes account of the Government's better regulation agenda and the key five principles of good regulation:

- Targeting – taking a risk based approach
- Proportionality – only intervening when necessary
- Accountability – being able to explain and justify service levels and decisions
- Consistency – applying regulations consistently to all parties
- Transparency- being open and user-friendly

This Food Service Plan has been prepared in accordance with the Food Standard Agency's Framework Agreement ⁽¹⁾. It sets out how Bolton's official food and feed controls will be provided in 2016 / 2017 in line with the Food Standards Agency's Food Law Code of Practice (England).

1 Service Aims and Objectives

1.1 Aims and Objectives

- To ensure that all food and drink intended for sale for human consumption, produced, stored, distributed or handled in Bolton is safe, hygienic and compliant with food hygiene and labelling legislation.
- To ensure food business establishments and food handlers comply with Food Hygiene Regulations.
- To ensure that food borne infections are investigated and controlled.

This will be achieved by a combination of an educatory approach with enforcement where necessary. This includes risk based programmed inspections (generally for high risk and / or non-compliant premises) and alternative interventions (for lower risk and / or broadly compliant premises), provision of relevant advice, the investigation of complaints and undertaking sampling initiatives.

The Council will continue to operate the Food Standards Agency's National Food Hygiene Rating Scheme, publishing the food hygiene ratings for food businesses in the Borough at www.food.gov.uk/ratings. For the majority of food premises, operating this scheme acts an incentive for Food Business Operators to maintain and / or improve hygiene standards in their food businesses. The scheme makes it easier for customers to choose places with good hygiene standards when they eat out or shop for food.

1.2 Links to corporate objectives and plans

The Food and Health & Safety Team is a function of Regulatory Services in the Department of Place and delivers a high profile front line service on behalf of the Council.

The team is concerned primarily with fulfilling the statutory duties placed upon the Local Authority as a competent food and feed authority, together with the need to deliver services required by the community.

The team also works closely with other agencies such as Public Health England, the Home Office Immigration and Enforcement Service, Greater Manchester Fire Service and Bolton NHS Foundation Trust.

The service contributes to the Council's main aims of Economic Prosperity and Narrowing the Gap.

Member approval for the Service Plan is sought as this is the relevant level of approval for this service plan within Bolton Council.

2 Background

2.1 Profile of Bolton Council

General Statistics	
Brief description of the Authority	Bolton is part of the Greater Manchester conurbation and is predominantly urban with more rural areas to the north.
Area	140km ²
No of Households	116,400
Estimated total population	276,800
% population who are black and minority ethnic group	18.1%
No of Commercial food premises	2531

2.2 Organisational structure

The Food and Health & Safety Team in Regulatory Services is part of the Department of Place. The structure of Regulatory Services is shown in Appendix one.

The Manager responsible for Regulatory Services is:

Linda Duckworth 01204 336530 email linda.duckworth@bolton.gov.uk

The Lead Officer for Food is:

Julia Hall 01204 336562 email julia.hall@bolton.gov.uk

Specialist services to support the Food and Health & Safety Team service are provided by:

- The Public Health England Food, Water & Environmental Microbiology Laboratory, currently located in Preston which provides the Food Examiner Service;
- The Public Analyst, Agricultural Analyst and Scientific Adviser services which are currently provided by Lancashire County Scientific Services.
- The Public Health England, Health Protection Team which provides the Consultant in Communicable Diseases role.

2.3 Scope of the Food and Feed Service

The team is responsible for the enforcement of food hygiene and food standards legislation. Officers also investigate notifications of infectious disease, including food poisonings, in association with Public Health England, Greater Manchester Health Protection Team.

In addition to food hygiene and standards work, the team has responsibility for the enforcement of health and safety in all local authority enforced premises.

The Trading Standards team is responsible for feeding stuffs enforcement.

All officers are Bolton Council employees who are appropriately qualified and appointed as authorised officers under the relevant legislation or provide a supporting role. In addition, there is a part time agency staff member to cover for a vacant Technical Officer post within the team to enable an appropriate level of service to be maintained.

2.4 Demands on the Service

There are 2531 food business establishments within the borough, divided between the following premises usages.

Caring Premises	305
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Distributors/Transporters	48
Hotel/Guest House	15
Importers/Exporters (3rd Countries)	1
Manufacturers and Packers	60
Mobile Food Unit	112
Not currently trading	13
Primary Producers	2
Pub/Club	242
Restaurant/Cafe/Canteen	406
Restaurants and Caterers - Other	233
Retailer - Other	143
School/College	127
Small Retailer	472
Supermarket/Hypermarket	42
Take-Away	310
Total	2531

Many of the highest risk food businesses are in the take away and restaurant categories.

Included in the above figures are 19 establishments which are currently 'approved' under Regulation (EC) No 853/2004. (These figures are as of 31st March 2016). These are food businesses which manufacture or pack products of animal origin and require prior approval to trade. Once approved, the businesses are able to trade across the EU. The types of establishments are listed below:

- Dairy 2
- Live bivalve molluscs (shellfish) 1
- Meat preparations only 1
- Rendered fats 1
- Meat products 9
- Meat preparations and meat products 2
- Egg Packers 1
- Cold Store / Re-wrapping 1
- Fishery products (and meat products) 1

Bolton has a relatively high number of approved manufacturing establishments. Many of these businesses have significant resource implications due to the size of the business or the scope and / or complexity of the manufacturing process

There are a significant number of food manufacturers who distribute nationally or internationally, including approved establishments and those manufacturers which do not require approval as they are not producing products of animal origin. These non-approved manufacturers can also be time consuming, again due to the size of the operation or complexity of the processes carried out. Products manufactured in Bolton include pizzas, bread and bakery products, cakes, sandwiches, confectionary, ice-cream and real ale.

A significant number of food businesses are run by operators whose first language is not English and this can cause communication difficulties. This may mean visits take longer because of the time needed to ensure the Officer understands the scope and activities of the business and the operator understands the information they are given. Sometimes, a further visit to the business, when someone is available to help with interpretation and / or understanding, may be required and this has also has time implications.

A small number of food businesses are classed as two person visits. This can be for a number of reasons but the requirement for two officers to be present increases the resource required.

The team is currently based at the Castle Hill Centre (but is due to move to Ellesmere House in July 2016) and operates during the Council's standard working hours. However, a significant amount of evening work is carried out due to the large number of food takeaway businesses which only open for trade in the evening. Occasionally, early morning visits or weekend working may also be required. The Food Law Code of Practice⁽²⁾ requires inspections and interventions to be carried when businesses are open for trade.

The majority of inspections and interventions are carried out unannounced in line with the requirements of the Food Law Code of Practice. This may result in officers not gaining access to the premises (eg if they have altered their opening hours or do not trade on a daily basis) and the need for a further visit to undertake or complete the inspection.

New food businesses are required to register with Bolton Council prior to trading. The term "new food businesses" also includes existing businesses where there is a change in food business operator. These new food businesses require a food hygiene inspection and are classed as "awaiting inspection" under the food hygiene rating scheme. A significant number of new businesses arise constantly due both to completely new food premises opening and change in food business operators of existing premises. This places additional demand on the team.

Trading Standards are responsible for feeding stuffs premises inspection and feeding stuffs sampling as well as provisions relating to food and feed hygiene. The legislation requires certain premises to register with the Trading Standards Service and inspection of premises on a risk assessed basis. When risk assessing a premises, consideration must be given to quality assurance schemes to which it may belong to (e.g. "Farm Assured").

The records of premises subject to Trading Standards control will continue to be examined and verified over the coming year to ensure they are up to date and accurately risk assessed. This process will include inspections and alternative enforcement activities as part of the FSA-funded program of activity as well as desktop and postal assessments to ensure the most efficient and effective use of resources.

In addition Bolton Council contracts with Oldham Council for the provision of some aspects of the animal health function.

The numbers of premises registered with Bolton Council in relation to the feed hygiene regulations is as follows:

- R06 (Manufacture of pet food) - 1
- R07 (Manufacture and/or placing on the market of feed materials): – 16
- R08 (Transporter) – 1
- R09 (Stores) – 3
- R10 (Mixing feed on-farm, with additives and premixtures) – 1
- R11 (Mixing feed on-farm, with compound feeding stuffs which contain additives) – 10
- R12 (Food businesses selling co-products of the food industry which are destined as feed materials) – 24
- R13 (Livestock farms (including fish farms) which do not mix feeds or mix feeds without additives) – 130
- R14 (Arable farms growing or selling crops for feed) – 1

Bolton Council has agreed the following levels of inspection with the Food Standards Agency as part of a funded programme of activity:

- R07 – 2
- R12 – 5
- R13 – 17

Bolton Council has also agreed the following levels of alternative enforcement activities with the Food Standards Agency:

- R07 – 1

2.5 Enforcement Policy

The Council operates to the Cabinet Office and Local Government Association's Enforcement Concordat which sets out the Council's commitment to the principles of good enforcement. Regulatory Services has its own enforcement policy which was reviewed and received Executive Cabinet Member approval in January 2016⁽³⁾. The policy sets out the approach of Regulatory Services when seeking compliance with the law. In addition to the main policy, there is also an Appendix which contains supplementary enforcement policy issues in relation to food control. The main policy, together with the specific Appendix relating to Food, constitute the Food Law Enforcement Policy for Bolton Council as required by the Food Law Code of Practice (England).

3. Service Delivery

3.1 Interventions at Food and Feedingstuffs establishments.

Programmed food hygiene inspections are carried out at all higher risk food business establishments. All new food businesses, including those which change ownership, are also inspected once they have commenced trading. These new businesses are classed as unrated / awaiting inspection until they have received an inspection. A significant number of food businesses change hands each year, resulting in a constantly high number of unrated businesses awaiting inspection.

Lower risk businesses and those which are broadly compliant and due for inspection, receive a lighter touch through an alternative intervention. This allows the service to target resources towards non-compliant and high risk businesses.

The food premises profile of the Borough and inspection frequency for food hygiene as at 1st April 2016 is as follows:

Category A 6 month visit	Category B Annual Visit	Category C 18 month visit	Category D 24 month visit	Category E 36 month alternative intervention	Unrated Within 28 days	Outside No visit	Total premises
19	153	563	820	617	99	260	2531

The number of food safety inspections **due** in the year 2016 - 2017 is as follows (it is important to recognise that premises may move between risk bands and therefore these figures represent a snap shot based upon data at 1st April 2016).

- Category A 19 (x2 visits per annum)
- Category B 153
- Category C 368
- Category D 462
- Category E 428
- Unrated 91
- TOTAL = 1521

Inspections and interventions are planned for all Category A to C, unrated premises, and manufacturers (regardless of category). The unrated premises are classed as high priority for inspection as these are new businesses and it is important to inspect and assess food hygiene compliance as soon as practicable. In addition, inspections or interventions are planned to those Category D premises which are catering establishments, handle high risk foods and those which have the oldest last inspection dates. Whilst Category D premises are lower risk and generally more compliant, this risk based approach will prioritise Category D's for inspections or interventions. Visits to lower risk businesses overdue for inspection can identify conditions which result in an increased risk rating and inspection frequency and/or "new" businesses due to a change in ownership.

Of the inspections due, a proportion of businesses will require a revisit to check on compliance. Due to resource limitations only those premises where there is a significant risk to public health receive a revisit. Other issues of non-compliance are followed up at the next inspection.

A summary of the Food Hygiene Rating Scheme ratings as at May 2016 is as follows: (NB not all food businesses are included within the scheme). As a comparison, figures for 2014 and 2015 are also included. It must be remembered that this is a snapshot view as the data changes daily.

	5 Very Good	4 Good	3 Generally satisfactory	2 Improvement necessary	1 Major improvement necessary	Zero Urgent improvement necessary
2016	931	621	288	142	88	24
2015	852	587	358	154	105	23
2014	842	561	424	141	80	28

Further analysis of the food hygiene rating scheme data in relation to catering businesses, split into restaurants / cafes/ canteens and takeaways is shown below:

	May 2016	May 2015	May 2014
Restaurant/Cafe/Canteen	404	380	349
0 - Urgent improvement necessary	4	6	2
1 - Major Improvement Necessary	16	17	12
2 - Improvement Necessary	28	35	31
3 - Generally Satisfactory	66	67	72
4 – Good	115	103	93
5 - Very Good	143	138	112
Awaiting Inspection	32	14	27

	May 2016	May 2015	May 2014
Take-Away	307	304	312
0 - Urgent improvement necessary	12	8	12
1 - Major Improvement Necessary	36	46	23
2 - Improvement Necessary	53	57	45
3 - Generally Satisfactory	76	71	87
4 - Good	56	60	69
5 - Very Good	58	54	56
Awaiting Inspection	16	8	20

Under the Food Hygiene Rating Scheme, food business operators can request a re-inspection visit once they have carried out all required works to improve their rating. Such visits are, in effect, a further unannounced food hygiene inspection. In addition, food business operators can appeal against the food hygiene rating awarded if they feel the rating has been applied incorrectly. In 2015 / 2016, this resulted in 3 appeals against the rating and 44 requests for re-inspections from local businesses. Whilst this demonstrates the businesses desire to improve standards of food hygiene and obtain a good rating, it generates additional inspections for the team.

During food hygiene visits, there is now some additional work for the team in relation to advising and signposting food business operators to new food standards legislation and the labelling of allergens in non-prepacked foods.

New food businesses within the Market Place development have been incorporated into the inspection programme.

It is the policy of the unit to secure compliance by the use of a graduated approach to enforcement including where appropriate, formal action including prosecution. Formal action will also be taken where there is a serious risk to public health. Any formal action is taken in accordance with the Department's enforcement policy as outlined in para 2.5 above.

There are a number of enforcement options available to Officers within the unit. These are:

- Verbal and written advice
- Written warnings (written notification of contraventions of the Regulations)

- Hygiene Improvement Notices (HINs) (legal notice requiring remedial works to be carried out within a defined timescale)
- Voluntary Closure (undertaking by a Food Business Operator to temporarily close the business due to existence of an imminent risk to health)
- Hygiene Emergency Prohibition Notice (legal notice requiring a food business to cease trading immediately due to existence of an imminent risk to health)
- Remedial Action Notice (legal notice restricting or stopping activities at an approved establishment)
- Voluntary surrender of food (Food Business Operator agrees food is not suitable for human consumption and agrees to its disposal)
- Detention and seizure of food (legal notices to prevent food from being used pending further investigation and for seizing food which does not satisfy food safety requirements)
- Prosecution

Enforcement activity continued during 2015 / 2016 due to conditions found within food businesses. Whilst the enforcement action was necessary to protect public health, formal enforcement requires considerable officer time. The team will continue to carry out enforcement activity as appropriate in 2016 - 2017.

Details of the use of these enforcement powers by the team in 2015 / 2016 is set out in section 6.

3.2 Food Standards

Food Standards concerns the composition and labelling of food. Cases regarding compositional, nutrition or labelling issues which amount to a risk to public safety or may involve food fraud will have resources allocated to them.

Outlined below is the food standards programme for the forthcoming year:

- Food Standards matters of concern will be identified during programmed food safety visits.
- Food standards complaints which represent a risk to public safety or where there may be a case of food fraud will be investigated
- Advice on new legal requirements in relation to food standards legislation will continue to be provided to appropriate businesses, including manufacturers and caterers.
- Food business operators who request advice on specific food standards issues will be given appropriate advice and guidance.
- A specific food sampling project, focussing on food standards issues, co-ordinated by Trading Standards North West and funded by the Food Standards Agency, will be undertaken.
- Alternative interventions will be utilised where appropriate to respond to food alerts issued by the Food Standards Agency.
- The service will operate as the Originating Authority in relation to other Local Authorities referrals and will investigate any referrals where public safety is at risk or there may be a case of food fraud.
- The service will co-operate with requests for action by the Food Standards Agency in relation to food standards issues where there is a risk to public safety or there may be a case of food fraud.

Officers from the team will undertake specific work in relation to the composition and labelling of certain meat preparations manufactured within Bolton to ensure accurate and

consistent composition and labelling of products. This will initially involve food sampling and the provision of relevant advice.

3.3 Service Requests and Food Complaints

The team receives a significant number of service requests and complaints from members of the public, from businesses and from other agencies.

The Council's Contact Centre is the first point of contact in relation to complaints and service requests. Where complaints and service requests meet criteria for investigation or further advice, these are referred to the team and actioned as appropriate. Some matters require urgent action, eg notification of a water disconnection in a food business, whilst others receive a response within the service standards and an appropriate level of investigation.

Service requests and complaints cover a wide spectrum of issues from complaints from the public including hygiene conditions in a food business, referrals about food businesses in Bolton from other Local Authorities or other agencies or food complaints where an item of food purchased by a customer is found to contain extraneous matter. In relation to food complaints, the team focusses on investigation of those complaints which involve a serious risk to the food's safety, fitness, quality or composition. In such cases, complainants are asked to bring the food in to the team for investigation. These investigations may include sending the food sample for analysis, releasing it back to the manufacturer or examination of it by an officer within the team. The Contact Centre will advise customers who have less serious complaints as to the best way of pursuing these with the appropriate person or organisation.

In 2015 - 2016, 281 food hygiene and food standards complaints were received by the team. In addition, the team also dealt with 360 requests for advice.

3.4 Primary Authority agreements and Home Authority principles.

The Regulatory Enforcement and Sanctions Act 2008 introduced Primary Authority agreements. Local companies can enter into agreements, at full cost recovery, with the local authority. National inspection plans and guidelines for other councils are produced to help avoid unnecessary burdens on business. Bolton Council currently has two food related agreements with Sayers the Bakers and Simply News Ltd (formerly Aleef Garages Ltd).

The aim of the home authority principle is to provide businesses with a source of guidance and advice within their home authority. Bolton Council supports the principle and uses it to provide effective liaison between local authorities in deciding on the best course of action when investigating food complaints.

3.5 Advice to business

Small to medium size businesses make up a significant percentage of food businesses within the Borough. Officers recognise the importance of supporting businesses to understand and comply with the law. Advice and guidance is provided both as part of the inspection process and in response to specific requests.

In catering and some retail businesses, food safety management systems such as the Food Standards Agency's "*Safer Food Better Business*" guidance are discussed. The SFBB pack is available on-line for businesses to download: <http://www.food.gov.uk/business-industry/caterers/sfbb>

Businesses are also provided with information and guidance to enable them to achieve the highest possible rating, as part of the national Food Hygiene Rating Scheme.

3.6 Sampling

Food sampling followed by analysis or examination is the means by which contaminants in food, whether chemical or microbiological, can be accurately identified. Following sampling, Food Officers will provide advice and guidance to assist responsible food producers, processors and suppliers to comply with the legislative requirements. There will be occasions where enforcement action will be required.

No target has been set for sample numbers to reduce any unnecessary burden on the budget while allowing for a response to complaints or issues arising from inspections or complaints / referrals. However, if requested by the Food Standards Agency, additional sampling would be undertaken as per their specified program.

Samples are submitted to one of two official control laboratories. The choice of laboratory will be determined by the type of investigation which is required.

- For analysis, i.e. the identification of contaminants, substitution of ingredients, adulteration of food and labelling issues, samples are submitted to Lancashire County Scientific Services for investigation by the Public Analyst.
- For microbiological examination, i.e. identification of bacterial contaminants, samples are submitted to the Food Examiner at Food and Environment Microbiological Services, Public Health England, Preston Laboratory.

The submission of food complaint samples for analysis has significant resource implications and therefore food complaints are submitted to the laboratory only in cases where formal action is likely to follow and where this action is dependent on the results of analysis.

More detailed information regarding food sampling is contained within the 2016 - 2017 Food Sampling Policy & Program; see Appendix 2.

Where samples are obtained which may result in legal proceedings, they will be dealt with according to the Food Law Code of Practice (England).

In relation to animal feedingstuffs, samples will be taken where an officer feels it is required.

3.7 Control and investigation of outbreaks and food related infectious disease

Bolton Council has a Joint Infectious Disease Outbreak Plan⁴ which is operated in partnership with Public Health England, Health Protection Team.

The Greater Manchester Health Protection Team computerised surveillance system is used to record all communicable disease notifications. This enables infectious diseases to be easily monitored and statistically analysed.

The level of investigation of individual food poisoning notifications is dependent on the causative organism. Certain infectious diseases including typhoid, paratyphoid, E Coli O157 and listeriosis are promptly referred to the Food and Health & Safety Team for an immediate and thorough investigation. The arrangement between the Health Protection Team and Local Authority specifies that the Council must investigate within 24 or 48 hours of notification, depending on the organism involved. The purposes of investigation are to identify the source of the illness and ensure measures are in place to prevent further spread within the household and the community.

Notifications of both individual cases of serious infectious diseases and outbreaks are demand led and unpredictable. Therefore, when such a notification is received, resources are diverted from programmed activities to facilitate a thorough investigation.

252 gastro-intestinal infectious disease notifications were received in 2015 / 2016. The majority of the notifications (150) continue to be associated with Campylobacter which can cause severe diarrhoea and abdominal pain. It can be transmitted via contaminated milk or water and eating undercooked chicken and meat. Person to person spread can occur. Salmonella and cryptosporidiosis accounted for a further 97 notifications. The Health Protection Team is responsible for providing appropriate advice to these sporadic cases.

3.8 Food Safety Incidents

Food and Allergy Alerts are responded to promptly as required. Action is proportionate to the risk and status of the food alert and adequate resource will be allocated to effectively deal with the risk to public health. Action taken in response to a food or allergy alert will be in accordance with the Food Law Code of Practice (England). On receipt of Food or Allergy Alerts, the team is notified and the Principal Officer will decide if there are implications for Bolton and the action required. During 2015 / 2016, 79 Food Alerts and 96 Allergy Alerts were received. The majority of these were for information only.

Where the Food or Allergy Alert has significant implications for public health and it is important to alert the public at large then, with the assistance of the Council's Communications and Marketing Team, the local media will be encouraged to publicise the issue. Throughout these processes, senior management and appropriate members are briefed on the situation.

3.9 Liaison with other organisations

As part of the AGMA Public Protection Partnership, the team liaises directly with the other nine Greater Manchester authorities. Specialist technical groups are used as a forum to ensure a consistent approach across the region. In relation to food, the relevant groups are the Food Technical Group which covers food safety across the AGMA region and Trading Standards North West which covers food standards issues on a regional basis.

Links have also been established with:

- Primary and Home Authorities
- Government bodies including Food Standards Agency, Public Health England and Business Innovation & Skills (formerly BRO)
- Voluntary groups
- Other public sector bodies including NHS Bolton
- Professional bodies e.g. Chartered Institute of Environmental Health
- Stakeholders and customers.

The authority will continue to be represented at the North West Agriculture Sub Group to ensure uniformity of inspection and enforcement in relation to feedingstuffs.

3.10 Food safety and food standards promotion

The focus of the team is on the inspection and intervention programme and there is very limited opportunity for promotional or project work.

3.11 Review of the Future of Food Regulation

The FSA has launched a review of the future of food regulation and is developing a new approach to regulating food businesses. This was discussed at an FSA Board meeting in May 2016 and ultimately may lead to radical changes in the delivery of food regulation. The proposed timescale is 3 – 5 years. One of the reasons given for the review is the increasing pressure on local authorities to be able to deliver official controls as per the current Food Law Code of Practice.

Whilst detailed information is not currently known, it is possible there may be opportunity to contribute to the review or pilot projects as part of it.

Currently, it is not known how the decision to leave the EU will affect the future of food safety regulation. Much of the legislation enforced by the team is EC Regulation which directly applies. It is expected that in the longer term, there will be significant changes to regulations but this unlikely within 2016 / 2017.

4. Resources

4.1 Financial allocation

Employee related	£ 238,988
Transport	£ 8,011
Test purchase/analysis	£ 900 (included in supplies and services allocation)
Supplies and services	£ 6,811

In addition, an allocation from the Health & Safety budget contributes towards two EHO posts. Currently, the Trading Standards and Pollution Control budgets support the Technical Officers who are completing their food qualifications. Robust monitoring of the budget is in place to ensure the service is delivered within budget.

4.2 Staffing

Within the team there is 1 Principal Officer post which is the designated Lead Officer for food hygiene and safety, responsible for operational and management responsibility for these matters. (This post also deputises for the Principal Officer for Health & Safety and Generic Technical Assistants in their absence). There are 6 Environmental Health Officers (funded from the Food Control and Health and Safety budgets) and 0.5 Technical Officers to carry out the food hygiene inspection programme, health and safety enforcement and undertake the other duties highlighted in this plan.

Due to a vacancy, it has been necessary to contract an officer to cover the Technical Officer post.

The workload for 2016 / 2017 identified in this food service plan, can only be completed if all staff are retained within the team. A reduction in staffing would directly lead to fewer inspections being carried out and a larger workload for the remainder of the team, impacting on the team's capacity to undertake some of the more detailed investigations.

Across Regulatory Services there are 3 FTE (4 officers) Generic Technical Assistant posts. This includes a 0.5 post which is currently vacant but recruitment is underway. The Technical Assistants are trained to provide additional support to the EHO's / Technical Officers and carry out the alternative intervention strategy with lower risk, compliant food businesses. The Technical Assistants work in area teams covering all generic duties, including food.

Two Technical Officers from other teams within Regulatory Services are currently working towards the Higher Certificate in Food Premises Inspection. They have successfully completed a 2 year period of study at Birmingham University and have also passed professional exams. They are now completing a professional portfolio for assessment by the Chartered Institute of Environmental Health. Once qualified, they will be able to undertake food hygiene inspections. Both Officers work within the Food and Health & Safety Team two days per week.

The Service Support section within Regulatory Services provides some administrative support to the team.

4.3 Staff Development

A number of mechanisms exist to ensure staff competence

- Induction Training Programme for new staff
- One to ones
- Accompanied inspections.
- Consistency exercises, locally and regionally
- Training and competency matrix
- Personal Development Reviews
- Continuing Professional Development
- Attendance on appropriate training courses.
- FSA Competency Self Assessment

The Principal Officer is responsible for conducting personal development reviews to determine staff training requirements and any competency issues. One to ones with staff are carried out on a six weekly basis with the frequency increased if required.

The Food Law Code of Practice was revised and published in April 2015. This introduced a new “competency based” system for officers undertaking official controls, placing more emphasis on the skills and experience needed to undertake these duties. The Code set out detailed competency guidelines for the Lead Officer and Authorised Officers and also increased the minimum update training requirement from 10 to 20 hours per officer per year.

The Council will need to ensure that sufficient training opportunities are provided to each officer to ensure they are able to meet this requirement. This will include in-house training sessions and attending external training courses. The FSA provides a programme of low / no cost training for a limited number of authorised officers and other training opportunities will arise throughout the year. It must be recognised that increased officer time in attending courses, impacts on available officer time to carry out the inspection programme.

4.4 Information Technology.

It is essential for the delivery of the food service plan that the premises database undergoes continual development and maintenance. The APP Civica system generates the food inspection programme, service requests and food sampling information; together with data to complete statutory returns to the FSA. This is achieved with the support of the systems manager and the Service Support team.

Increasingly, a number of officers work agilely and there are planned changes to the technology which allow officers working in other locations to access the network and premises records. It is anticipated that the number of officers agile working will increase following the planned relocation to Ellesmere House. Upgrading of mobile phones is in place to ensure that all officers within the team will have access to e-mails and outlook diaries when out of the office.

The FSSNet system for food samples is currently used for logging samples which are to be submitted to the Public Analyst and the subsequent results.

5. Quality Assessment

The Principal Officer regularly attends the Food Technical Group meetings which aid consistency of approach across Greater Manchester. A representative from the Food Standards Agency attends these meetings to feedback any issues arising. Representatives from other agencies also attend from time to time to pass on relevant information to the Group.

Within the team, monthly team meetings provide an opportunity for management to update staff and for the team to discuss various issues again aiding consistency. One to ones are carried out regularly.

The team participates in Food Standards Agency National Consistency exercises which aim to monitor the consistency of food hygiene ratings between local authorities across the country.

In- house consistency meetings take place on an ad-hoc basis as required.

There is an element of peer review as Officers work together when required and a system also exists whereby officers critically review the drafting of each others legal notices prior to service.

6. Review

6.1 Review against the 2015 / 2016 Service Plan

The 2015 / 2016 Service Plan was approved by Council members.

The focus of the inspection plan for 2015 / 2016 was the highest risk and non-compliant food businesses. In total, 938 food hygiene inspections were carried out. For Category A inspections, all planned inspections were carried out. All but one Category B inspection was carried out. The inspection not carried out in the year was due to the premises being temporarily closed (the inspection was carried out in April 2016). There were 7 Category C inspections / interventions not carried out due to problems gaining access to or premises being temporarily closed. This represents the high risk programme.

In addition, significant progress in inspecting unrated premises was made. However, unrated premises constantly arise due to new businesses being set up and these are inspected throughout the year.

A proportion of Category D inspections was also carried out and good progress made in reducing the lower risk inspection backlog.

In addition, alternative interventions were undertaken to lower risk broadly complaint premises. These interventions were carried out by Technical Assistants, allowing professional officers to concentrate on the highest risk and non compliant businesses.

The team continued to promote and enforce the Food Standards Agency guidance on E coli O157 Control of Cross Contamination⁽⁵⁾.

Other regulatory interventions (e.g. smoke-free and health & safety) were incorporated into both the food hygiene inspection programme and the lower risk intervention work.

In 2015 / 2016 enforcement activity continued due to poor food hygiene conditions found in a number of food businesses. The majority of businesses inspected were issued with a written warning (where at least one contravention of food hygiene legislation was observed). Hygiene Improvement Notices were served on 14 food businesses.

9 food businesses were required to close down for a period (or cease specific activities) because the officer witnessed conditions which represented an imminent risk to health. Whilst closed, the food business operators carried out works to bring conditions within their business up to a minimum standard. These were all voluntary closures.

There were 7 instances where businesses voluntarily surrendered and disposed of unsound food. Food was formally detained in 1 premises but subsequently released.

In 2015 / 2016, the team successfully concluded a major prosecution in relation to a food manufacturing food business. The Company and a Director pleaded guilty to a total of 3 food hygiene offences. The Company was fined £3,300 plus £120 victim surcharge and costs of £2,000 and the Director fined £1,200 plus victim surcharge of £60 with costs of £1,500.

A further prosecution is underway and has been adjourned twice at Magistrates Court with a further hearing set for July 2016. Investigation of offences and the preparation of prosecutions are complex and time consuming.

Both of these cases have attracted local media attention. Press coverage is important as it maintains the profile of the work of the food team and should act as a reminder of the importance of compliance with food safety legislation to other food businesses operators.

The team participated in a regional sampling project, funded by the Food Standards Agency and co-ordinated by Trading Standards North West. Our samples focussed on the following issues:

- Meat species substitution
- Almond powder for presence of peanut.

15 samples were taken and submitted to the Public Analyst. Whilst the majority of samples were found to be satisfactory on analysis, 2 were unsatisfactory. Re-sampling is planned in respect of the unsatisfactory results.

Inspections of the majority of ice-cream vans were undertaken with liaison with Licensing Unit. The ice cream van project resulted in previously unknown ice cream vans being identified and inspected. The ice-cream vans inspected have now been incorporated into the routine risk based inspection programme.

In relation to cold-stores (ie wholesale establishments with chilled or frozen facilities for storing products of animal origin) one premises was granted conditional approval to operate. A further 7 possible cold-stores have been identified. Whilst these are currently registered as food business establishments (with the exception of a newly identified premises), the visits to assess whether they require EC approval will be carried out in 2016 / 2017.

Officers from the team continued to work in partnership with Bolton Markets Management to secure ongoing improvements in food hygiene standards. Inspections and revisits at Bolton Market have been carried out and advice provided to food traders.

Officers from the team completed an Authorised Officer Competency Self Assessment based on the competencies required by the FSA. This identified some refresher / further training needs and these will be addressed in 2016 / 2017.

The Bolton-Wigan partnership was not progressed in 2015 / 2016.

Documented procedures for internal monitoring and consistency were not completed in 2015 / 2016 and this is transferred to areas for improvement for 2016 / 2017. However, as per Section 4.3 - Staff Development and Section – Quality Assessment, measures have been in place to ensure a consistent approach.

6.2 Identification of any Variation from the 2015 / 2016 Food Service Plan

Some significant pieces of work, not specifically scheduled in the Service Plan were carried out during 2015 – 2016, namely:

In January 2016, the team's specialist health and safety enforcement officer retired. EHO's from the team opted to take on the health and safety role and undertook training to facilitate the new duties. Health and Safety enforcement work now forms part of the routine work of the team. There will be a small reduction in allocated food hygiene inspections to compensate for this.

Officers from the team were involved in a complex, multi-disciplinary outbreak control team investigating a cross boundary food poisoning outbreak allegedly linked to a wedding venue in Bolton. Ultimately, there was no evidence to prove a link to the premises. However,

extensive sampling and environmental swabbing within the premises was carried out and a detailed investigation undertaken.

Officers from the team have undertaken an extensive food sampling and environmental swabbing programme, together with the provision of advice in a high risk manufacturing establishment with the aim of working with the Company to improve hygiene standards. A considerable amount of time has been spent on this investigation and involvement is ongoing.

3 establishments applied for EC approval to handle products of animal origin in 2015 / 2016. Dealing with applications for approval can be complex and time consuming as businesses have to demonstrate very high levels of compliance with legislation and provide a detailed, documented food safety management system prior to commencing operations. Whilst the team does not routinely carry out advisory visits to food premises, advisory visits are carried out to premises which have applied for approval. Often, several visits are required before full approval is granted.

One food business operator served with 3 Hygiene Improvement Notices appealed the notices served to the Magistrates Court. This was the first ever appeal against Hygiene Improvement Notices served by the team. The outcome was an agreed Consent Order between the food business operator and the Council. A considerable amount of officer time was spent in preparation for the appeal.

Throughout the year, local media published articles regarding the numbers of food businesses with a food hygiene rating of zero. Officers responded to senior management and members' queries regarding these articles.

6.3 Areas of Improvement

The main areas of improvement for 2016 / 2017 are as follows:

To continue to carry out inspections or interventions of lower risk businesses, in addition to completing the higher risk inspection programme. This identifies businesses where hygiene standards have deteriorated so that appropriate actions can be taken to secure improvements, identifies those businesses which have changed the scope of their activity or have a new food business operator and in addition, ensures the ratings displayed on the Food Hygiene Rating Scheme website are up to date and reflect the current business.

To enable officers to receive refresher / further training as identified by the self assessment framework.

To support the trainee Technical Officers to complete their professional portfolios and achieve professional competence to carry out the duties of a Technical Officer within the Food Control Unit.

To complete documented procedures for internal monitoring and consistency (transferred from 2015 / 2016).

To complete the cold-store visits, identify those premises requiring approval and ensure all establishments requiring approval are approved.

Further areas for improvement may be identified by the team throughout the coming year. Food safety will continue to be a priority area for Regulatory Services.

Reference Documents

1. The Framework Agreement on Official Feed and Food Control by Local Authorities 2010
2. Food Law Code of Practice (England) 2015
3. Regulatory Services' Enforcement Policy 2015 - 2020
4. Joint Infectious Disease Outbreak Plan 2008
5. E. Coli O157 Control of Cross Contamination Guidance for food business operators and enforcement authorities (and associated Q&A documents)

Appendix

1. Regulatory Services structure.
2. Food Sampling policy and programme 2016 - 2017
3. Equality Impact Assessment screening.

Julia Hall
Principal Environmental Health Officer
4th July 2016