

WEST DUNBARTONSHIRE COUNCIL

Report by Acting Director of Housing, Regeneration and Environmental Services (Land & Environmental Services)

Community Safety & Environmental Services Committee: 13 June 2007

Subject: Food Standards Agency Audit of Food Law Enforcement Services

1. Purpose

1.1 The purpose of this report is to report the findings of the Food Standards Agency (FSA) audit undertaken between 19 and 22 February 2007 and to inform the Committee of the action plan agreed between Environmental Services and the FSA arising from the Audit.

2. Background

2.1 The power to set standards, monitor and audit Local Authority food law enforcement services was conferred on the FSA by the Food Standards Act 1999 and Regulation 8 of The Official Feed and Food Controls (Scotland) Regulations 2005.

2.2 The purpose of FSA audits is to assess Local Authorities conformance against The Framework Agreement on Local Authority Food Law Enforcement 'The Standard'. There is no set timetable for auditing authorities. The process is based on random selection and monitoring performance data.

2.3 The main aim of the audit scheme is to maintain and improve consumer protection and confidence by ensuring that Local Authorities are providing an effective food law enforcement service. The scheme also provides the opportunity to identify and disseminate good practice and provide information to inform FSA policy on food safety.

2.4 The core audit undertaken between 19 and 22 February 2007 covered the following elements of 'The Standard' :

- Organisation and Management
- Review and Updating of Documented Policies and Procedures
- Authorised Officers
- Facilities and Equipment
- Food and Feeding Stuffs Premises Inspections
- Food, Feeding Stuffs and Food Premises Complaints
- Food and Feeding Stuffs Premises Database
- Food and Feeding Stuffs Inspection and Sampling
- Food Safety Incidents
- Enforcement

- Records and Inspection Reports
- Internal Monitoring

3. Main Issues

3.1 The audit report received from the FSA on 26 April 2007 detailed the findings of the audit and highlighted both the strengths of the Environmental Services Division and the minor non-conformances found.

3.2 The Executive Summary highlighted that:

- (i) The Authority has appointed authorised officers to enforce food and feeding stuffs law and qualification and training records for food law enforcement officers demonstrate that authorised officers are appropriately qualified.
- (ii) The Authority has a Food Service Plan covering food hygiene, food standards and feeding stuffs law enforcement that generally meets the requirements of the Service Planning Guidance in the Framework Agreement.
- (iii) Sampling policies, procedures and programmes for food and feeding stuffs have been developed and are being implemented. Adverse food and feeding stuffs sample results are generally followed-up appropriately.
- (iv) Inspection Forms have been completed which give a comprehensive record of the inspections carried out.
- (v) Officers use a range of informal and formal enforcement options to secure compliance, including letters, hygiene improvement and emergency prohibition notices and reports to the Procurator Fiscal for prosecution.
- (vi) The performance of the food law enforcement service is generally being monitored in accordance with required standards.

3.3 From the comments above the Authority can be considered to provide a comprehensive food hygiene service.

3.4 Four minor non-conformances were identified during the audit. An action plan to address these has been submitted to, and agreed by, the FSA. The Action Plan is attached as **Appendix 1**.

4. Personnel Issues

4.1 There are no personnel issues.

5. Financial Implications

5.1 There are no financial implications.

6. Risk Analysis

6.1 There is no necessity to undertake a risk assessment on this occasion.

7. Conclusion

7.1 The FSA audit highlighted a number of areas of strengths in relation to Food Enforcement Activities undertaken by Environmental Services. Four minor non-conformances were reported which are being addressed through an agreed Action Plan. The Action Plan will be achieved by August 2007 within the agreed timescale.

8. Recommendation

8.1 **The Committee is invited to note the content of the audit report and approve the action plan in Appendix 1.**

Ronald M Dinnie

**Acting Director of Housing, Regeneration and Environmental Services
(Land & Environmental Services)**

Date: 10 May 2007

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Appendix: Action Plan for West Dunbartonshire Council

Background Papers: The Framework Agreement on Local Authority Food Law Enforcement.

Report on the Food Law Enforcement Service, West Dunbartonshire Council, 19-22 February 2007

Wards Affected: All

APPENDIX 1
ACTION PLAN FOR WEST DUNBARTONSHIRE COUNCIL

TO ADDRESS (NON CONFORMITY INCLUDING STANDARD PARAGRAPH)	BY (date)	IMPROVEMENTS PLANNED	COMMENTS
<p>The Authority has not ascertained whether Officers, who inspect businesses that have HACCP based food safety management systems, have the competencies set out in Annex 2 of the Code of Practice.</p> <p>[The Standard – 5.3]</p>	<p>30 June 2007</p>	<p>The existing verification documentation will be amended to reflect that HACCP competencies of officers have been assessed.</p>	<p>Internal monitoring and verification visits of officers will continue to be undertaken as detailed within the departmental monitoring procedure.</p>
<p>Where continuing development training of authorised Officers has been undertaken, the Authority has not maintained records of the content and objectives of the course, or of its duration, or of any assessment of the training.</p> <p>[The Standard – 5.4]</p>	<p>30 June 2007</p>	<p>Records shall kept of all training undertaken by authorised officers and will include an evaluation of it as required. All staff were advised of this requirement at their team meeting on 5 March 2007.</p>	
<p>In relation to confirming to food business proprietors that improvement notices have been complied with, the Authority is not carrying out food law enforcement in accordance with centrally issued guidance.</p> <p>[The Standard – 15.2]</p>	<p>30 June 2007</p>	<p>All officers were advised of current guidance to issue written confirmation of compliance at their team meeting on 5 March 2007. Departmental policies and procedures will be amended to reflect current guidance and adherence to policy will be monitored internally.</p>	
<p>In relation to food businesses that are subject to Regulation EC No. 853/2004 more comprehensive information regarding the operation of the establishment is required to be maintained on file.</p> <p>[The Standard – 16.1]</p>	<p>31 August 2007</p>	<p>Additional information will be gathered during primary inspections which are programmed to be undertaken between 30/4/07 and 31/8/07.</p>	