

# WEST DUNBARTONSHIRE COUNCIL

## Report by the Executive Director of Corporate Services

Corporate and Efficient Governance Committee: 24 June 2009

---

**Subject: Food Enforcement Service Plan 2009/2010**

### **1. Purpose**

- 1.1 To seek Committee approval of the Food Enforcement Service Plan 2009/2010. (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 Service Plan includes details of activities undertaken during 2008/2009 and has been updated to reflect any changes introduced and the progress of the Environmental Health Section's Food Service during the year.
- 3.2 The enforcement guidance contained within the statutory code of practice and practice guidance issued to local authorities has again been reviewed and necessitates a further revision to the Section's food safety service manual which details the food services operational procedures for authorised food safety officers.
- 3.3 The Eatsafe Award scheme for food safety excellence continues to be actively promoted by the section and there are currently 13 awards within West Dunbartonshire.
- 3.4 Due to the secondment and subsequent resignation of our Health Promotion Officer during the year our promotional activities in food safety were suspended. More targeted activity will be undertaken during this year and we will work with the Food Standards Agency to explore options for additional grants to develop this area further.

### **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 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. Recommendation**

7.1 That the committee approve the Food Service Plan 2009/2010.

---

**Joyce White**  
**Executive Director of Corporate Services**  
**Date:**

---

**Person to Contact:** John Stevenson,  
Section Head (Environmental Health),  
Council Offices,  
Rosebery Place,  
Clydebank,  
G81 1TG,  
Telephone No: 01389 738242  
john.stevenson@west-dunbarton.gov.uk

**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 2009/2010**

**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
- formal food sampling programmes
- work with local businesses to encourage, through education and advice, compliance with food safety legislation in line with the Council's Food Safety Enforcement Policy and Enforcement Concordat
- 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

1.2.1 The Environmental Health Section's food enforcement activities as set out in their Operational Plan 2009/2010 are broadly set out below:

Review and update the Food Safety Enforcement Service Manual by December 2009.

Review and update the Food Enforcement Service Plan by June 2009.

Review the food enforcement policy to take account of the changes introduced by the revised Food Law Code of Practice by December 2009.

Achieve an inspection rate for the highest risk food premises (every 6 months) of 100%.

Achieve an inspection rate for medium risk food premises (every 12 months) of 100%.

Achieve full compliance with HACCP in 75% of food businesses by March 2010.

Achieve broad compliance with all relevant food legislation in 75% of food businesses through various enforcement initiatives.

Inspect 5 Primary Farm Producers in accordance with the Food Law Code of Practice by March 2010.

Register all childminders as food business operators and ensure compliance with food legislation through various food safety initiatives by March 2010.

Provide information on the number of locally produced food samples taken for chemical and bacteriological analysis and report on the % of satisfactory samples passing.

Work in partnership with Social Work Services to introduce the Cooksafe Food Safety Management System into all social work catering establishments by March 2010.

Promote, support and administer the Eatsafe Food Safety Award scheme during all programmed food safety inspections throughout 2009/2010.

Advise local businesses and Council Members of the proposed Food Hygiene Information Scheme and work in partnership with the FSA to develop the scheme for launching locally during 2010.

Increase the availability of healthy food choices locally through the promotion of the healthy living award.

Continue to publicise food safety and food standards inspection reports on the West Dunbartonshire Community Website.

Promote food safety during National Food Safety Week in June 2009.

Develop and produce a bi-annual business newsletter to raise awareness of emerging food safety issues and to improve communication with local businesses.

1.2.2 The Trading Standards Section's feed enforcement activities as set out in their Service Plan 2009/2010 are set out below:

- We will complete at least 90% of animal feeds inspections by the predetermined target date each year.
- We will take ten samples of animal feed between October 2009 and March 2010 (inclusive) and submit them for analysis.
- We will take steps to ensure compliance with the Feed Law Code of Practice, in particular by devising appropriate documented procedures.

## **2. Background**

### **2.1 Profile of West Dunbartonshire Council**

#### **2.1.1 Area Profile**

West Dunbartonshire Council was formed on 01 April 1996 to assume the administrative duties performed by the former Councils of Strathclyde Region, Dumbarton District and Clydebank District.

West Dunbartonshire comprises three main settlement areas, which have developed along the rivers Clyde and Leven.

The settlement of Clydebank covers from Whitecrock, Linnvale and Drumry in the East to Old Kilpatrick and Bowling in the west, and Faifley, Duntocher and Hardgate in the North.

Dumbarton extends towards Bowling in the east and includes Castlehill and Westcliff in the west and Bellsmyre and Overtoun in the north.

The Vale of Leven includes Renton and Bonhill in the south and Jamestown and Balloch in the north. Gartocharn lies to the north east. All three areas have a history in manufacturing including activities such as shipbuilding, sewing machines, textiles and car production.

A decline in manufacturing has led to a change in the employment base for West Dunbartonshire to being primarily service industries.

The three areas are well serviced with local amenities including the retail centres in Clydebank, Dumbarton and Alexandria.

Within the boundaries of the Authority, the three large areas of water, the river Clyde, the river Leven and the southern extents of Loch Lomond combine to cover 2,505 ha.

The urban areas of the Authority spread from the two rivers up to the foothills of the Kilpatricks, Dumbarton Muir and Carman, and cover a land area of 2,735 ha. The remaining 12,986 ha of the Authority area comprises greenbelt, farmland, foothills and the raised bogland of the countryside area.

West Dunbartonshire has good communication links with local access to Glasgow Airport and the M8 across the Erskine Bridge. Glasgow and Edinburgh are within 30 minutes and 1 hour respectively and the improvements to the West Coast Main Line have enhanced the rail links with London and the South East.

The main arterial route through West Dunbartonshire, the A82, is the key access route to Loch Lomond and the West Highlands.

West Dunbartonshire is also the western starting point for the Millennium Link, which reopened the Forth and Clyde Canal in 2001 to create a navigable link between the Atlantic Ocean/Clyde Estuary and the River Forth/North Sea.

## 2.1.2 Resident Population

In 2006, the General Registers Office for Scotland (M&d Population Estimates 27 July 2007) reported that the total number of people resident in West Dunbartonshire was 91,240 of whom 43,233 were male and 48,017 female.

## 2.2 Organisational Structure

### 2.2.1 Council Structure

A Corporate and Efficient Governance Committee was established to which Food Service issues are reported.

### 2.2.2 Departmental Structure

#### 2.2.3 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 Environmental Health Section is further split into two teams, namely, Commercial and Licensing and Public Health and Pollution.

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.

### 2.2.4 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.

## 2.3 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 Assistants. The number of full time equivalent officers available to undertake food enforcement and advice work is 5.30.

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.

#### 2.4 Demands on the Food Service

The food premises profile for West Dunbartonshire can be broken down (at 1 April 2009) into the following categories as follows.

Small Retailer:	217
Restaurant/Café/Canteen	136
Takeaway	85
Caring Premises	77
Pub/Club	59
School/College	44
Hotel/Guest House	37
Mobile Food Unit	34
Manufacturer/Packer	33
Supermarket/Hypermarket	26
Restaurants and other caterers	26
Distributor/Transporter	10
Primary Producer	3
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 eleven feed businesses registered under the Feed Hygiene Regulation (183/2005). There are a total of 80 premises keeping livestock in the area, split fairly evenly between farms and smallholdings.

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.

## 2.5 Enforcement Policy

A revised food enforcement policy was approved by the Licensing Committee on 2 October 2007. This had been reviewed to take account of changes in new food hygiene legislation which came into force on 1 January 2006. A further review is planned in 2009/10 to incorporate the flexibilities introduced by the revised Code of Practice in relation to the range of possible interventions available to ensure a proportionate level of regulatory and enforcement activities to each food business.

The Environmental Protection and Leisure Services Committee approved a general enforcement policy for the Trading Standards section on 26 January 2000. This was reviewed during 2008/09.

## 3. **Service Delivery**

### 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 2009/10 is 536. 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	4	536 inspections. In line with the revised Code of Practice all premises subject to a food hygiene inspection will be inspected jointly for food standards.
Category B	101	
Category C	300	
Category D	62	
Category E	54	
Unrated	15	

For the year 2008/09 1368 visits covering sampling, programmed inspections, complaint investigations, licensing inspections and advice were undertaken. These are detailed below.

#### Visits Undertaken 2008/2009

Food Hygiene and Standards Inspections	458
Food Hygiene, standards and H&S inspection	15
Food Standards Inspection	1



Other inspection	13
Food Hazard Warnings	41
Food survey visit	8
Food Sampling visit	131
Food Complaint visit	44
Food advice visit	23
Food re-visit	174
Not trading at time of visit	136
Licensing	324
Total	<u>1368</u>

### 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. An initial analysis suggests that this will lead to some premises having a lower risk than under the previous Lacors scheme, however as more premises are now regulated it will lead to an increase in the number of inspections. Just prior to 1 April 2007 we allocated a 'next inspection' date to all farms so that each premises will receive an inspection at some point over the next three years (i.e. by 31 March 2010), including those which previously were not inspected. During that next inspection we will carry out a risk assessment under the FSA scheme and allocate a next inspection date in accordance with the newly calculated risk.

## 3.2 Food and Feeding Stuffs 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 2008/2009, a total of 507 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 2008/2009

unfit	9
condition/taint	2
mouldy	2
dirty bottles/containers	2
foreign bodies	12
out of date	18
labelling	4
contamination risk	16

food alerts	80
food allergy alerts	26
export certificate requests	44
advice	39
approval of premises	5
microbiological	4
hygiene of premises	15
Licensing (Scotland) Act	20
Street Traders	21
Late Hours Catering	4
Public Entertainment Licences	20
Game Dealers	1
Venison Dealers	1
Total	<u>345</u>

### 3.2.2 Feeding Stuffs 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.

In partnership with Facilities Management, the Section ran 13 courses throughout 2008/2009 for approximately 250 school catering staff.

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.

Specific guidance, following consultation, has been produced for mobile food businesses.

### 3.5 Food and Feeding Stuffs 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 colours and mono sodium glutamate in ethnic foods.

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

#### 3.5.2 Feeding Stuffs 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 2009/10.

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.

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.

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.

An emergency service is available to receive such requests at all times.

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 2008/2009 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.

### 3.9 Food Safety and Standards Promotion

#### 3.9.1 Review of 2008/2009 Activity

Food Safety Week ran from 9<sup>th</sup> June to 13<sup>th</sup> June with the UK wide theme being "Germwatch" - a campaign designed to raise awareness of the 4 Cs (Cleaning, Cooking, Chilling and avoiding Cross-contamination).

Officers from the Environmental Health Section were actively involved in promoting Food Safety Week through a number of events

An information stall manned by members of the Environmental Health team was based at the Clyde Shopping Centre in which participants were encouraged to enter a food safety quiz.

Radio Clyde was also used with funding from the Food Standards Agency to advertise the campaign and a video and radio adverts were produced.

Due to the secondment and subsequent resignation of our Health Promotion Officer during the year our other promotional activities in this area were suspended.

### 3.9.2 2009/2010 Activities

Our 2009/2010 activities will be considered depending on the resources available.

## 4. Resources

### 4.1 Environmental Health Section Financial Allocation for Food Enforcement Services 2009/2010.

	£
Employee Costs	216,397
Property Costs	105
Transport Costs	7,984
Supplies, Services	15,708
Admin	
Payments to other	28,507
Bodies (i.e. lab costs)	
Gross Expenditure	268,701

### 4.2 Trading Standards Section Financial Allocation for Feed Enforcement Services 2009/2010

	£
Employee Costs	6,300
Property Costs	0
Transport Costs	210
Supplies, Services	210
Admin	
Payments to other	0
Bodies	
Gross Expenditure	6,720

## 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.

Internal audit of our performance statistics is undertaken annually to ensure statistics submitted to Audit Scotland are accurate.

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.

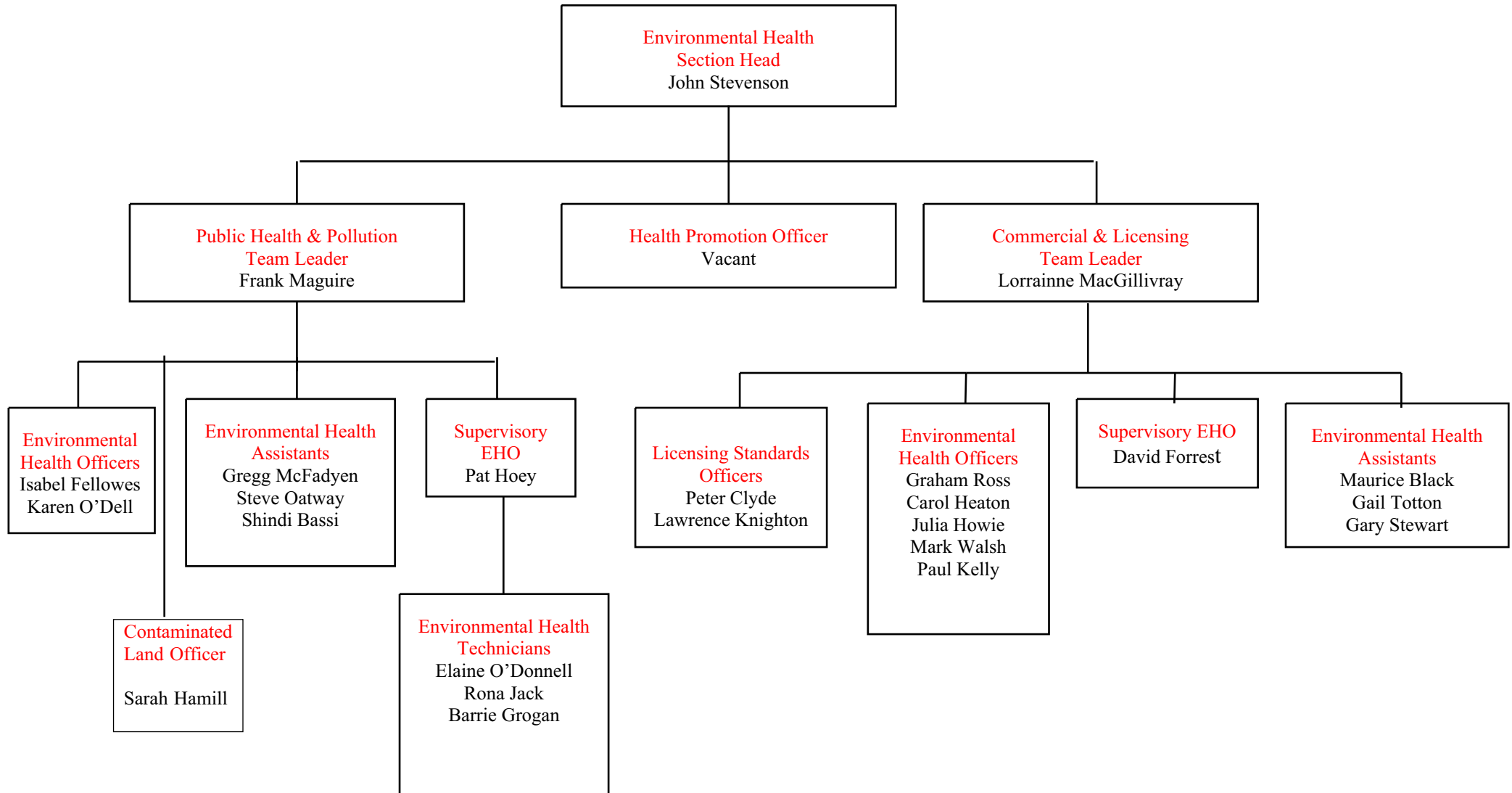
## **6. Review**

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. General Registers Office for Scotland (M&d Population Estimates 27 July 2007)
3. Food Safety Act 1990. Food Law Code of Practice (Scotland)
4. Enforcement Policy for the Trading Standards Section

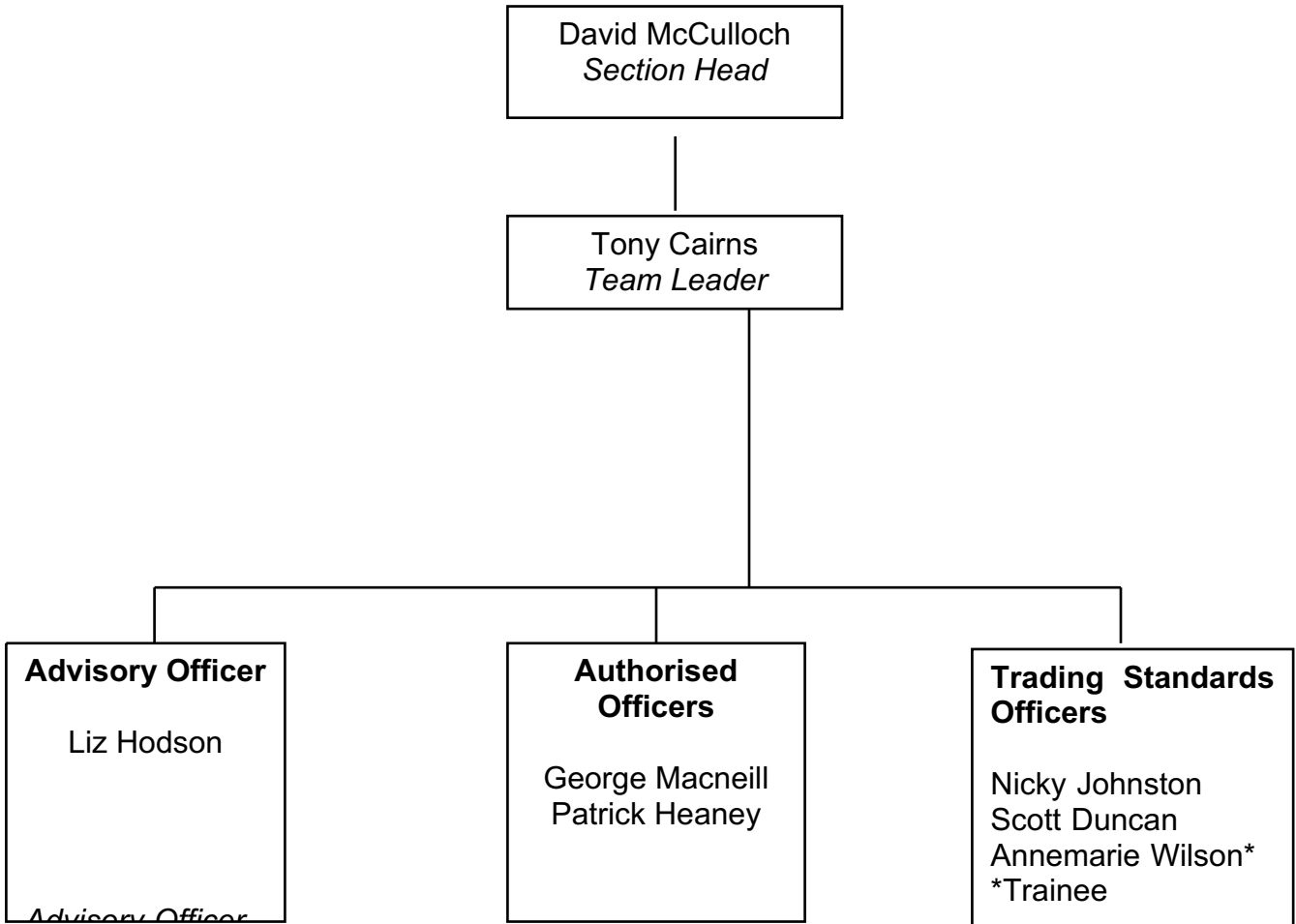
## Appendix 1:- Environmental Health Section







## Appendix 2:- Trading Standards Section



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