

Rossendale Borough Council

Food Law Enforcement Service Plan 2008/09

ENVIRONMENTAL HEALTH SERVICES FOOD LAW ENFORCEMENT SERVICE PLAN 2008-2009

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1 **SERVICE AIMS AND OBJECTIVES**

1.1 Aims

- To protect and promote the health of persons, both within and outside Borough, by controlling the risks associated with the consumption of food and drink, and the investigation and control of designated communicable diseases and by working in partnership to tackle obesity and promote and encourage healthy eating.

1.1.1 OBJECTIVES

- To undertake an annual programme of food hygiene interventions and enforcement in accordance with all relevant statutory requirements, codes of practice and guidance.
- To support the annual intervention programme with an annual microbiological food sampling programme.
- To investigate complaints, requests for service and notifications of food poisoning within service standards and to take appropriate action in accordance with all relevant codes of practice and guidance.
- To respond to food hazard warnings and incidents in accordance with relevant code of practice and guidance.
- To provide advice, information and training to consumers, employees and operators of food businesses.
- To promote food safety and participate in, and contribute to, local and national campaigns
- To provide efficient, effective and high quality services.
- To provide services which are accessible, open and equitable to all.
- To respond promptly and courteously, in accordance with good customer care practice, to all recipients of our services.
- To increase input and activity in the wider Food and Health Agenda by working with partners and other agencies to develop and implement projects, activities and promotions based on reducing obesity and encouraging healthy eating

- To increase contributions into local initiatives working with agencies associated with the food industry to publicise and promote a range of health related subjects such as improvement of breastfeeding facilities in food premises in Rossendale, increase information sent to Trading Standards on the control of underage tobacco sales and in partnership with Trading Standards implement and promote the Recipe4Health Award Scheme.

1.2 Links to Corporate Aims and Objectives

- Corporate Plan

Outcome 1.1 - By producing a comprehensive service plan incorporating working with other agencies and departments, we are contributing to the achievement of a corporate approach to enforcement activity.

Outcome 1.2 - By consulting with businesses and asking for their involvement, we are improving the way services are implemented.

Outcome 2.1 - Through coaching and targeting advice to businesses with insufficient expertise in food safety controls, we are improving the skill levels of the Rossendale workforce.

Outcome 4.2 - By promoting the Recipe4Health Award scheme for catering premises, we are working to improve the offer made to visitors in relation to healthy eating.

Outcome 5.1 - The whole food law enforcement programme is aimed at reducing the ill effects of poor food hygiene and safety and unsatisfactory nutritional offers within businesses and thereby addresses directly those factors which have a negative effect on life expectancy.

- Sustainable Community Strategy – Two priority outcomes of the Sustainable Community Strategy 2008-2018 show how the local Strategic Partnership:
 - Wants more people to enjoy better health and mental wellbeing
 - Wants people to live longer with fewer deaths from cancer, stroke, heart disease and accidents.

The pursuance of good food safety and nutrition and the protection of drinking water supplies will directly contribute to the achievement of these outcomes.

2 **BACKGROUND**

2.1 Profile of the Local Authority

The Borough of Rossendale comprises of a mixed urban/rural covering

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13,800 hectares situated in East Lancashire and to the North East of the Greater Manchester conurbation. It has a population of just over 66,700 the majority of whom live in the towns of Bacup, Haslingden, Rawtenstall and Whitworth. The ethnic minority population is about 3%, primarily of South Asian origin, and is mainly concentrated in Haslingden and Rawtenstall.

2.2 Organisational Structure

The Food Safety function is performed by staff in the Environmental Health Service which forms part of the Business Directorate

2.3 Scope of the Food Service

The Environmental Health Service is responsible for enforcing the provisions of the Food Safety Act 1990 and the European Communities Act 1972 and regulations made under those Acts and aims to provide a comprehensive service to consumers and food businesses by:

- Registration of relevant businesses
- Proactive food safety interventions
- Approval of certain food manufacturers
- Investigation of communicable diseases, including outbreaks.
- Investigation of food complaints.
- Implementation of Food Standards Agency (FSA) Food Hazard Warning Scheme.
- Investigation of hygiene complaints.
- Routine food sampling, including national and regional surveys.
- Examination of food, including the seizure, detention and voluntary surrender of food.
- Liaison with other local authorities regarding food manufactured within Rossendale.
- Liaison with other East Lancashire local authorities and Lancashire Trading Standards service.
- Advice to business.

- Food Hygiene training to businesses in the area.
- Promotion of food safety for example Food Safety Week.
- Promotion of Healthy Eating and the reduction of Obesity, working in partnership with other agencies including membership of the Rossendale Food Forum as part of the Rossendale Local Strategic Partnership.
- Co-ordination of work experience placements.

Joint inspections for Food Safety and Health & Safety purposes are also undertaken.

2.4 Demands on the Food Service

2.4.1 Premises Profile (as on 1st April 2008)

- Total Number of Food Premises which include amongst others: 700
 - Manufacturers 16
 - Retailers 258
 - Restaurants and caterers 423

2.4.2 Local Requirements

There is a broad mix of food businesses in the Borough including restaurants, cafes, takeaways and retailers.

There is also a number of large and small scale manufacturing premises, for example meat product manufacturers, on-farm dairies and bakeries, which are not particularly complex processes but do require a significant amount of time to physically inspect the whole premises.

2.4.3 Service Delivery Points

The service is based at Stubblelee Hall, Stubblelee Lane, Bacup, Rossendale.

| | |
|-------------------|-------------------------------|
| General enquiries | 01706 252565 |
| Fax | 01706 870447 |
| Email | envhealth@rossendalebc.gov.uk |
| Web site | www.rossendale.gov.uk |

Normal office hours are between 8.45am to 5.00pm. Food officers do undertake evening and weekend inspections of premises and occasional events on an ad hoc basis.

2.5 Enforcement Policy

Rossendale Borough Council has a written policy which incorporates all enforcement activity.

The food section has an enforcement mix based on the following principles:

- 1 Demand driven such as requests for advice, complaints
- 2 Inspection driven such as programmed inspections, food and water examination
- 3 Education driven such as publicity and awareness campaigns
- 4 Intelligence driven such as sampling, infectious disease notifications

3 **Service Delivery**

3.1 Food Premises Interventions

The Council maintains a computer database of all food premises using Flare software which was installed in April 2000. The interventions are carried out in accordance with a risk rated inspection programme.

All are carried out by suitably qualified officers who are authorised and satisfy the requirements to work within Code of Practice Guidelines and follow in-house procedures.

Performance Indicators 07/08

| | | |
|---|---|-------------|
| Inspections against food programme – A rated premises | - | 100% |
| B rated premises | - | 100% |
| C rated premises | - | 97% |
| D rated premises | - | 93% |
| E rated premises | - | 98% |

Total Food Inspections completed in 2007-08 = 652 plus 62 other visits and revisits. This compares to 462 in 2006/07

3.1.1 Approved Premises.

Premises that manufacture products of animal origin are subject to Approval under EC Regulation 853/2004. The inspection of these premises is restricted to the Principal and one Senior Environmental Health Officer

who have undertaken training relevant to those premises.

3.1.2 Low Risk Premises

Low risk premises are subject to Alternative enforcement, meaning that premises can be targeted using self assessment and need not be subject to a visit.

This low risk inspection procedure was introduced in 2004 for all premises categorised E and due for inspection. It is based on the issuing of Educational packs and the completion of self assessment forms by proprietors. Ten percent of these businesses will be subject to a validation inspection. The process complies with the Food Safety Act Code of Practice and is covered by in house procedures.

3.1.3 Imported Food

During intervention and sampling, officers will look for businesses importing food and include inspection of imported food in inspections and other visits such as sampling visits and visits to investigate complaints.

Enforcement action will be taken in accordance with the Council's Enforcement Policy wherever illegally imported foods or imported foods not complying with food safety legislation, are found.

3.2 Food Complaints

The Food Service has a target to respond to all food complaints within 3 working days in accordance with in-house procedures written with reference to the Food Safety Act 1990. This target includes complaints or requests for service related to food, food premises, practices and personnel.

| | |
|-------------------------------------|------|
| Food Complaints received in 2007/08 | = 54 |
| Food Complaints received in 2006/07 | = 51 |

3.3 Home Authority Principle

The Food Service currently has no Home Authority agreement in place and is not considering the promotion of this concept but will participate in the impending Primary Authority arrangements currently being developed by the Local Better Regulation Office.

3.4 Advice to Business

Rosendale B.C. has a policy of offering advice to members of the public and any business which has trading premises within its area, on any food or infectious disease related issue, be it starting up in business or advice

to existing businesses. This area of activity is currently being expanded to help businesses comply with current legislation.

3.5 Food Sampling

Rossendale Borough Council participates in all regional and local food sampling surveys. These are organised by the Health Protection Agency (HPA) and the Local Authorities Co-ordinating Organisation for Regulatory Services (LACORS) together with the Lancashire Food Officer Group (FOG). Our policy is to sample food and drink as supplied, produced and sold in accordance with the Food Law Code of Practice and in-house sampling procedure and in response to food complaints and suspected food poisoning cases. All microbiological samples are submitted to the HPA accredited laboratory in Preston. Samples for chemical analysis are submitted to the Public Analyst in Preston.

The Sampling Policy contains the outline of the sampling activity. The sampling programme will target specific foods and sectors of food activity including Approved Premises.

In 2007-2008 the food service obtained 154 samples compared with 180 in 2006-2007

3.6 Investigation Of Outbreaks And Food Related Infectious Diseases

The Council's policy is to investigate all food poisoning/ infectious disease notifications for which it has responsibility in accordance with the written in-house procedure. There is regular contact with the Consultant for Communicable Disease Control and liaison is established with the laboratories and personnel of the Health Protection Agency (HPA). Regular meetings are held with the HPA to keep up to date with current developments.

3.7 Food Incidents

The system for dealing with food incidents and information received concerning food that is potentially hazardous, is administered and appropriate action taken in accordance with the severity of the incident and distribution system as described in the Food Safety Act Code of Practice and in-house documents. Records are kept of decisions made and action taken or planned.

3.8 Liaison with other organisations

3.8.1 The Council is a member of the Lancashire Food Officers Group (FOG). This group meets regularly with the purpose of ensuring consistency of

action within the County. It is a sub-group of Environmental Health Lancashire, which approves the FOG Annual Action Plan and monitors the delivery of those actions.

3.8.2 The Council obtains and provides information through other members of FOG and thereby contributes towards their work.

3.8.3 The Council is currently consulting with businesses in order to determine the most efficient and effective means for liaison with businesses and the voluntary sector. The concept of helping businesses to help themselves in relation to all Environmental Health functions, within the context of the Enforcement Policy, is supported by the service.

3.8.4 The Council also liaises regularly with other authorities and the Health Protection Agency and has adopted the generic protocols e.g. for infectious disease outbreak investigation and control.

3.9 Food Safety Promotion

3.9.1. Recipe 4 Health.

In 2008/09 the service is working in partnership with the Trading Standards Service and the East Lancashire Primary Care Trust (ELPCT) on a new award for food businesses in Rossendale. The new award is entitled Recipe4Health and is intended to become Lancashire wide. The award will recognise good standards of food hygiene and safety and compliance with food standards and in addition the award will encourage the provision and promotion of healthy options, alcohol and allergen awareness and environmental factors. Food premises achieving the award will receive a certificate and window sticker to display at their premises.

3.9.2 Food Safety Newsletters

In addition to this award the service will issue ad hoc press releases and contribute to a twice yearly newsletter to all food businesses to advise and update on all food issues and promote the work of the service. The service will also participate in Food Safety Week.

3.9.2 Safer Food Better Business

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 this implementation 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.

3.10 Healthy Eating Promotion

The Department has increased links with the East Lancashire Primary Care Trust, Trading Standards and Food Northwest and is a member of the Rossendale Food Forum which aims to identify and implement locally targeted goals and actions to improve nutritional wellbeing and health of residents in Rossendale.

3.10.1 Promotion of the reduction of salt usage amongst customers of takeaways. Working in partnership with Preston City Council, the Council will be delivering salt shakers with fewer holes to encourage the use of less salt. They will be accompanied by promotional posters and literature.

4. **Resources**

4.1 Financial allocation

The level of expenditure is identified alongside other Environmental Health expenditure. Resources are maintained at 2007-8 levels in real terms. Costs related to travel and central support charges have been maintained at the previous year's level.

4.2 Staffing allocation

The number of staff currently contributing to the delivery of the Food Services Plan is as follows:-

| | |
|--------------------------|-----------|
| Principal EHO | 1.0 f.t.e |
| Senior EHO | 1.0 f.t.e |
| Senior Technical Officer | 0.5 f.t.e |

4.3 Staff Development Plan

The Council's policy is to comply fully with the requirements of the Food Law Code of Practice in relation to staff training and the qualifications of authorised officers. The Council has been awarded Investors in People status.

The service participates in the Council's staff performance appraisal scheme which offers an opportunity to:

- Review achievements and obstacles to achievements for the past year.
- Agree objectives for the next 6 to 12 months.

- Identify training and development needs for both career development and to achieve the year's objectives.

There are 3 themes to the staff training and development programme namely:

- The attainment and maintenance of core competencies in accordance with the statutory requirements.
- Training on new or changes to internal practices and procedures.
- Training on supplementary skills as identified by service needs and personal requirements.

Monthly team meetings are held when officers who have attended seminars etc will cascade the training down to all team members as a standard agenda item.

Ad hoc training is also identified during the year.

5. Quality Assessment

5.1 The Environmental Health Service's Quality Management System, designed to meet the ISO 9000:2000 standard, is used to provide a framework for the management of the Food Service in order to meet the requirements of the Framework Agreement and Codes of Practice. The Council is committed to adopting systems to assess the quality and performance of the Food Safety Team.

5.2 A monitoring system, including checks of inspection records, accompanied inspections and questionnaires to business is in place to assess compliance with statutory requirements, guidance, internal procedures, good enforcement and customer care practice. Monthly performance reports are also produced to compare performance against service plan targets and performance indicators and these are reviewed through the Service's line management at monthly 1-1 and performance management meetings.

5.3 Rossendale B.C. has a performance management process whereby national and local performance indicators are monitored. New national performance indicators NI 182 (satisfaction of businesses with the service and NI 184 (food businesses in the area that are Broadly Compliant with food safety law) and local indicator BVPI 166 are all monitored and reported on.

5.4 The Service Plan is displayed on Covalent, the Council's Performance

Management software, where achievements can be monitored by the Council's Members and Executive Management team.

Targets for achievement by March 2009 are:

- | | | | |
|---|--------|-----|-----------------------------------|
| 1 | NI 184 | 95% | Business satisfaction |
| 2 | NI 184 | 95% | Food Businesses broadly Compliant |

6 Review Against the Service Plan

6.1 The Food and Safety team reviews and reports performance on both a monthly and annual basis. Their service standards are:

- | | Target |
|--|---------------|
| • Response times to service requests | 90% |
| • Food proactive inspections | |
| A-C premises | 95% |
| D-E premises | 95% |
| • Service satisfaction levels(proactive relating to food) | 95% |

NB Response times to food service requests have been set as follows:

| Activity | Working Days |
|--------------------------------|---------------------|
| Food poisoning cases | 1 |
| Food complaints | 3 |
| Food hygiene complaints | 3 |
| Food hazard warning | 1 |
| Requests for advice | 3 |

6.2 Variations from the Service Plan

Any significant variations from the approved service plan are forwarded for consideration by the Executive Director for Business prior to implementation.

6.3 Improvement and development of services are detailed in the current service plan and reported and considered through the performance management system.

The food service has achieved a number of successes during the past year relating to service improvement and meeting the challenges posed. Compliance with the Food Standards Agency Model Standard (Framework Agreement), introducing the Recipe 4 Health Award, preparing for the new Food Law Code Of Practice and the new Food Standards Agency monitoring system, progressing Safer Food Better Business in businesses, sampling Private water supplies, monitoring and reporting on the quality and sufficiency of public water supplies in Rossendale whilst maintaining high

standards of service delivery.

6.4 Key Changes this Year

This year we are implementing changes required by the Food Law Code of Practice 2008 by introducing a range of Interventions to improve compliance in addition to full inspections.

The underlying principles in selecting an appropriate intervention are:

- 1 Intensive regulation should be directed at those food businesses that present the greatest risk to public health; and
- 2 Those that are compliant with Food Law should be subject to interventions that reflect the level of compliance that has been achieved by the food business operator.

Interventions shall be selected taking into account the following and to match interventions to the cause(s) of non-compliance:

- 1 Recognition of the factors that influence non-compliance;
- 2 Risks resulting from non-compliance;
- 3 A focus on outcomes and outputs, not inputs;
- 4 To seek compliance with food law;
- 5 To take into account local circumstances and priorities;
- 6 To take into account national priorities.

Officers must take these issues into account when recommending or selecting a food hygiene intervention. The following gives some indicative guidance on the selection of interventions, however this is not to be taken as prescriptive and officers may select an intervention not as indicated. In all cases the choice of intervention must be justified and recorded.

INTERVENTION CHOICE

| Risk | Compliance history | Confidence in management | HACCP (or eq) in place | External accreditation & inspection in place | Typical Intervention(s) |
|-------------|---------------------------|---------------------------------|-------------------------------|---|--------------------------------|
| | Good | Good | Y | N | I,PI,A |
| | Mixed | Some | | | I, PI |
| | Poor | Poor | | | I |
| | Good | Good | Y | Y | A, V, S |
| | Good | Good | N | N | PI, V, S |
| | Mixed | Some | | | I, PI |
| | | | Y | Y | I, PI, A |
| | | | N | N | I, PI |

| | | | | | |
|---|------|------|--|--|--|
| D | Good | Good | | | V,PI,I,A and Alternate EDUCATION, ADVICE COACHING, ITELLIGENCE GATHERING |
|---|------|------|--|--|--|

| Interventions Key | |
|-------------------|--|
| A | Audit |
| S | Sample and process review |
| I | Inspection |
| PI | Partial Inspection |
| V | Verification |
| Broadly compliant | Scoring not more than 10 in "Hygiene", "Structure" or "Confidence in Management" Scores. |

6.4.1 The reporting mechanism to the Food Standards Agency has also changed this year. This has involved major changes to the coding of the food premises database and reporting procedure. Rather than being a reporting of output data the process involves the transfer of live data via the internet. This has a training implication for the lead food officer together with resource implications for the changes of database coding, input procedures and work instructions.

6.4.2 The progress of Recipe4Health is also a change this year as is promotion of the reduction of salt usage amongst customers of takeaways and the progression of the Safer Food Better Business outlined above.

6.5 Scores on the Doors

'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.

Rossendale Borough Council recognises the benefits to be gained from participating in a national Scores-on-the-doors scheme:-

- 1 The consumers, residents and visitors to Rossendale will be able to search from a national, regional and local portal for food hygiene inspection rating and many businesses will display their rating at the premises.
- 2 The consumers will be empowered to make an informed choice where to eat/purchase food from.
- 3 The scheme will convert food hygiene information into simple pictorial ratings. The most likely will be a scheme showing zero to three or four stars.
- 4 There is national support by Local Authorities and the food Industry for the scheme to increase consistency by enforcement officers as the standard and consistency of scoring by inspectors significantly improves due to the heightened sense of accountability arising from the public display of scores.
- 5 There is evidence from the schemes already running that a scheme would encourage improved food hygiene and facilitate self compliance amongst business due to the incentive offered by certificates, provide recognition and reward of good performance and create competition amongst businesses. This is likely to increase further with a more high profile national scheme.
- 6 There are risks that inspection numbers could increase in connection with revisits however the revisits necessary to assess improvements in poorly performing business are part of routine hygiene inspection activity. The general view is that the Environmental Health Service would not be required to undertake additional inspections unless the scheme allowed for a business to request a rescore opportunity to move from a satisfactory score to higher score.
- 7 Payment in the region of £25 to £100 (say £50) could be required from the business to the Local Authority where the revisit is for a broadly compliant or above broadly compliant business that would not normally have a revisit for enforcement reasons. The evaluation of existing schemes shows that businesses regard an opportunity for a “rescore” as an important factor in any scores on the doors scheme
- 8 There will be a concentration of attention on businesses with zero or one star by consumers and the press however this will reinforce our existing policy and encourages Better Regulation and the Principles of Good Regulation –that regulatory activities are carried out in a way which is proportionate, accountable, consistent, transparent and targeted only at cases in which action is needed

The Food Standards Agency will announce the details of the National Scheme by the end of 2008 detailing the results of Agency support package necessary to promote and sustain the scheme. Rossendale Borough Council would like to be ready to implement such a scheme without delay. The national scores on the doors scheme will be subject to review after a two year implementation period to assess its impact and take-up, and any changes necessary in light of experience.