

**Subject:** Food Law Enforcement Service Plan 2008 -2009 including a proposal to introduce 'Scores on the Doors'

**Status:** For Publication

**Report to:** The Cabinet  
Full Council

**Date:** 10<sup>th</sup> September 2008  
24<sup>th</sup> September 2008

**Report of:**  
Executive Director – Business (Monitoring Officer)

**Portfolio**

**Holder:** Communities and Neighbourhoods  
Environmental Services

**Key Decision:** No – the Food Law Enforcement Service Plan is a Full Council decision

**Forward Plan**                      General Exception                      Special Urgency

**1. PURPOSE OF REPORT**

1.1 To obtain approval of the Cabinet, prior to Full Council, of the Food law Enforcement Service Plan 2008-2009 as attached at Appendix 1.

**2. CORPORATE PRIORITIES**

2.1 The matters discussed in this report impact directly on the following corporate priorities and associated corporate objective.

- 1 Delivering Quality Services to Customers (Customers, Improvement)
- 2 Keeping Our Borough Clean and Green (Environment)
- 3 Improving health and well being across the Borough (Health, Housing)

**3. RISK ASSESSMENT IMPLICATIONS**

The Food Standards Act 1999 gave the Food Standards Agency powers to monitor and audit local authorities. The Framework Agreement provides the Agency with a mechanism for implementing its powers under this Act to influence and oversee local authority enforcement activity. Following an audit, the Food Standards Agency make reports to individual authorities, including guidance on improving performance and require local authorities to publish these reports, and state what action they propose in response.

The Council was last audited by the Food Standards Agency in 2004 and is involved in inter-authority auditing with the other members of Lancashire Food Officer Group annually.

The ultimate sanction for continuing failure to comply with the framework agreement is that the Food Standards Agency could strip this Authority of its enforcement powers and substitute an alternative Authority at this Council's expense.

#### **4. BACKGROUND AND OPTIONS**

4.1 The Food Standards Agency oversees local authority food law enforcement activities and has set standards for achievement. The Framework Agreement on Local Authority Food Law Enforcement requires that a Food Law Enforcement Service Plan forms the basis of activities and that this plan, in a prescribed format, is approved by Members.

4.2 Service Plans play an important part in ensuring national standards and priorities are delivered locally and that they are delivered in accordance with the Food Law Code of Practice, which is also published by the Food Standards Agency.

4.3 There are several changes in this year's service plan:

- The main change is the introduction of a range of interventions in line with the revised Code of Practice published in June 2008. Previously food inspections have been very prescriptive with the local authority's performance being assessed by the number of inspections carried out in a financial year. This has now changed and performance is now measured by the number of food businesses (as a percentage) that comply with food safety law. This is also a National Indicator - N1 184. This allows flexibility to use different levels of regulation depending on compliance and the degree of risk involved.
- This change is in line with the recommendations of the Hampton Review and Better Regulation and the Principles of Good Regulation - that regulatory activities should be:

- 1 Proportionate
- 2 Accountable
- 3 Consistent
- 4 Transparent
- 5 Targeted only at cases in which action is needed

And the indicator reflects this by being a measure of outcome rather than Input or output.

4.4 Another change is the progression of the Recipe 4 Health Award to food businesses in Rossendale in partnership with Lancashire Trading Standards. The award recognises good standards of food hygiene and compliance with

food standards. In addition the award will encourage the provision and promotion of healthy options, issues relating to alcohol, allergen awareness and environmental factors. Food premises achieving the award will receive a certificate and window sticker to display at their premises.

- 4.5 The implementation of a project to reduce salt usage amongst takeaway customers in partnership with Preston City Council is also being undertaken in 2008-2009. This involves promotional information and salt shakers with fewer holes being distributed free of charge to targeted businesses in Rossendale.
- 4.6 Safer Food Better Business is a documented food safety pack provided nationally by the Food Standards Agency. Food premises are legally required to have a documented food safety system and the Council is promoting the implementation of this pack in all food premises in Rossendale. Following the announcement by the Food Standards Agency that funds were available to progress the implementation of Safer Food Better Business, the Council, in partnership with Burnley and Hyndburn Borough Councils, Blackburn with Darwen Council and Food Northwest submitted a bid to the Food Standards Agency to provide coaching (with bi-lingual support where requested) to ethnic minority businesses in the area. This bid has been successful and will be implemented this year in Rossendale. This will promote compliance with Food Law in ethnic minority businesses. This addresses the possible negative impact on this group that has been identified in the Equality Impact Assessment carried out. The project will be managed by Food Northwest and will consist of one to one coaching being offered to businesses that have been identified as being likely to benefit from such support.
- 4.7 'Scores on the doors' is a scheme where food hygiene information about individual food premises is made available at the business and supported by information on the internet. The primary purpose of scores on the doors is to inform and empower consumers. Experience with current local schemes suggests that this in turn can encourage businesses to raise their hygiene standards.

A number of local authorities have developed their own schemes and in total over one hundred local authorities are currently publishing information on the web.

Due to the success of these local schemes the Food Standards Agency has made a commitment to recommend a national 'Scores on the Doors' 'SOTD' scheme by the end of 2008.

It is proposed that Rossendale will introduce a 'Scores on the Doors' published grading system of all food premises in the Borough following the Food Standard Agency's announcement of a national scheme. This will enable consumers to make informed choices about where to purchase their food. The Council wishes to increase the involvement of consumers and increase the service delivered to residents and visitors to Rossendale whilst improving food hygiene and safety compliance.

The adoption of the national 'Scores on the Doors' system will be met from existing budget resources.

#### **COMMENTS FROM STATUTORY OFFICERS:**

#### **5. SECTION 151 OFFICER**

- 5.1 The implementation of the Food Law Enforcement Service Plan 2008-2009 will be met from existing budget resources.

#### **6. MONITORING OFFICER**

- 6.1 The Food Law Enforcement Service Plan is an essential component of the work the Regulatory Service carries out. The approval of the annual plan allows the team to be clear on areas of focus for the forthcoming year and to also report on last years achievements / meeting of targets.

#### **7. HEAD OF PEOPLE AND ORGANISATIONAL DEVELOPMENT (ON BEHALF OF THE HEAD OF PAID SERVICE)**

- 7.1 No HR implications.

#### **8. CONCLUSION**

- 8.1 The Food Law Enforcement Service Plan 2008-2009 has been produced in accordance with the requirements of the Food Standards Agency and the Food Law Code of Practice and requires the approval of Cabinet and Full Council.

#### **9. RECOMMENDATION(S)**

- 9.1 That Full Council approve the Food Law Enforcement Service Plan 2008-2009, as attached at Appendix 1, including the introduction a 'Scores on the Doors' published grading system following the Food Standard Agency's nouncement of a national scheme.

#### **10. CONSULTATION CARRIED OUT**

- 10.1 A Consultation was carried out in 2007 via Food Safety Newsletter to all food businesses in Rossendale and the plan is available via the website and the newsletter which is produced twice a year. Consultation with adjoining authorities is also undertaken through Lancashire Food Officers Group.

Results of this consultation have been incorporated into this year's service plan When asked about inspections all comments were positive – 'very professional' 'very good', 'helpful', 'thorough', 'friendly and thorough', 'constructive advice', 'necessary', 'useful' . Three people made suggestions – 'give notice when coming', 'appointment system', 'advertise the people who are getting it wrong'. There have been no changes in response to this because it is policy not to pre-warn of food inspections as per Food Law Code of Practice, however if it is a

focused intervention, where the owner or manager is required for a one to one discussion; it is likely an appointment will be made.

Further responses requested advice on preventing food poisoning and changes in legislation - changes in food legislation are always communicated to food businesses but now the newsletter is an ideal medium for this and also contains guidance on preventing food poisoning.

- 10.2 Consultation was carried out on 'Scores on the Doors' in the May 2008 edition of the Food Safety Newsletter. The newsletter is sent to all food businesses in Rossendale. In addition an article in Rossendale Alive asked residents their opinion. Response was poor but of those that did respond all were in favour of such a scheme being introduced in Rossendale. This is supported by informal consultation during inspections and visits to investigate complaints.

## 11. EQUALITY IMPACT ASSESSMENT

Is an Equality Impact Assessment required Yes

Is an Equality Impact Assessment attached Yes

## 12. BIODIVERSITY IMPACT ASSESSMENT

Is a Biodiversity Impact Assessment required No

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Background Papers	
Document	Place of Inspection
Framework Agreement on Local Authority Food Law Enforcement Food Law Code Of Practice June 2008	Environmental Health Office, Stubbylee Hall, Bacup