

WEST DUNBARTONSHIRE COUNCIL

Report by the Executive Director of Corporate Services

Corporate and Efficient Governance Committee: 25 August 2010

Subject: Food Enforcement Service Plan 2010/2011

1. Purpose

- 1.1 To seek Committee approval of the Food Enforcement Service Plan 2010/2011. (Appendix 1).

2. Background

- 2.1 The framework agreement on Local Authority Food Law Enforcement issued by the Food Standards Agency requires an annual Food Service Plan to be approved by Committee.

3. Main Issues

- 3.1 The Food Service Plan includes details of activities undertaken during 2009/2010 and has been updated to reflect any changes introduced and the progress of Regulatory Services Food Service during the year.

4. People Implications

- 4.1 There are no personnel issues.

5. Financial Implications

- 5.1 There are no financial implications

6. Risk Analysis

- 6.1 Failure to approve the Food Enforcement Service Plan would be deemed to be non-compliant with mandatory requirements of the Framework Agreement on Local Authority Food Law Enforcement.

7. Equalities Impact

- 7.1 No significant issues were identified in a screening for potential equality impact of this plan.

8. Conclusion and Recommendation

- 8.1 The Food Enforcement Service Plan requires to be approved to ensure compliance with the Framework Agreement on Local Authority Food Law Enforcement.
- 8.2 It is recommended that the committee approve the Food Enforcement Service Plan 2010/2011.

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Date:

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Background Papers: Framework Agreement on Local Authority Food Law
Enforcement

Wards Affected: All

West Dunbartonshire Council
Corporate Services Department
Regulatory Services

FOOD ENFORCEMENT SERVICE PLAN 2010/2011

1. Service Aims and Objectives

1.1 Aims and Objectives

The aim of the Environmental Health Section in relation to food safety is to strive to ensure that food and drink intended for human consumption, which is produced, stored, distributed, handled, prepared, labelled, or consumed within the West Dunbartonshire Council area complies with the requirements of the Food Safety Act 1990 and is free from risks to the health or safety of the consumer.

This will be achieved through a combination of:

- risk based programmes of inspections covering all food business
- food sampling programmes
- work with local businesses to encourage, through education and advice, compliance with food safety legislation
- investigation of complaints
- issue of approvals, certificates, registrations and licences
- participation in appropriate projects, surveys and campaigns to raise awareness and to highlight particular issues

In respect of animal feeding stuffs the Trading Standards Section enforces Part IV of the Agriculture Act 1970 and the EC Feed Hygiene Regulation (183/2005). The aim is to ensure that animal feeding stuffs are produced and distributed in accordance with statutory quality standards in order to maintain animal health and to safeguard the human food chain.

1.2 Links to Corporate Objectives and Plan

West Dunbartonshire Council has policy commitments in its 2009-2013 Corporate Plan that influence all Council services.

The Council has a programme that sets out how it will deliver the commitments.

The corporate themes for the next 4 years are:

- (i) Regeneration and the local economy
- (ii) Health and well being
- (iii) Safe and strong communities
- (iv) Sustainable environments

(v) Education and life long learning

(vi) An improving Council

1.3 Organisational Structure

1.3.1 Council Structure

Food Service issues are reported to the Corporate and Efficient Governance Committee.

1.3.2 Departmental Structure

1.3.3 The Environmental Health and Trading Standards Sections of the Corporate Services Department have responsibility for the enforcement of food and feeding stuffs safety.

The Environmental Health Section has particular responsibility for food safety, including food hygiene and standards.

The Lead Officer for the delivery of the food service is John Stevenson, Section Head, Environmental Health.

The Trading Standards Section has particular responsibility for all feedingstuffs legislation.

The Lead Officer is David McCulloch, Section Head, Trading Standards.

The Environmental Health and Trading Standards structure are detailed in Appendices 1 and 2 respectively.

1.3.4 Specialist Services

Glasgow Scientific Services provide analytical services and microbiological services in addition to being the Food Examiner for West Dunbartonshire Council.

Glasgow Scientific Services are also designated as Agricultural Analyst under the Agriculture Act 1970 for feed samples.

1.4 Scope of the Food Service

The Commercial and Licensing Team duties include all areas of food safety enforcement including food sampling and the investigation of non-waterborne communicable disease.

Inspections of all food premises are based on assessment of risk in compliance with the revised and consolidated Food Law Code of Practice (Scotland) issued under Section 40 of the Food Safety Act 1990.

A Flare based software system is used to manage the food inspection programmes.

Inspections, sampling, complaint investigations etc., are undertaken by both Environmental Health Officers and Environmental Health Assistants. The number of full time equivalent officers available to undertake food enforcement and advice work is 5.0.

The team is also responsible for health and safety inspections and enforcement, smoking in public places enforcement and licensing functions e.g. Licensing Standards, HMO's, Skin

Piercing and Tattooists, Pet Shops, Animal Boarding, Riding Schools, Cinemas, Caravan Sites, Game and Venison Dealers and Private Landlord Registration.

The Trading Standards section is wholly responsible for enforcement of feeding stuffs legislation described in paragraph 1.1 within West Dunbartonshire.

Other services provided by Trading Standards include enforcement of legislation governing fair trading, consumer safety, weights and measures, and animal health in addition to consumer advice.

1.5 Demands on the Food Service

The food premises profile for West Dunbartonshire can be broken down (at 1 April 2010) into the following categories as follows.

Primary Producer	3
Small Retailer	214
Restaurant/Café/Canteen	140
Takeaway	88
Caring Premises	77
Pub/Club	57
School/College	44
Hotel/Guest House	37
Mobile Food Unit	28
Manufacturer/Packer	39
Supermarket/Hypermarket	26
Restaurants and other caterers	26
Distributer/Transporter	9
Retailer/Other	1

There are currently 5 approved premises in terms of the Regulations EC 853/2004.

Within West Dunbartonshire there are no businesses manufacturing animal feeding stuffs for sale.

There are currently 32 feed businesses registered under the Feed Hygiene Regulation (183/2005). Over the last two years we have visited all premises recorded on our database as keeping livestock. As a result we have been able to delete various premises and we now know that, with the exception of pet food suppliers, there are 40 feed businesses in West Dunbartonshire, mainly farms. Included in this total are two distilleries which supply co-products.

There are also a number of grocery businesses which sell ready made pet foods including a small number of specialist pet shops which produce retail packs by splitting larger packages.

Accordingly the number of premises regulated by animal feeding stuffs legislation is relatively small and well defined and the consequences of non compliance are relatively minor due to the size and nature of the businesses concerned.

Environmental Health and Trading Standards Services operates from one central office in Rosebery Place, Clydebank and is open Monday – Friday 9a.m. to 4p.m.

1.6 Enforcement Policy

On 27 January 2010 the Corporate and Efficient Governance committee approved a single enforcement policy for the whole of Regulatory Services including Environmental Health and Trading Standards. Although it does not specifically mention food and feed safety, the policy will be applied to all food and feed businesses.

2 **Service Delivery**

2.1 Review of 2009/10 Activities.

2.6.1 The Environmental Health Section's food enforcement activities can be summarised as follows:

The food enforcement policy was reviewed to take account of the changes introduced by the revised Food Law Code of Practice and incorporated into the Regulatory Service Enforcement Policy as described in 2.5. .

An inspection rate for the highest risk food premises (every 6 months) of 100% was achieved.

An inspection rate for medium risk food premises (every 12 months) of 99% was achieved.

Compliance with HACCP in 84% of food businesses was achieved.

Broad compliance with all relevant food legislation in 74% of food businesses through various enforcement initiatives was achieved.

5 Primary Farm Producers in accordance with the Food Law Code of Practice were inspected in conjunction with Trading Standards officers in March 2010.

89% of bacteriological samples and 91% of chemical samples taken passed relevant standards. All samples that failed were followed up and appropriate action taken to secure compliance.

In partnership with Facilities Management, the Section ran 3 Intermediate Food Hygiene courses throughout 2009/2010 for approximately 52 school catering managers/supervisors.

Officers worked in partnership with Social Work Services and introduced the Cooksafe Food Safety Management System into all 7 social work catering establishments.

The Eatsafe Food Safety Award scheme continued to be promoted during all programmed food safety inspections throughout the year and there are 13 current award holders.

Local businesses and Council Members have been advised of the proposed Food Hygiene Information Scheme and work continues to be undertaken to ensure the launch date of 1 October 2010 is achieved.

The availability of healthy food choices was promoted locally through the promotion of the healthy living award.

Food safety and food standards inspection reports continue to be publicised on the West Dunbartonshire Community Website.

Food safety messages were promoted during National Food Safety Week in June 2009.

A business newsletter to raise awareness of emerging food safety issues and to improve communication with local businesses has been developed.

2.6.2 The Trading Standards Section's feed enforcement activities can be summarised as follows:

- 100% of animal feeds inspections were undertaken by the predetermined target date.
- Nine samples of animal feed were taken between October 2009 and March 2010 (inclusive) and submitted them for analysis.
- Steps have been to ensure compliance with the Feed Law Code of Practice.

3.1 Food and Feedingstuffs Premises Inspection

3.1.1 Food Premises Inspection

The inspection programmes are generated on 1 April each year.

The target number of inspections due to be undertaken for the year 2010/11 is 483. Full target compliance is expected to be achieved. The total number of programmed inspections is broken down into the following risk band categories.

<u>Food Hygiene</u>		<u>Food Standards</u>	
Category A	12	Category A	6
Category B	98	Category B	185
Category C	269	Category C	286
Category D	68	Unrated	8
Category E	12		
Unrated	12		

In line with the revised Code of Practice all premises subject to a food hygiene inspection will be inspected jointly for food standards.

For the year 2009/10 1238 visits covering sampling, programmed inspections, complaint investigations, licensing inspections and advice were undertaken. The food related visits are detailed below.

Food Visits Undertaken 2009/2010

Food Hygiene Inspection	5
Food Hygiene and Standards Inspections	514
Food Hygiene, standards and H&S inspection	13
Other inspection	1
Cooksafe Visits	6
Food Sampling visit	74
Food Complaint visit	3
Food advice visit	23
Food re-visit	3
Not trading at time of visit	113
Licensing	282

3.1.2 Feedingstuffs Premises Inspection

Premises which produce or sell animal feeds will receive an unannounced routine inspection either every 1, 2, or 5 years depending on whether the risk of non-compliance presented by the premises is high, medium or low respectively. The risk assessment scheme was devised by the Food Standards Agency and was introduced in December 2006. Over the last two years we have carried out a risk assessment in all feed businesses under the FSA scheme and allocated a next inspection date in accordance with the newly calculated risk. As a result the breakdown of risk ratings is now as follows:

High risk:	0
Medium risk:	40
Low risk:	<u>0</u>
Total	<u>40</u>

3.2 Food and Feedingstuffs Complaints

3.2.1 Food Complaints

The Food Service deals with a wide variety of food complaints from a variety of sources e.g. members of the public, other local authorities.

It is the policy of the service that all complaints are investigated within two working days of receipt of the complaint.

Where deemed necessary food complaints are submitted to Glasgow Scientific Services for analysis to aid our investigations.

For the year 2009/2010, a total of 596 service requests were received by the Commercial and Licensing Team of the Environmental Health Section. Specific food related service requests are detailed as follows:

Food Service Requests 2009/2010

Extraneous matter	3
Unfit	6
Condition/taint	2
Dirty bottles/containers	1
Foreign bodies	9
Out of date	15
Labelling	4
Wrongly described	2
Contamination risk	19
Food alerts	32
Food allergy alerts	26
Export certificate requests	42
Advice	37
Approval of premises	7
Microbiological	2
Hygiene of premises	26
Street Traders	15
Late Hours Catering	8
Public Entertainment Licences	18

Game Dealers	1
Venison Dealers	1
	<u>276</u>

3.2.2 Feedingstuffs Complaints

The Trading Standards Service will investigate any complaint received about animal feeding stuffs, in most cases starting within 5 working days of receipt unless the complaint is of a serious nature in which case the aim will be to investigate it within 2 working days of receipt.

The authority will begin investigation of any incidents of disease outbreak attributable to animal feeds within 2 working days although no such incidents have occurred to date.

The nature of the premises involved is such that any outbreaks sourced within West Dunbartonshire are likely to be easily contained. Resources required to deal with outbreaks sourced out-with West Dunbartonshire will depend on the extent of distribution of the suspect product within the area.

Historically no complaints of this nature have ever been received about feed for farm animals. Very rarely we receive complaints about pet foods.

3.3. Home Authority/Primary Authority Agreements

No formal home or primary authority agreements have been entered into by the Environmental Health Section although we do respond to requests as originating authority for a number of food manufacturing premises within the district. Any requests by the business sector to enter such an agreement would be given due consideration.

3.4 Advice to Business

Regulatory Services actively encourages and supports working closely with the local business community and seeks to achieve compliance through education and advice.

The Environmental Health Section is committed to providing REHIS Elementary Food Hygiene Courses each year and participation on such courses is actively promoted and publicised. The Section was awarded fully approved centre status by REHIS during 2003/2004.

General advice during routine programmed inspections is provided as a matter of course by all authorised officers and special advisory visits are arranged on request.

The Eatsafe Award Scheme is encouraged and supported and there are currently 13 award holders within the area. All authorised officers have been briefed on the scheme and promotional literature is available.

3.5 Food and Feedingstuffs Inspection and Sampling

3.5.1 Food Inspection and Sampling

Glasgow Scientific Services is the appointed Public Analyst to carry out chemical analysis of food and also the appointed Food Examiner for bacteriological analysis.

In addition to our sampling programme the service participates in food sampling surveys organised through the West of Scotland Food Liaison Group, Scottish Food Enforcement Liaison Committee and LACORS.

The number allocated to chemical and microbiological food samples are determined locally based on 2 samples per 1000 of population. All are targeted towards local food producers and some local surveys have been arranged including mono sodium glutamate in ethnic foods and the bacteriological quality of ready to eat food from butchers shops..

Sampling duties are carried out by Environmental Health Assistants under the guidance and supervision of an Environmental Health Officer.

A total of 159 bacteriological and 149 chemical samples are planned for 2010/11.

3.5.2 Feedingstuffs Inspection and Sampling

Each year the Section Head will consider the need to carry out a routine sampling programme for feeds.

Twelve samples will be taken in 2010/11.

Unless there is any reason to suspect an infringement, any sample will be taken on an informal basis due to the resource constraints involved with formal sampling. Where the sample is found by the Agricultural Analyst to fail to meet the statutory requirements a further sample will be taken on a formal basis.

This general policy will be reviewed for particular premises in light of the risks of non-compliance demonstrated by those premises.

Based on experience it is not anticipated that there will be any need to take samples in response to complaints.

3.6 Control and Investigation of Outbreaks and Food Related Infectious Disease

The service works in partnership with the Consultant in Public Health Medicine from Greater Glasgow and Clyde Health Board in outbreak control situations and the investigation of food poisoning notifications.

A Joint Health Protection Plan 2010-2012 was approved from 1 April 2010. The plan provides an overview of health protection (communicable disease and environmental health) priorities, provision and preparedness within Greater Glasgow and Clyde.

All food poisoning notifications requiring investigation are investigated within 2 working days of receipt and recorded on our database. Urgent cases reported by the Health Board are given an immediate response.

The outcomes of our investigations are recorded on the relevant prescribed forms which are then returned to the Health Board.

There were 25 cases of infectious disease investigated by the Section during 2009/10.

The Service is represented at Public Health/Environmental Health Working Groups.

3.7 Food Safety Incidents

Food Safety and Food Allergy Alerts are notified to the Service by fax, email and text message.

Full details of each alert are entered onto the Flare database and a hard copy of the notification retained on file. The number received for the year 2009/2010 is shown in 3.2.1.

The Team Leader (Commercial & Licensing) is responsible for ensuring that appropriate action is taken to deal with the notification. In her absence the Section Head deputises.

The Food Standards Agency shall be notified of any incidents arising locally that may necessitate the need to implement a food hazard warning.

3.8 Liaison with other Organisations

The main liaison forum is the West of Scotland Food Liaison Group. This group meets monthly and comprises representatives from 14 authorities together with representatives from Glasgow Scientific Services and the Food Standards Agency.

Graham Pollock, Manager of Regulatory Services attends the Society of Chief Officers of Environmental Health in Scotland (SOCOEH).

As mentioned in paragraph 3.6 the Service is represented on liaison groups with the NHS Boards.

West Dunbartonshire is represented on the West of Scotland Feeding Stuffs Working Group. That group reports to the Scottish Feeding Stuffs Working Group which is a sub-group of the Society of Chief Officers of Trading Standards in Scotland (SCOTSS). The Section Head (Trading Standards) is a member of SCOTSS and is an office bearer (treasurer) on the SCOTSS Executive committee.

4. Resources

4.1 Environmental Health Section Financial Allocation for Food Enforcement Services 2010/2011.

	£
Employee Costs	199,425
Property Costs	3,750
Transport Costs	4,180
Training	2,000
Flare/civica	5,000
Payments to other bodies (i.e. lab costs)	136,270
Gross Expenditure	350,625

4.2 Trading Standards Section Financial Allocation for Feed Enforcement Services 2010/2011

	£
Employee Costs	6,400
Property Costs	0
Transport Costs	220

Supplies, Services Admin	220
Payments to other Bodies	0
Gross Expenditure	6,840

5. Quality Assessment

All areas of food safety enforcement are continuously reviewed in line with Best Value/Practice. The service is audited by the FSA to ensure compliance with the Framework Agreement.

The Service underwent a core audit of its food hygiene, food standards and feeding stuffs law enforcement service between 19-22 February 2007. An action plan addressing the non-conformances identified during the audit was prepared and implemented and the Food Standards Agency has subsequently confirmed that it was content that these were addressed to their satisfaction.

Several Key Performance Indicators for food safety have been developed as part of the Environmental Health Operational Plan 2010/11 which are recorded on the Councils Performance Management Database and reported annually to the Corporate and Efficient Governance Committee.

ISO 9001:2000 Lead Auditor training has been undertaken by most of the Commercial and Licensing Team authorised officers and by the Trading Standards officer who undertakes feeding stuffs inspections/sampling.

Following rigorous assessment the Environmental Health Section received the Charter Mark Award in April 2007. Charter Mark is the Government's national standard for excellence in customer service. In particular the section was praised for; having well motivated staff, being easy to work and communicate with, accessing funding from out with the Council and the innovative use of schools and pupils in spreading awareness of the work of the Section.

A successful reassessment of compliance with the service standards required of the award took place on 22 July 2008.

Following an assessment in May 2008 the Trading Standards Section also attained the Chartermark Award.

Legal, Administrative & Regulatory Services (of which Environmental Health and Trading Standards are a part) attained Investors in People at bronze level in April 2009.

6. Review

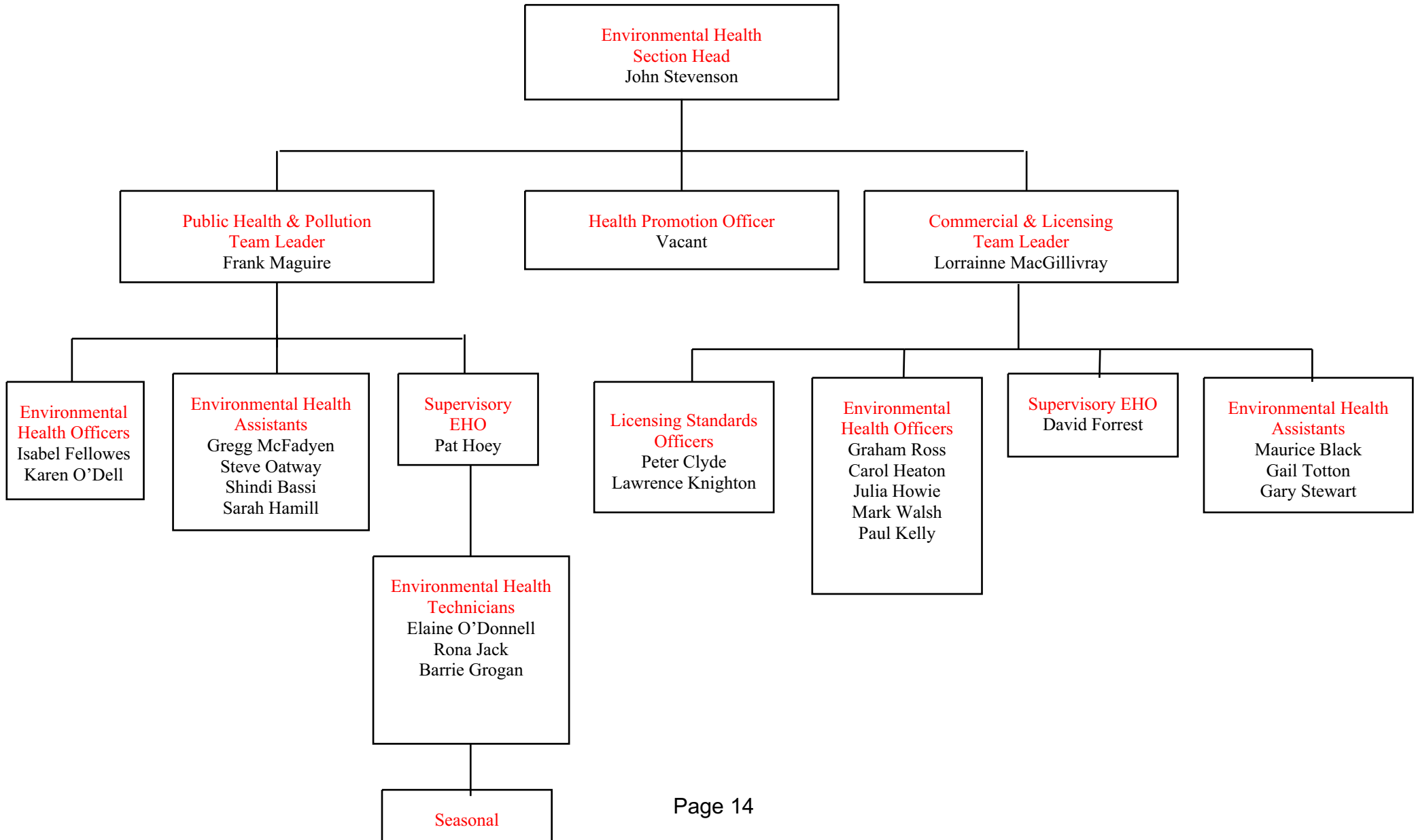
The Service Plan is reviewed on an annual basis to take account of information on the previous year's performance and performance targets, variances from the Service Plan, additional work undertaken and setting improvement plans where identified by the review.

References

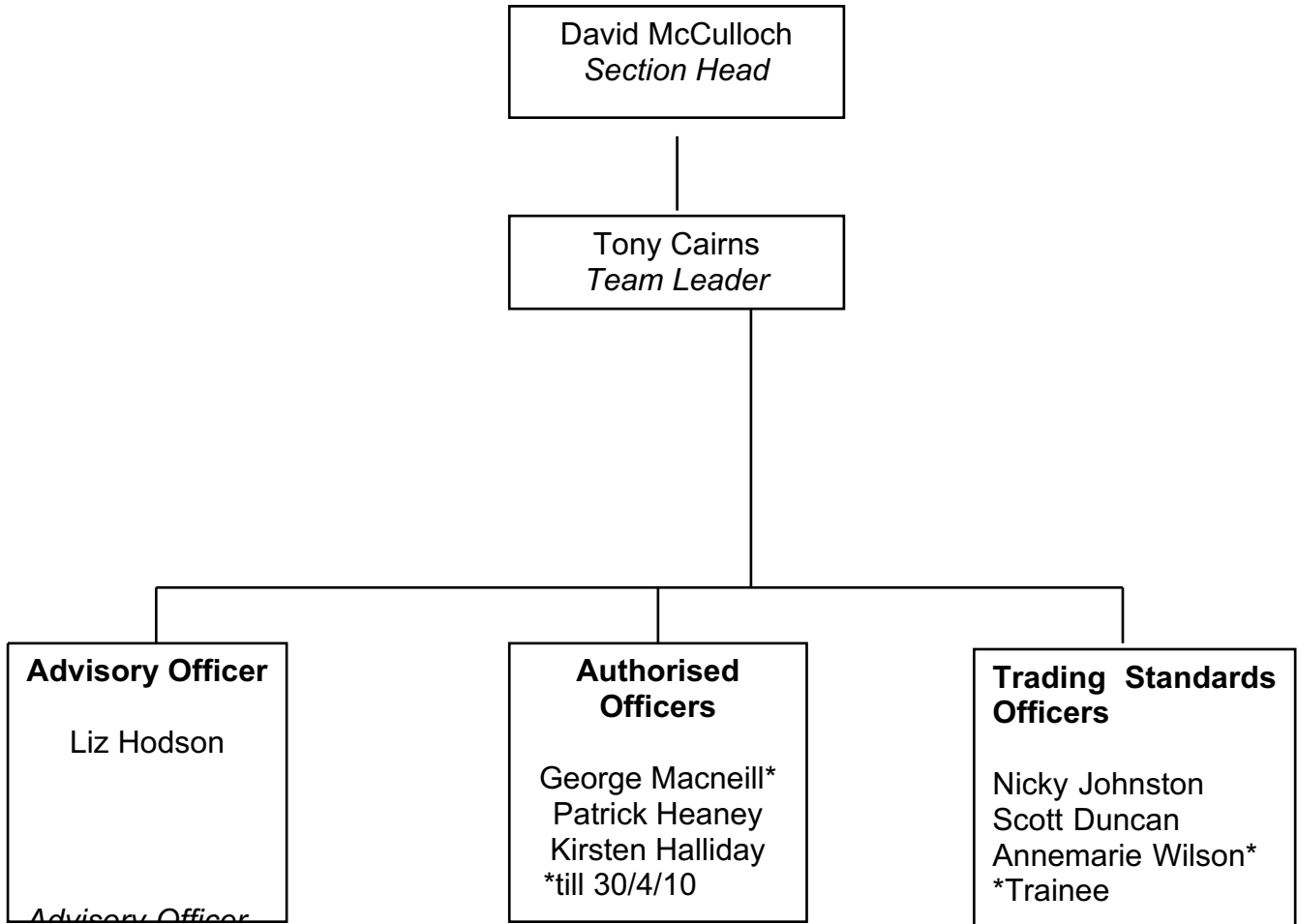
1. Enforcement Concordat

2. Census Statistics 2001
3. Food Safety Act 1990. Food Law Code of Practice (Scotland)
4. Enforcement Policy for Regulatory Services

Appendix 1:- Environmental Health Section



Appendix 2:- Trading Standards Section



NB. Structure excludes admin/clerical staff who are shared with Environmental Health