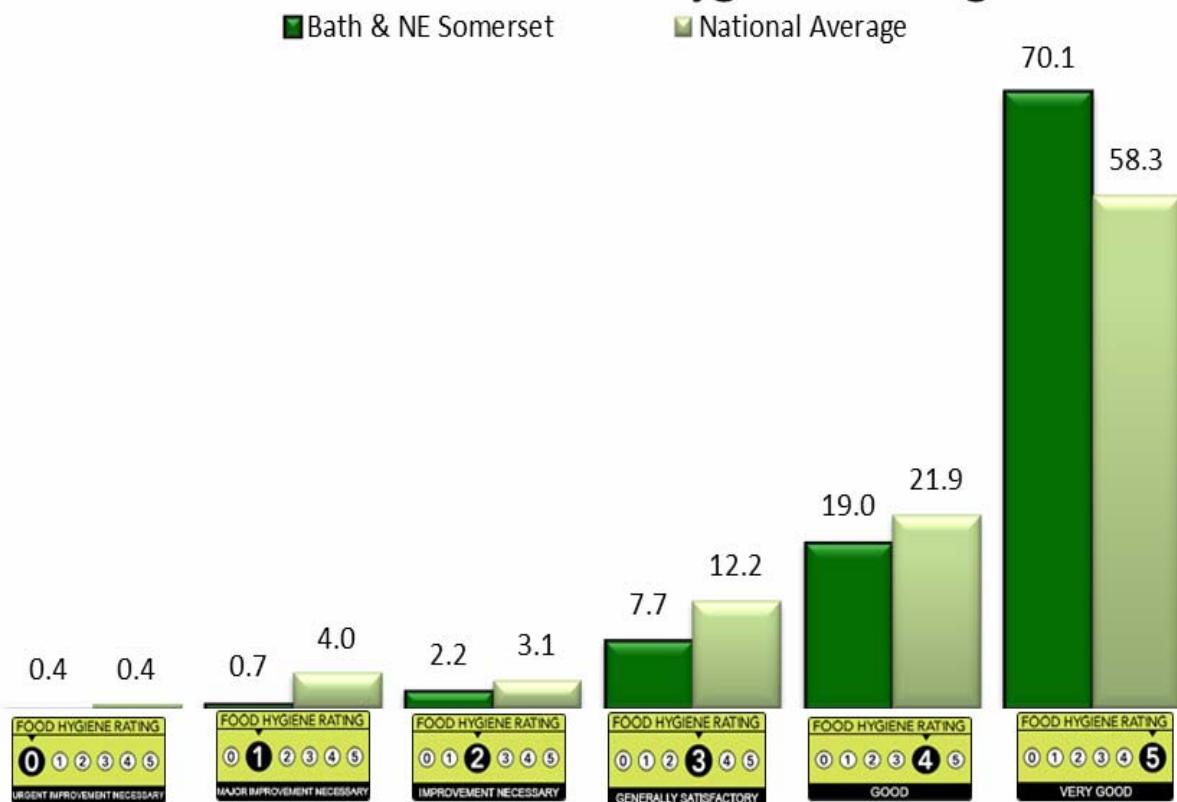


Public Protection & Health Improvement Services

Food Law Enforcement Delivery Plan 2015/2016

Distribution of Food Hygiene Ratings



Bath and North East Somerset Council

Food Law Enforcement Service Plan 2015/6

This is to confirm that Cllr Dave Dixon has duly approved the 2015/16 Service Plan in relation to Food Law Enforcement.

"I have viewed the findings and consequent action plan derived from the internal audit dated 2014 and agree this delivery plan is the Council's best and apposite response to the issues raised"

Signed :

Name (Print) :

Date :

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FOOD LAW ENFORCEMENT SERVICE DELIVERY PLAN 2015/2016

This plan details the direction, planned activity and intended achievements of Bath and North East Somerset Council in relation to Food Law Enforcement between April 2015 and March 2016. It is based on current Food Standards Agency enforcement planning guidance contained in the Food Law Code of Practice 2014 and associate guidance <http://www.food.gov.uk/sites/default/files/multimedia/pdfs/enforcement/food-law-code-of-practice-england-april-2014.pdf>

SERVICE PURPOSE and AIMS

These are outlined in the Public Protection Service Plan contained in Appendix 1

The priorities for Environmental Services are –

To improve people's quality of life through providing essential/key services that underpin the environment and community, whilst increasing customer satisfaction and improving compliance with the law.

Public Protection

Aims to meet community expectations regarding the protection and promotion of a safe, healthy, fair, accessible, secure and equitable environment which sustains and enhances the health and quality of life of all who live, visit, work and trade in the area.

The purpose of the Food Team is –

To protect and promote the health, safety and wellbeing of the living, working and visiting community within the area.

Our food related aims are:

- To help protect residents, workers and visitors to Bath and North East Somerset from the risk of food poisoning and food related illness.
- To help to ensure the production of clean and wholesome food within Bath and North East Somerset. This will be achieved by supporting businesses to achieve compliance with the law using an enforcement mix which incorporates a staged approach to enforcement, using local and national intelligence to determine the appropriate combination of interventions, education, complaint investigation and sampling.
- To ensure and promote public confidence in food safety.
- To investigate the cases and outbreaks of infectious disease, ensure as far as possible the safety of those affected, assist in the prevention of the spread of infectious diseases in the community, and where possible and appropriate, prosecute those responsible.
- To work in conjunction with the Public Health Department to promote healthy eating.
- To apply the law consistently and effectively. On a prioritised basis, proactively inspect food premises for compliance with food standards legislation providing advice and guidance as required or requested.
- To sample food products for fitness, adulteration and labelling compliance.
- To support all food businesses, especially start-up businesses, and local producers in achieving compliance with the law.

- To administer the approval of food manufacturers thereby enabling them to trade across the European Union.
- To promote animal health and welfare by the inspection of premises, auditing of records and the provision of advice and guidance.
- To monitor hygiene at primary food producers. (Farms)
- To monitor the manufacturing, mixing and use of animal feed stuffs.

Our Priorities

To align with the Council's Vision and Priorities, our work programme, enforcement approach and operational ethic all focus upon our customers and prioritise: businesses serving vulnerable groups, and supporting local businesses to succeed and achieve compliance

The work-plan contained in Appendix 4 demonstrates the emphasis placed on business support, especially through our staged enforcement approach, and priority given to new businesses, and businesses serving vulnerable groups.

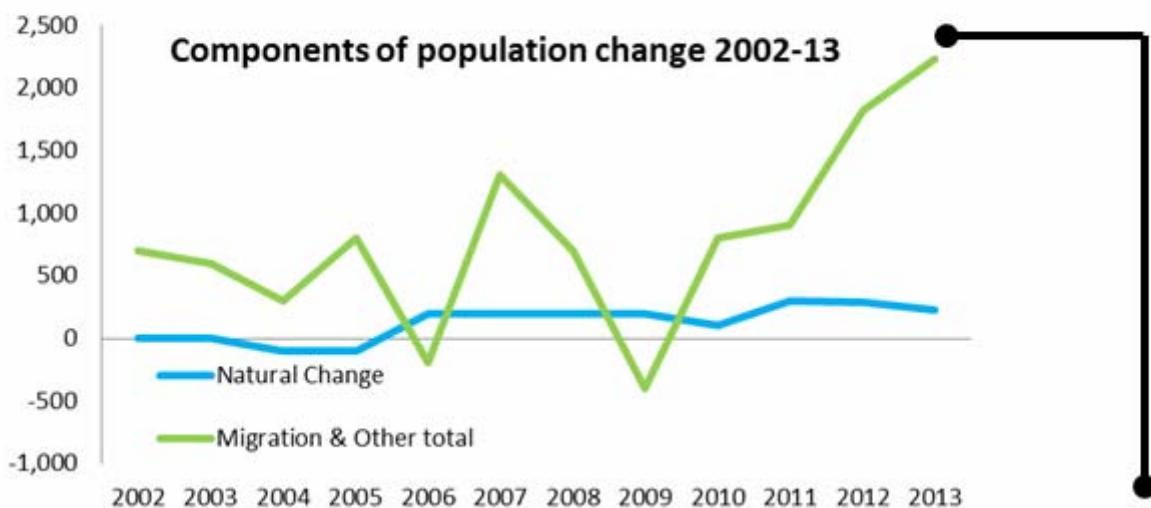
Background information – Profile of Bath and North East Somerset

There were 180,097 residents of Bath and North East Somerset in 2013, this is lower than the GP registered population of 197,040.

Bath and North East Somerset has a significantly higher proportion of residents (10%) aged 20-24 than nationally (7%), this can be attributed to the high student population.

In 2013 the population of B&NES was **180,097**

There were 2,545 more residents than in 2012



Bath is the largest urban area in B&NES. At the time of the 2001 Census, it was the 9th largest SW town or city, with population of around 90,000.

	Population (000s)	Area (sq km)	Persons per sq km
B&NES	178.3	346	515
Former Avon Area	1,055.9	1,327	796
South West Region	5,178.0	23,837	217
England	51,092.0	160,281	392

ONS Mid Year Estimates 2007 / ONS Census 2001 Urban area Data

Economic activity currently stands at 77.3%

B&NES has an unemployment rate of just 2%, less than half the national average

According to the 2011 Census in B&NES 2.7% of households with dependent children had no adult in employment; this is significantly lower than the South West and England.

Local skills levels are high, with over 45% educated to NVQ4+ level

The majority of economic inactivity comes from the very high numbers of students in the authority

Accessibility of work/transport issues remain a priority issue in B&NES

2% Unemployment

17% Self-employment

77% Economic Activity

Obesity is a major factor in the development of many diseases and the recent increase in the population is striking and alarming.

- Over half of adults (55.7%) in B&NES are estimated to be overweight or obese, although this is significantly lower than regional and national figures.
- Rates of recorded obesity are rising in adults in B&NES, but are lower than national rates.
- Around 1 in 4 (23.2%) Reception aged children (4 to 5 years old) in B&NES are an unhealthy weight, i.e. either overweight or obese. Around 1 in 11 (8.9%) Reception aged children in B&NES are obese.
- Around 3 in 10 (29.5%) Year 6 aged children (10 to 11 years old) in B&NES are an unhealthy weight, i.e. either overweight or obese. Around 1 in 6 (16.0%) Year 6 aged children in B&NES are obese.
- Trends in childhood unhealthy weight - including overweight and obesity - have been relatively static since the national measurement programme began in 2006/07, i.e. there has been no long-term significant upward or downward shift.

These accords with national findings that demonstrate prevalence rates of overweight and obesity may have stabilised between 2004 and 2013.

- Age is a significant factor in the levels of obesity among children in B&NES, i.e. increasing with age. Deprivation and ethnicity are significant factors in the level of obesity among Year 6 aged children in B&NES.
- Parental obesity is a significant risk factor for childhood obesity. Therefore, areas with high levels of childhood unhealthy weight and obesity are also likely to have more adult obesity.

Further Information defining the profile of Bath and North East Somerset:

Population

<http://www.bathnes.gov.uk/services/your-council-and-democracy/local-research-and-statistics/wiki/population>

Economy

<http://www.bathnes.gov.uk/services/your-council-and-democracy/local-research-and-statistics/wiki/employment-and-economic>

Socio-economic inequality

<http://www.bathnes.gov.uk/services/your-council-and-democracy/local-research-and-statistics/wiki/socio-economic-inequality>

Healthy Weight

<http://www.bathnes.gov.uk/services/your-council-and-democracy/local-research-and-statistics/wiki/obesity>

Organisational Structure

There is a cabinet of councillors appointed by the Council. This cabinet is responsible for making all the Executive decisions required at member level. These decisions may be made collectively or individually by the cabinet Councillors. Executive decisions are those that are concerned with implementing major policies agreed by the Council and setting new service policies. The Council also appoints a councillor to be the Leader of the Council.

The cabinet comprises of 7 elected members

The cabinet office member with responsibility for Service Delivery and Public Protection & Health Improvement Services is Cllr David Dixon whose principal functions include:

Planning; Transportation & Highways; Environmental Services (inc Waste, Public Realm, Public Protection, Environmental Protection & Health Improvement); Customer Services.

The Council has delegated responsibility for the operational management of Food Law Enforcement to the Group Manager for Public Protection and Health Improvement via the Divisional Director – Environmental Services, together with a wide range of other duties and responsibilities including that of “Proper Officer” for Infectious disease control purposes. She is supported in this by the Education and Enforcement Manager. Day to day responsibility for

Food Standards/Animal Health matters and the enforcement of Food Hygiene and related matters is the responsibility of the Education and Enforcement Team Leaders. Arrangements for specialist services in support of the function are provided by the appointed Public Analyst, and by the Regional Public Health England Laboratory based in Bristol. The function of “Medical Advisor” to the Council to support the “Proper Officer” function is delegated to the “Consultants in Communicable Disease Control” appointed by the Public Health England South West Northern Hub Health Protection Unit.

An organisational chart is shown at **Appendix 1**.

Scope of the Food Law Enforcement Service

- *With respect to food businesses, the Service is involved with the following activities:-*
 - The maintenance of an up-to-date register of all food businesses within the authority.
 - The use of local intelligence and the inspection programme to identify new food businesses, change of use, or change of ownership
 - The inspection of food premises on a risk based rolling programme within the planned period, including alternative interventions and investigative visits relating to service requests in line with the “Food Law, Code of Practice”. Priority being placed on high risk businesses, new businesses, and businesses serving vulnerable groups.
 - The administration of the national Food Hygiene Rating System.
 - The Identification of premises processing, handling and storing meat products and preparations, dairy, fish and/or egg products and action to ensure they are approved as appropriate.
 - To operate as Primary Authority
- *With respect to the safety of food, the Service provides the following activities:-*
 - The investigation and resolution of all serious food product complaints.
 - The receipt and response to all food alerts.
 - The investigation of all food suspected of being contaminated and action where necessary.
 - The general surveillance associated with the movement of unfit food into and out of the area, including meat from animals, which have been illegally slaughtered.
 - The investigation of all cases and outbreaks of food and water related illness.
 - The random sampling of food to ensure it is safe to eat
- *With respect to food standards and animal health the Service provides the following activities:*
 - The investigation of complaints.
 - The inspection of prioritised premises for compliance with food standards and animal health and welfare legislation
 - The investigation of notifiable animal diseases and zoonosis.
 - The provision of business advice as required.
 - The sampling of food and animal feeds for adulteration and compliance with labelling requirements.
- *With respect to food safety and healthy eating promotion the Service provides the following activities:-*

- Alongside our partners in Sirona Care & Health deliver on behalf of our Public Health Department the “Eat Out Eat Well” nutritional award scheme.
- The effective and timely provision of advice and assistance to businesses and consumers on food related issues. This is delivered through the prioritisation of new businesses, and the use of general and targeted promotional literature, officer contact, and promotional/educational events.
- To organise the Council’s contribution to the annual food safety campaigns sponsored by the Food Standards Agency.
- Provision of Health Promotion expertise to re-enforce the statutory functions of public protection and support other directorates in delivering a health improvement agenda.
- Production and maintenance of literature and resources on Health Promotion Issues..
- Deliver “Mission Possible” – A food safety project for year 5 and 6 primary children. Target 10 local schools, circa 200 pupils.
- Deliver Child-minder food safety training, in conjunction with unintentional injury reduction 3 times in the year.
- Raise awareness and improve legal compliance in relation to food allergens and food sensitivities.

In respect of enforcement, the Service takes the following approach:-

To take consistent and fair enforcement action in line with the staged approach contained within the Public Protection’s Enforcement Policy.

Demands on the Food Law Enforcement Service.

As at 1st April 2015 the Public Protection team maintains a database in respect of Food Safety and Standards. The database includes a total of 1949 food premises + 572 farms for which the Council is the Enforcing Authority. A breakdown of these premises according to the Code of Practice risk category is shown in Table 1.

The number and types of feed premises and their risk rating for food standards are shown at Table 2.

Table 1

Food premises profile as at 28 January 2015

Total no food businesses	
Nature of business	Number
School/college	138
Mobile food unit	79
Take-away	117
Smaller retailers	147
Caring establishment	135
Primary producers	5

Total no food businesses	
Nature of business	Number
Restaurants and caterers (other)	489
Retailers (others)	118
Pub or club	177
Manufacturers and packers	62
Distributors/transporters	24
Importers/exporters (EU)	3
Restaurant/cafe/canteen	335
Supermarket/hypermarket	47
Hotel/guest house	145
Total	2021

Total number of Premises	Nature of Business	Significance
Approved Premises: 10	Meat, fish and dairy product producers	Fish: 1 Dairy: 4 Meat: 2 Eggs: 1 Cold store: 1 Re-packer of frozen fish: 1

Table 2

Feeding Stuffs premises profile as 17/05/2015

Nature of Premises	A	B	C	Unrated	Total
Compound Feed Manufacturers	1	0	0	0	1
On-Farm Mixers	0	31	0	0	31
Importers of Feed materials	0	11	0	0	11
Wholesalers/retailers of Feeds	0	28	0	0	28
Wholesalers/retailers of Pet Foods					

There are currently 2021 registered food businesses in Bath and NE Somerset Council, an increase of 3.69% over 2014. Of these 10 are approved premises under E.U. 583 approved to trade unrestricted across the European Union and to which the regulation falls to the Local Authority

There are five hospitals in the area, four of which come under the responsibility of local NHS Healthcare Trusts and one which is privately run. Each of these hospitals is regarded as High Risk food premises; a consequence of their vulnerable clients and the catering methods.

In a normal year a range of events are held throughout the year which features a large number and variety of mobile caterers the majority of which originate from outside the authority. To ensure visitors are served with safe food all mobile caterers receive an inspection by the Food Safety Team or the Home Authority for the mobile is contacted to confirm the business is registered and fully compliant with the law.

The Service also investigates complaints regarding food standards and food hygiene, and investigates cases and outbreaks of food related illness as notified by medical practitioners and Public Health England's Regional Microbiology Network (PHE RMN) – Local Microbiological Laboratories resulting from their testing activities.

Service Delivery Points

Public Protection recognises that as a front line service, providing our customers with easy access is an important part of the Service's customer centred strategy. Over 60% of our Food Safety service requests are by telephone. All first time contact calls are received by business support staff or by the Council's Call Centre – Council Connect based at the Public Protection Offices at Lewis House Manvers Street, Bath, BA1 1HG, in addition the Consumer Direct Call Centre refer a number of complaints through to the team. They are recorded on the Service Request Database and forwarded to a named officer as appropriate. The office is open to receive telephone calls between 08:30 – 17:00 Monday to Friday (16:30 on Fridays).

There is a 24 hour emergency call out for serious outbreaks of food borne disease or major incidents.

Upon receipt of any on-line service request, the customer will be contacted and their request dealt with.

Service requests received (by reception type)(2013/14)

Reception type	Number
Telephone	406
Electronic Mail	320
<i>Not recorded</i>	15
Officer/Member of staff	13
Letter	9
Reception	8
Emergency/Out of Hours	6
On Site	4
Council Connect	3
Referrals - Others (PH only)	1
Online submission	1
Facsimile	1

Enforcement Policy

The primary function of the Food Service within B&NES is to safeguard public health. It aims to achieve this through staged, fair, consistent and practical enforcement of Food Safety legislation. These principles are embedded in the Regulators Compliance Code. The full text can be found at <https://www.gov.uk/government/publications/regulators-code> In line with the Compliance Code, Public Protection Services has developed an enforcement policy, which gives a clear statement of enforcement action and the appeals procedure. The Enforcement Policy is published on the Bath & North East Somerset Website, www.bathnes.org.uk

Business Support Model of Enforcement

The staged enforcement approach recognises that most "Food Businesses Operators" wish to comply with the law without unnecessary difficulty or complication and for this reason an educational approach to routine interventions and addressing non-compliance proves both effective and efficient. Priority is given to supporting new businesses as this promotes diversity and competition amongst food businesses contributing to the local economy. To this same end, for those businesses that are found to have declining standards, an office based "business support remediation" intervention has been introduced as an additional intermediate informal stage preceding litigation. Owners and managers of a poor business are invited in to a B&NES office to draw up an action plan to combat non-compliance, re-orientate management, promote investment and institute proper controls, and thereby avoid costly prosecution.

The Bath Chronicle
80p Thursday March 1 2012
CELEBRATING 250 YEARS OF SERVICE TO OUR CITY
www.thisisbath.co.uk

Eat out for half the cost at selected restaurants Full details on page 26

Win tickets to see Bath take on Leicester See Sport for details

Taliban victim loses pub over filthy kitchen

Running the Bath Half for the little boy who will never walk

Siobhan Prideaux
s.prideaux@bathchron.co.uk

A pub landlord has blamed post-traumatic stress disorder brought on by an ordeal at the hands of the Taliban in Afghanistan for the filthy state of its kitchen.

One of the Bath area's oldest pubs, the Packhorse Inn in South Stoke, was put up for sale after council officers found a shocking three-year catalogue of failings as they battled to raise standards of cleanliness.

During that time they discovered dead rat and mouse droppings, rodent infestation in flour, broken windows, that a dog had urinated on the kitchen floor and found mouldy rotten food in the fridges.

Manager Stephen Peart, who took over the business in 2006, has blamed his experiences as an aid worker in some of the remotest parts of the world – including Afghanistan, where he was held by the then ruling Taliban – for his repeated failure to tackle the problems.

This week at Bath Magistrates Court, the 43-year-old, who is now filing for bankruptcy, pleaded guilty to ten charges under the Food Hygiene Regulations and was given an indefinite ban from working with food.

Sophie Williams, standards officer, Robin Wood, representing Bath and North East Somerset Council, told the court the problems had first become apparent when the pub was given a routine inspection in May 2008.

This was carried out by a council worker on behalf of the authority and although they had a number of concerns about standards at the pub, these were not followed up.

More visits occurred in 2010, when problems with cleanliness and hygiene were highlighted but it was not until a temporary chef, who had worked in the kitchen while someone was away, made a formal complaint to the council in July last year that a serious investigation began.

He complained that the fridge contained grey-col-

Stephen Peart

DIFFICULT TIME: Stephen Peart when he took over the pub

■ Continued on page 2

Service Delivery

Annual Work-plan

The annual Work-plan for 2015/16 is shown as **Appendix 3 & 4**, this plan shows how the work of the food safety team of to be delivered through the year.

Food Premises Inspections

Public Protection's food premises database is maintained on a computer software package named "IDOX UNIform". For 2015/2016 the number of food hygiene inspections due is shown in Appendix 3

In addition to the above and based on the figures from 2011-2014, around 250 new business premises will need to be addressed. "Unrated" premises are those which are newly opened and therefore are not part of the rolling food hygiene inspection programme until they have been inspected and risk rated. Many new businesses open with a willingness to engage with regulators and for them the "business support" model is perfect. Some, less willing, open without prior registration and these require local knowledge, vigilance and intelligence gathering by the food team to identify. All new food businesses are given a high priority inspection to ensure standards of hygiene are satisfactory from the outset, thus avoiding more costly remedial interventions at a later date. Supporting local businesses is directly linked to Corporate Priorities, so providing education and advice at an early stage is a key Service Objective as well as being an efficient and economic method of promoting compliance.

Priority of intervention

Approved premises and premises within the A, B, and non-compliant C categories include food premises such as food manufacturers, restaurants, take-ways, cafes, public houses serving meals, nursing and residential care homes, schools, bakeries, butchers, supermarkets, hospitals, nurseries and mobile caterers. These will be classed as high risk and will be scheduled for physical inspection during the coming year. New businesses will be also prioritised and inspected unless the nature of the business is inherently low risk.

Compliant C, D and E risk rated premises, include bed and breakfast hotels, grocers, guest houses, clubs, garages selling food and other retail outlets such as sweet shops and newsagents, will be considered "Low Risk" and subject to a range alternative forms of enforcement determined and driven by intelligence gathering. Many of these businesses have received physical inspection in the past and have proven to be of low risk, therefore office interventions such as telephone surveys or verifying business details may negate the need for physical inspections if no significant factors have changed. Self-certification, postal questionnaires, telephone questionnaires and sampling visits might be appropriate to address any of the other businesses on the categorised as low risk.

Partial inspections are appropriate intervention for high risk business if the officer wishes to focus upon specific aspects of the business having checked that our existing knowledge and satisfaction with other business activities are confirmed by brief review. Focus on partial inspection are unlikely to save sufficient time to increase the number of visits an officer can achieve but would allow time to concentrate on factors within the business which must be addressed.

Service requests are prioritised as important and urgent.

Service requests received

Between 01/04/2013 and 31/03/2014

Service request type	Number		
Accumulations	2	Planning Application List	5
Chemical contamination	3	Primary Authority activity	34
Consultation on licensing application	6	Registration	22
Eat Out Eat Well activity	4	Safer Food Better Business advice	8
Extraneous matter (foreign body)	5	Sampling	4
Food alerts	19	Special Events	30
Food hygiene rating activity	45	Student	3
Food related illness	34	Total requests received	787
Freedom of Information Act	31		
H & S (catering, restaurants and bars)	1		
H & S (residential care homes)	1		
Health Promotion Education	1		
Hygiene	103		
Hygiene - handling procedures	3		
Hygiene - other	1		
Hygiene - temperature requirements	2		
Hygiene Advice	149		
Hygiene-conditions of premises/equipment	14		
Land Charge (Food Team)	22		
Miscellaneous Food Complaint	90		
Mouldy_incl. micro biological contamin.	1		
New premises advice	140		
Odour/Fumes	1		
Out of condition	1		
Out of date	2		
Planning Application List	5		

The Food Safety team has set a target of 100% for its high risk food safety interventions programme this year, either as full inspections, focused partial inspections or alternative interventions. The food safety inspection work-plan for 2015/2016 is shown as Appendix 4. This work-plan also demonstrates the emphasis placed on business support, especially through our staged enforcement approach, and priority given to new businesses, and businesses serving vulnerable groups.

In 2013/14, 119 food premises required a follow up visit to check on works necessary to achieve compliance with food legislation. This has grown to 180 follow up visits in 2014/15 (ref date = 3 March 2015). It is predictable from experience to date, that business led demand for revisits will grow this year as awareness grows in the public domain of the national Food Hygiene Rating System which was launched in B&NES in February 2013. It is clear that the introduction of a very visible food hygiene rating window sticker has created business competition and motivated drive in business to improve. Assisting businesses to achieve recognition for improvement fits with the Public Protection Business support model and therefore these requests will receive priority.

It is already apparent the door stickers are particularly effective and there is growing business led demand for rescoring visits to achieve higher scores.

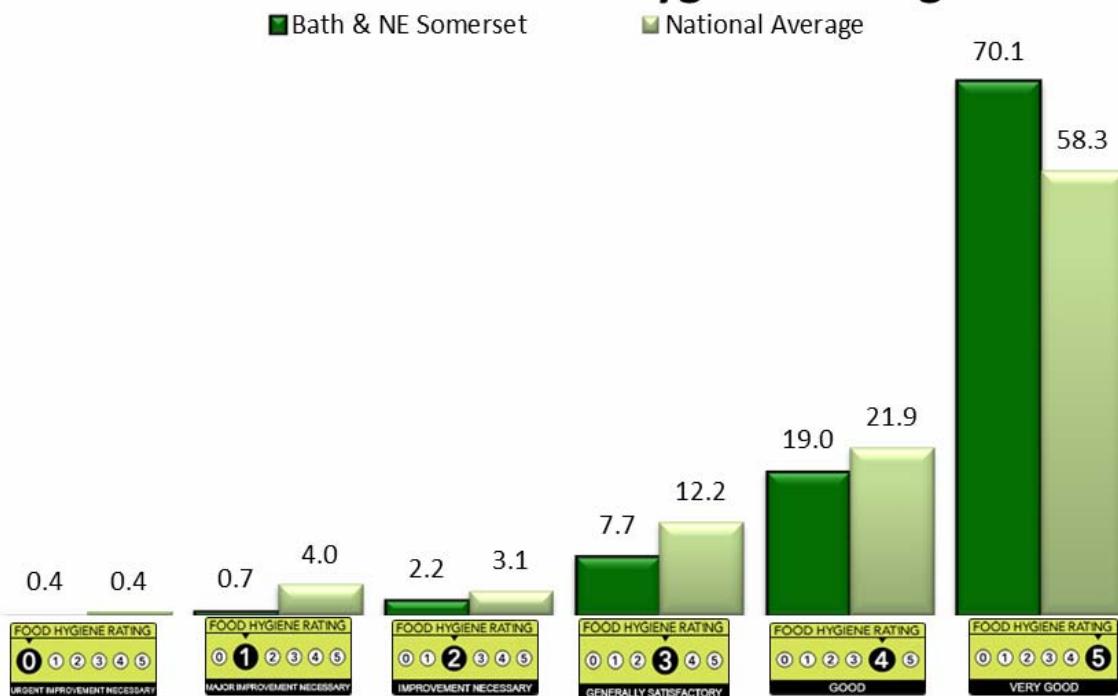
Environmental Health and Food Safety Officers use 8 separate criteria to assess the risk rating of a food business, the NFHS uses 3 of these to derive the Food Hygiene rating for display.

Ratings are published on the B&NES website www.bathnes.gov.uk/foodhygienrating and the Food Standards Agency's website at www.food.gov.uk/ratings.

At time of publication (ref date = 3 March 2015) the Food Hygiene Ratings profile of B&NES Council was:

FHRS rating	Number	%
0	6	0.4
1	11	0.7
2	34	2.2
3	122	7.7
4	299	19.0
5	1104	70.1

Distribution of Food Hygiene Ratings



Profile of Food Hygiene Ratings in B&NES

Vulnerable Groups

The team will continue to work closely with B&NES catering services because of their provision of people who fall within vulnerable groups catering for the young and elderly.

Following the success of the child-minder workshops last year a further 2 were arranged in May. The number of child-minders fluctuates so to keep abreast of the changes it has been agreed with Early Years to combine the food safety workshops with induction training for new child-minders. This enables the food team to engage with up to 20 child-minders per induction session which take place in various locations across the Authority 3 times a year. The sessions have been so successful that Early Years have decided to designate a whole session specifically to the food team rather than sharing a session.

Food Standards Inspection Programme

To align with the Council's Strategic Priorities our work programme, enforcement approach and operational ethic all focus upon our customers and prioritise: businesses serving vulnerable groups, and supporting local businesses to succeed and achieve compliance

All premises identified as having a food standards elements are individually risk assessed using Local Government Regulation, formally "LACORS" (Local Authority Co-ordinating Body on Regulatory Services), guidelines and are identified as being either High, Medium or Low risk. The numbers below are based on this current system. Low risk premises are not considered a priority. The risking system is due to change to the NTSB (National Trading Standards Board) scheme in 2015/16 which should result in similar numbers of inspections due.

The programmed work for 2015/16 is as follows:

Food Standards visits due in 2015/16 and the inspection targets	
Risk	Due 2015/16
High	31
Medium	425
Low	1391

Un-rated premises are those which have an inspectable element for food standards, but have yet to receive a risk assessment visit. In order to ensure that premises with a potential for problems are identified, all un-rated premises are treated as high risk and will therefore be visited during the year. Additional un-rated premises will also be incorporated into the inspection plan during the course of the year.

Feeding Stuffs Premises Inspection Programme

All premises identified as having an animal feeding stuff element are individually risk assessed using the LACORS guidelines and are graded as either High, Medium or Low risk.

The numbers below are based on this current system. The risking system is due to change to the NTSB (National Trading Standards Board) scheme in 2015/16 which should result in similar numbers of inspections due. The NTSB risking scheme also takes into account earned recognition status which is for farms and businesses that are farm assurance scheme members or have a previous history of very high compliance. These businesses will not need to be visited as frequently as currently undertaken. There are 101 feed registered premises currently and a 5 year plan is in place to ensure all farms are registered accurately and we will visit a selection of these unregistered premises as part of our work. The FSA are providing funding for 37 feed visits in 2015/16 and these remain the priority.

The programmed work for 2015/2016 is as follows:

Animal Feeding Stuff visits funded by the FSA in 2015/16	
Risk	Due 2015/16
High	4
Medium	33
Low	-

Food Complaints (Foreign Bodies and Microbiological)

The food safety team operates a complaints procedure which was developed with the intention of directing resources to those complaints which after an initial assessment of the complaint, pose a significant Public Health Risk, e.g. glass fragments/metal swarf in food and suspected food poisoning associated with consumption of food. On the other hand where it is clear there are no public health concerns, e.g. the presence of psocids in flour, struvite crystals in tinned salmon, salt crystals in soy sauce, cod worms etc, which are naturally associated with the food product, then no investigation is required and customers are provided with relevant advice and information.

Where a food complaint is considered to be of low health significance such as in the case of an innocuous foreign object, or where it is immediately obvious that a foreign object may have found its way into the food after sale and where there is no prospect of proving the case, the customer is advised that formal action is unlikely to succeed and that they may receive a quicker and more effective response by returning the item to the shop where it was purchased.

In 2013/14 the Health Safety and Food Safety Team investigated 152 food complaints.

In addition, the Food Safety Team dealt with 635 other requests for service relating to food premises, which included complaints concerning food preparation, cleanliness food handlers etc

So far in 2014/15 (ref date = 3 March 2015) the Health Safety and Food Safety Team have investigated 124 food complaints.

In addition, the Food Safety Team have dealt with 581 other requests for service relating to food premises, which included complaints concerning food preparation, cleanliness food handlers etc

Food Complaints (Food Standards issues)

Last year the Trading Standards Team received 11 Food Standards complaints (excluding requests for guidance from businesses). We can expect to receive approximately the same amount, which require investigation in accordance with our quality procedures. It is unknown how many will result in enforcement action.

Primary Authority/Home Authority Principle

Public Protection have always been committed to the original Home Authority Principle and abide by the LGR guidelines, which means where a national chain of food outlets is associated with a particular premise, any queries regarding interpretation of food based legislation or compliance are referred to the nominated home authority for that business. In order to achieve consistency of enforcement the authority will have regard to any information or advice received from liaison with a Home Authority.

On the 6 April 2009 this principle became enshrined in law as the Primary Authority Scheme. This is a legal partnership between a business, charity or other organisation and an enforcement authority. The business has to have outlets in other authorities, or have customers in other authorities if it is a distance selling business, manufacturer/importer, tour operator etc. Such a business can nominate a local authority to be its Primary Authority. This does not need to be the local authority in which it is based. A nominated authority does not need to accept the role. Where it does, the Primary Authority can act on one or more of the following roles Health Safety, Food Hygiene or Trading Standards – how many of these is up to the Primary Authority and the business to negotiate. The potential impact on resources and provision in B&NES is likely to be significant, but as yet, in the absence of any draft agreements, unknown.

The role of the Primary Authority is to be the principal source of advice and guidance to the business. In addition it, to an extent, co-ordinates and oversees enforcement action (including inspections) carried out by other Authorities. This is in part carried out via the Better Regulation Delivery Office - BRDO secure website.

B&NES is currently primary authority for the “Jamie’s Italian” Group and is in negotiation with two other companies. B&NES remains receptive to requests to consider a Primary Authority Partnership. Such arrangements generate income proportionate to the work activity and pay dividends in supporting expertise and staff development, but setting up such partnerships will have a significant impact upon staffing resources 2015/16.

Advice to Businesses

The Food Team receive enquiries from food business proprietors, both potential and existing, to provide information on food safety/standards matters. Last year (2013/14) the Food Safety Team undertook 444 advice activities and the Trading Standards Team 153. However, members of both teams will give advice on a daily basis at the point of service delivery during programmed visits and on an informal basis in response to telephone enquiries.

Food and Feeding Stuffs Inspection and Sampling

a) The Authority routinely submits samples to the Public and Agricultural Analyst as a consequence of sampling programmes and complaints. During 2014/15 14 samples were submitted for food standards analysis and 4 Animal Feeding Stuff samples for compositional requirements.

Programmed sampling surveys completed in 2014/15 included:

- Imported herbs tested for pesticide residue
- Meat speciation tested for substitution
- Allergens in loose food (peanut flour in takeaways)
- Body building products tested for medicinal substances not permitted in food and substances unfit for human consumption

It is anticipated that 52 survey samples will be submitted for food standards analysis during 2015/16. A detailed sampling programme has been created and is appended to this plan.

b) For food safety, the Authority submits samples, as a result of complaints, to either the PHE RMN (Public Health England Regional Microbiological Network) or to the Public Analyst. Last year 56 food samples were submitted to the HPA RMN for microbiological analysis. Most of these food samples were submitted for analysis as a result of complaints of food-borne illness.

Control and Investigation of Outbreaks and Food Related Infectious Disease

The Authority recognises the importance of notifications of food related illness as a potential means of identifying instances where food which is contaminated has been consumed, enabling appropriate action to be taken. However, it is acknowledged that in practice, the delay between the onset of illness and notification to the Authority is a significant factor that undermines the significance and effectiveness of investigation. Nevertheless the Service will investigate incidents and outbreaks of food related illness where it is likely to lead to a meaningful conclusion, with some public health benefit.

Notifications of food related illness		
YEAR	Total Notified Cases	Full Investigation Required
2007/08	181	33
2008/09	295	89
2009/10	305	63
2010/11	311	56
2011/12	330	66
2012/13	358	63
2013/14	297	27

Infectious disease notifications

Between 01/04/2013 and 31/03/2014

Disease type	Number
Campylobacter	229
Cryptosporidium	12
Dysentery Amoebic	2
Dysentery Bacillary (Shigella)	7
E.COLI 0157	4
Escherichia Coli Enteritis	1
Gastroenteritis Virus & Unknown Aetiology	2
Giardia	17
Legionnaire's Disease	1
Listeriosis	2
Paratyphoid	1
Salmonella	17
Scarlet Fever	1
Typhoid	1
Total number of notifications	257

B&NES maintains a close liaison with the Public Health England (PHE). Where an outbreak situation develops the "Outbreak Control Plan" developed jointly by the Authority and the Health Authority is put into action and overseen by the Area Consultant in Communicable Disease Control (CCDC). The team offer support and guidance to the families affected to ensure there is no further spread into the community or within the family home. Where the infection poses a significant risk, detailed investigations are undertaken in association with the PHE to identify any possible sources of infection and where necessary ensure those infected do not pose a risk to others.

The Priorities in Infectious Disease Control:

1. To protect any likely victims by contacting them without delay to warn them of potential harm and empower them to avoid the worst effects.
2. To prevent spread locally and nationally by investigating the likely source mitigating it and tracing its dissemination.
3. To secure evidence and prosecute where possible.

The tables below gives details of food related illness notifications in recent years in terms of total numbers and broken down into types of infection

Food Safety Incidents

The Authority recognises its role in responding appropriately to Food Alerts issued by the Food Standards Agency and those incidents in B&NES that require action in line with the

authorities enforcement responsibilities are notified in an appropriate manner. The team have a dedicated mailbox to receive Food Alerts and other emergency communications from the Food Standards Agency.

A documented procedure is in place, which relates specifically to Food Alerts and last year B&NES received 19 of these, 3 of which required action to be taken.

Liaison with other organisations

The Public Protection Team has arrangements in place to ensure action taken in the B&NES area is consistent with those of neighbouring Local Authorities and that the Team is up to date on current information and initiatives, including:-

- a) Liaising with and assisting the Food Standards Agency, DEFRA and other government departments.
- b) Attending Food Standards Agency briefings and update seminars.
- c) Attending Chartered Institute of Environmental Health approved training courses
- d) Attending professional and core competency training events, seminars and other relevant professional meetings.
- e) Participation in South West of England Regional Coordinators of Trading Standards (SWERCOTS) and SWERCOTS organised training.
- f) Inter-authority audits and drafting of new joint procedures with those Authorities
- g) Regular liaison and partnership working with representatives from the Health Protection Agency and the office of the Director of Public Health

Formal and informal arrangements with other key service providers within the authority including the Licensing team, Planning and BC Services, in relation to change of use of premises and structural alterations; and Ofsted and the Care Quality Commission (CQC) for information exchange relating to Residential Care Homes, Nursing Homes, Nurseries and Child-minders; Catering Services in relation to food safety issues in premises under their control. All of these help to maintain an effective up-to-date database and add to the intelligence used in setting priorities and informing activities.

The Service also acts as an advisor to other Services within the Council on all matters relating to food safety.

Reducing the Risk of Escherichia coli Infections

In March 2009 the Report of the Public Inquiry into the 2005 outbreak of E.coli 0157 food poisoning in South Wales was published (known as the Pennington Report).

157 children were ill and one child died as a result of this outbreak which was linked to a butcher supplying meat for school meals. Criticism and recommendations regarding food safety practices, food hygiene inspections, procurement and other key issues were contained in the report. Some points were aimed at the business but others required action by the Food Standards Agency and Local Authorities.

The subsequent inquest into the tragic death of Mason Jones led to further guidance for all businesses dealing with raw and cooked foods on the same premises being issued. For many businesses in this sector the new guidance will require considerable adjustment of practices and expense. This E.coli guidance is being constantly updated making advice to businesses more demanding and inspections more complex.

Food Safety and Standards Promotion

B&NES view awareness raising, transparency of enforcement activity, the provision of information and guidance to customers, be they local business or member of the public, as a priority. The resource of the Food Team is of course finite and although there is ambition to complete the series of projects listed in **Appendix 4** this aspiration may be compromised by the conflicting demands of the prioritised programme of inspections and the reactive workload, especially as the impact of introducing the national Food Hygiene Rating Scheme materialises. Equally some of the projects have temporal criteria and may fit with periods of lower reactive demand allowing them to leapfrog projects of potentially greater importance.



Resources

Staff Development

Training needs are identified in a number of ways. B&NES recognise the need to support professional officers achieve their continuous professional development (CPD) quota. It is also important in the annual appraisals to understand the personal development requirements of individual officers. To identify the needs of the service a training matrix has been developed (Appendix 7), these 3 factors together with the training which is put on locally and nationally in response to emerging issues forms the basis for a programme of training for the team in the coming year.

Regular documented 1-1s are held with all staff. The Service as a whole is also developing an annual Training and Development Plan. Each officer receives training in food related matters of at least 10 hours per year, in order to fulfil the Continuous Professional Development (CPD) requirement set out in the Code of Practice. Additional CPD may be required to fulfil professional competencies (20 or 30 hrs pa) internal training and updates are also provided as and when required. All such training is monitored and logged in individual Staff records.

Professional Development

Public protection services have a history of supporting students who are in the early stages of their career. In 2014 PPHI was able to offer an internship to an Environmental Health Graduate, who was able to contribute to the Food Teams output as well as gain work experience and build their Professional Portfolio in all aspects of Environmental Health.

Quality assessment

SWERCOTS has a three year inter-authority audit programme incorporating all of the enforcement authorities in the South West of England. A full audit of B&NES food standards and safety system following the FSA protocols was completed in January 2012,

FSA auditors visited B&NES in May 2013 to follow up the 2007 Standards audit. It is expected that this process will be signed off on completion of the Inter Authority Audit Action Plan

Monitoring

Monitoring of the work plan outlined in Appendix 4 and team performance is carried out on a monthly basis and reported back to the team meetings and individual 1-1 interviews.

Consistency

Consistency of enforcement is also achieved through:

- Training, which is reviewed through the PDR and 1:1 processes with the aid of the training matrix .(Appendix 7) which highlights the team's training requirements
- Regular monthly team meetings, where judgements and new guidance is fully discussed.
- Staged enforcement, the integrated team approach to escalating enforcement actions means senior and principal EHO's become involved in cases as they reach higher levels of enforcement action; for instance, outbreaks, service of notice, business support meetings, and court proceedings. All of these require review of preceding actions which promotes and ensures greater consistency of approach.

Equalities

BANES council as attained "Level Three, Achieving Council" status with regard to equalities, and Public Protection services are at the forefront of this initiative.

Food Hygiene & Standards Enforcement

	(FTE)	Admin (FTE)
EHO/Food Hygiene Enforcement (FTE)	4.9	0.50
Food Standards Enforcement	2.4	0.50
Management (Safety and Standards)	1.05	0.1

There are 5 Environmental Health Officers (4.2 full time equivalent FTE) who are Environmental Health Officers Registration Board registered. Two of the Food Safety Officers (2.0 FTE) are Higher EHORB qualified to carry out high risk food hygiene inspections.

There are 2.5 Trading Standards Officers and 2.6 Enforcement Officers all of whom are appropriately qualified to carry out Food Standards Inspections providing the 2.4 FTE resources expended.

Public Protection Services has 1.5 FTE administrators dedicated to the Health & Safety, Food Safety and Trading Standards team. Approximately 1.0 FTE is expended on food related issues.

The Education and Enforcement Manager is accountable to the Group Manager of Public Protection and Health Improvement for the implementation of the Food Law Enforcement Service Plan.

For the purpose of the Food Law Code of Practice:

Kelvin Pearce Principal Environmental Health Officer 012250396348
kelvin_pearce@bathnes.gov.uk is designated lead officer for Food Safety.

Robin Wood Team Leader for Trading Standards and Health & Safety 01225 396752
robin_wood@bathnes.gov.uk is designated lead officer for Food Standards

Feeding stuffs Enforcement

The Animal Feeding Stuffs service is currently provided by a group consisting of 3 appropriately trained Officers from The Trading Standards Service who provide the 0.2 FTE resource requirements of the inspectional/sampling programme

Review against the Service Plan

Twice yearly the Public Protection Management Team will meet to discuss its overall business planning strategy and review the delivery plans (annual and half year review). Details of the planned regulatory programme for food safety are contained in the Food Team Work Plan **Appendix 3 & 4**. A redacted **Appendix 2** describes the team's proactive and reactive outputs of 2014/15

The Food safety team function was also subject to an Internal Audit in 2014. The report and subsequent Action Plan are included in Appendix

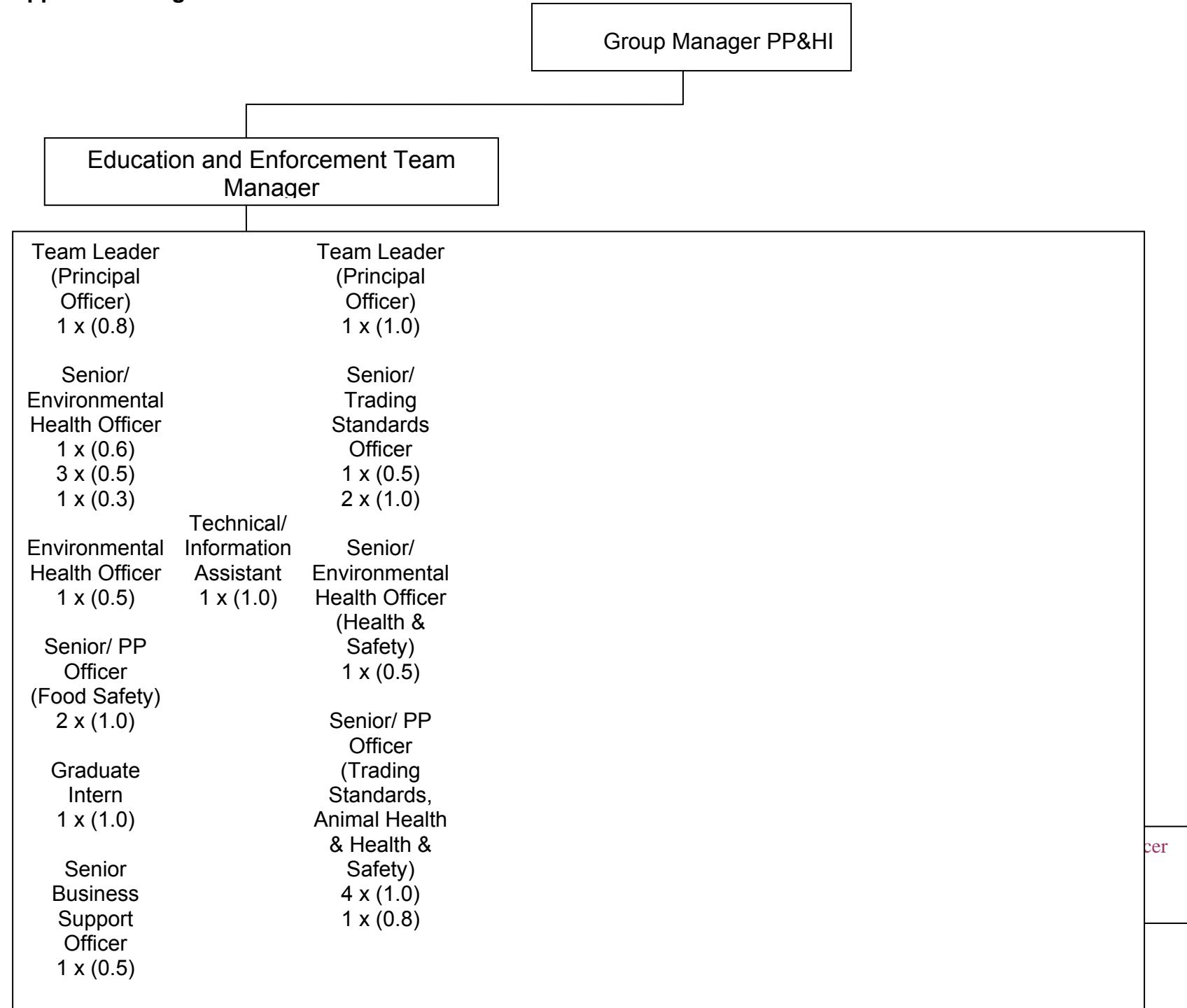
Areas of Improvement and Challenges

Address the area identified in the 2014 Internal Audit (Appendix 6).

Objectives for 2015/16:-

- Pursue the programme of work outlined in appendix 4
- Participate the Councils Change Programme particularly the Customer Service Transition
- Strengthen our joined response to Infectious Disease Control with HPA/Public Health England and Public Health partners
- Address any competency shortfall highlighted in training matrix

Appendix 1: Organisational Chart B&NES Public Protection Services

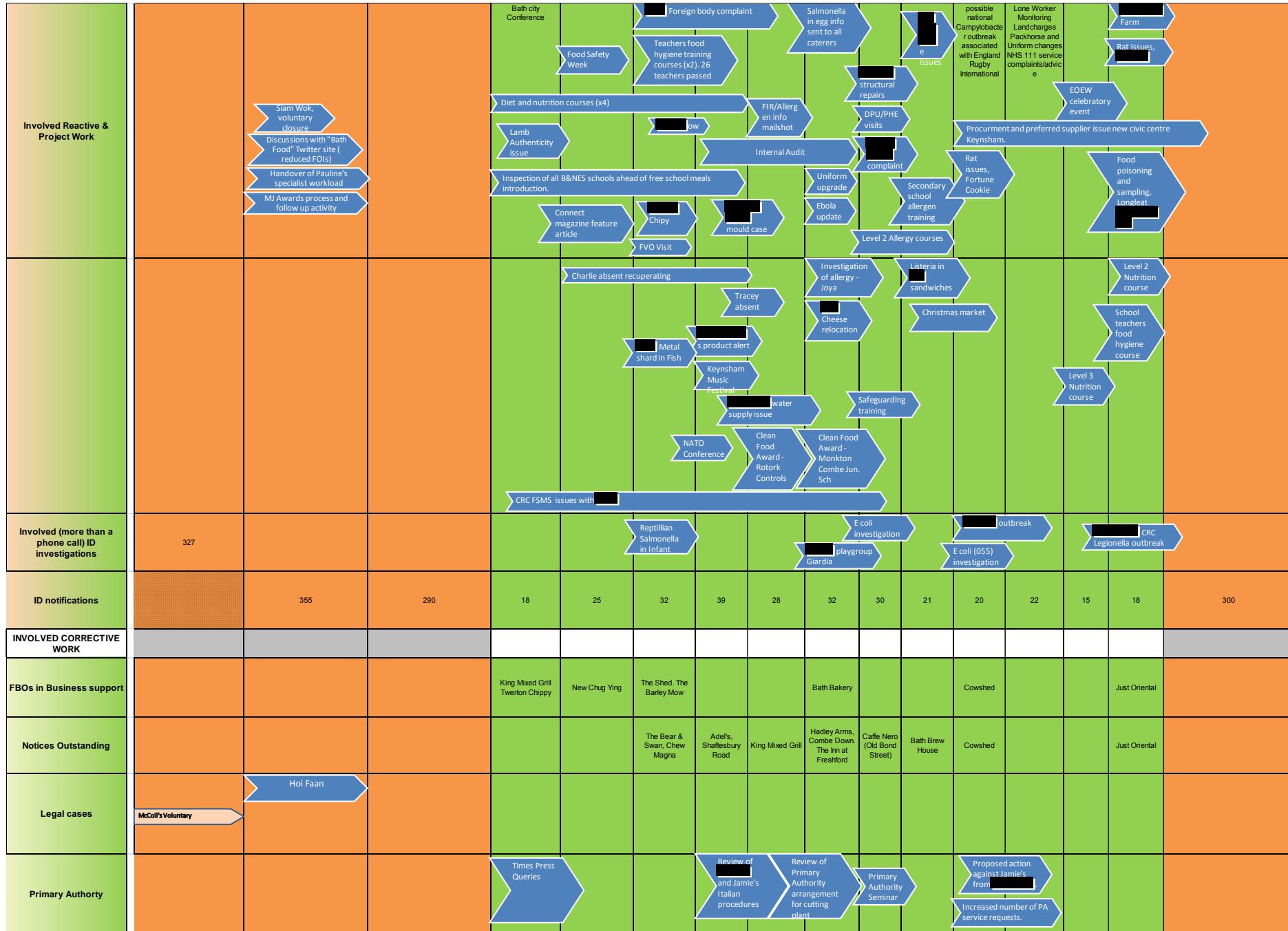


Appendix 2 Food Safety Team Work Plan 2014/2015

This document contains sensitive information.

Food Team Output – Forecast:

PROACTIVE WORK	Total 2011/12	Total 2012/13	Total 2013/14	April	May	June	July	August	September	October	November	December	January	February	March	Total 2014/15
High Risk Interventions Due	143	88	93	7	6	7	6	6	15	11	4	4	12	9	13	100
High Risk Interventions completed	114	113	91	1	3	2	3	1	7	6	14	1	3	13		54
New Businesses (estimate)	247	311	275	17	12	19	16	11	16	5	10	9	12	18	35	180
New Businesses Registering	311	275	180	35	28	15	29	19	20	24	13	8	19	23		233
New Businesses Inspections	198	217	173	20	20	15	19	21	19	8	12	7	20	7		168
Total number of high priority inspections due at start of month				68	95	107	105	111	121	124	130	122	133	136	139	
FHRS performance indicator				91.62641	91.58177	91.75411	91.78082	91.91579	91.89700	91.95186	91.87205	91.94751	91.84953	92.02512		
Approved Premises/ Specialist Premises																
Low Risk Interventions Due	477	642	671	57	39	59	45	38	48	52	31	34	51	46	56	556
Low Risk Interventions completed	337	330	538	104	46	31	23	36	39	36	42	28	56	32		473
Total number of low risk inspections due at start of month				563	477	485	493	507	517	521	512	499	507	488	495	
Sampling (estimate)																
Sampling (actual)	47	36	0													0
REACTIVE WORK																
Service Requests (estimate)	753	728	867	78	64	50	68	71	48	74	60	37	69	60	69	748
Service Requests (actual)	746	867	748	38	75	68	52	64	78	55	63	57	65	80		695



Appendix 3 Food Safety Team Programmed Work 2015/2016

Long Term Output = Pmax

Appendix 4 Food Safety Team Project Work 2015/2016

In addition to core functions such as proactive programme of High Priority inspections, Reactive Requests for service, Sampling Plan, FHRS the following represent other elements of the enforcement matrix. All are valuable high priority yet optional projects to pursue as resources or temporal issues dictate.

PROJECTS 2015/16	Outline & Rationale	Targets
Continued development and use of the "Business Support Model of Enforcement - Addressing "0" & "1" rated premises	Any business which is zero rated or one rated should either be in "business remediation" with set targets for improvement, be subject to hygiene improvement/prohibition Notices, or be under consideration for prosecution. In the current economic climate it can be expected that more businesses will fall into this category, with the consequent drain on resources. Prosecutions being particularly expensive in officer time	75% of Businesses going into "Business Support" improve their FHRS score over the subsequent two inspection, achieving sustained compliance
Food Hygiene Rating Scheme - Scoring low risk premises Pilot Charging for Re-scoring	The nFHRS is now established in B&NES and England as a whole, there is greater awareness amongst the public and in the media. The industry now value the award and it proves to be a potent motivator and tool for the enforcement officer. Business rated 4-Good may wish to be re-rated and upgraded before their next programmed inspection date. At the other end of the scale poorly rated premises, may wish to have improvements reflected in their published score sooner than the LA would programme another official control. For B&NES both these changes are desirable but not essential or a priority. However there is here the opportunity to examine the potential for charging for a FHRS rescore visit which would not be an official control, but instead requested by the FBO. An emerging issue is the number of low risk premises which desire a rating but fall outside our priority inspection programme. Without an intervention which "Crosses the threshold" of the business they cannot receive a FHRS Score.	
Food Information Regs,	Continue promotion and awareness raising of these new regulations, allied to staged enforcement. Offer Allegens training in response to demand.	
E.coli / Pennington	Education of food business operators regarding the risks of cross contamination by E.coli 0157 and actioning the recommendations issued following the Pennington report.	On-going education and enforcement during routine inspections. Particular attention given to butchers handling cooked and raw commodities.
Eat Out Eat Well	A critical addition to the strategy to promoting better nutrition and address obesity particularly in areas of deprivation in B&NES, the "Eat Out Eat Well" Award Scheme engages the commercial Food Sector of the local business community to promote the availability of healthier food choices when eating away from the home.	Continued funding has been provided by the Public Health to continue this valuable work which takes advantage of the Food Teams respectful relationship with local food businesses. The scheme is delivered through a Memorandum of Understanding between Sirona and ourselves. Examine potential to apply using primary authority partnerships and recharge for work outside B&NES
Low Risk Premises Backlog and applying FHRS	Food Businesses achieve a low risk rating because they deal in low risk foods or the standards are found to be so good they do not warrant frequent visits by enforcement officers. B&NES does not have sufficient officer resource to visit all food business which become due for inspection on our programme of inspection which is based on the food Law Code Of Practice. So priority is given to High Risk and New Businesses. To compensate for this, for over three years B&NES have used telephone surveys and partial inspections to address the increasingly overdue low risk list.. The introduction of the very visible FHRS has increased the need to get an up to date view of hygiene and risk in these businesses	Develop a strategy for identifying change in business practice and assessed risk:. Spot check visits. Review Telephone survey, Sampling interventions. Business forum and update days.
Approved Premises – Annual review/ confirmation of approval	Food Law Code of Practice requires that Food authorities develop an "intimate" knowledge of the activities of their Approved Premises. Yet these businesses in a dynamic may overlook updating the LA about changes in structure or product which may affect their approval.	In January 2016 introduce an annual review and renewal of approval. A logged intervention that will save officer time on inspection and improve communication with and knowledge of our Approved Premises
Primary Authority Relationships	Continue to provide first point of contact for the Jamie's Italian PA and support the new Supernutrients PA.	Realise any opportunity to engage other businesses and promote the benefit of a PA partnership with B&NES
Sampling and ATP	To ensure current skill amongst officers in sampling techniques as a contingency for outbreak/serious food safety incident, and to fulfil our obligations to assess imported food compliance and verify the sampling and cleaning regimes of approved premises.	

Core resources migration from 'S' drive to RIAMS	Review/update standard phases, notices, letters, legal paperwork, procedures etc and populate RIAMS to become the repository of this information	
Imported food	It is a fundamental principle of the EU that there is free movement of goods across boundaries. Consequently for food purportedly produced within the EU or imported into anywhere in the EU the only checks made on the safety or legitimacy of that food is that made by Local Authority Officers	Develop a risk based programme of sampling and labelling checks. Participate in Swercots sampling and other coordinated projects
E.coli on open farms	Aid duty holders of farms/animal attractions in preventing risk of E-coli 0157 and other diseases from their establishments	Visit all farms/animal attractions in area to ensure compliance with HSE guidance
Work with new child-minders and associated focus group	Continue to adopt an Alternative enforcement strategy in line with FSA guidance for child-minders	In partnership with Early Years provide training/workshops 3 times a year alongside the child-minder ICP training
Mission Possible	Use of the "secret agent" toolkit to raise consciousness of food safety and hand washing in key stage 2 schoolchildren.	8-10 classes per academic year
Ebola/Pandemic Flu Preparedness		
Mobile Working	Investigate the use of Tablets to assist mobile working	
Food Hygiene Award Review	The Food Hygiene Awards have been a considerable success and have proved very popular with the private sector. They are a great boost for aspiring food businesses and a valuable tool in improving standards in food businesses across the district. The Award criteria are due for review as they have been running for almost a decade (since 2003) and need to be synchronised in conjunction with the Food Standard Agency's Food Hygiene Rating Scheme, to ensure that the scheme is still a relevant and worthwhile standard.	Review Criteria and marketing by April 2016. Incorporate onto website
Web Redesign/ Continuing development of nFHRS	PPS is in first phase of CST with central support for transition. The public and business awareness of FHRS is growing and gaining acceptance. Opportunity to toggle other health initiatives onto our food safety statutory function and increase the value of our enforcement interventions. Aid our enforcement activity through greater transparency	To create a tabular web page structured around Food Safety interventions and FHRS, but with graphic illustrations of allied accreditations (Clean Food Award, Eat Well, Buy with confidence, Breast Aware, etc). Linked information on these initiatives. Food inspection reports and photos a possibility
Events - relationship with SAGE	To maintain a role in ensuring food safety and infection control issues are addressed during the planning of events. Maintain a role in the multidisciplinary group and advise on the safety of catering operations, sanitation and	
Student Recruitment & Development	To give an Environmental Health student opportunity to gain valuable experience for their learning portfolio/complete key project areas for Council debts.	Continue development system for yearly student recruitment. Coordinate general work experience requests
Nutrition courses	As a registered RSPH Training Centre deliver level 2 and level 3 training to support EOEW Awards and promote better nutritional standard in accordance the Public Health Framework 2013	
Private Water Supplies and PDS serving food businesses	Continue work with environmental Monitoring Officers to ensure these important areas are given priority and results communicated to the Food Team	
WoE FLG Partnership	Reform, Rename, Redirect the local Food Liaison Group to promote greater collaboration, consistency, shared competence and resource, mutual support to increase resilience, etc	To be defined by the Group
Secondary Schools Engagement	Develop emphasis on schools meeting the nutritional and food based standards	
Vulnerable consumers - Managing relationship with catering services	Liaison with Sirona and Catering Services regarding the safe and hygienic provision of food in outlets under their control. Participation in food hygiene training courses for food handlers employed within school and homes.	On-going involvement with managerial staff to ensure legal criteria are met and we are aware of changes within their service areas. Education of staff so they appreciate the role of enforcement officers.
Contribute to Communications Plan		Food Safety Week 2015 EOEW Press Releases Food Hygiene Award press releases Prosecution Press releases
Equalities	To ensure all new policies/procedures are fair and do not disadvantage any groups. Writing EIAs will highlight areas for improvement within the delivery of the procedure/policies	Ensure all new procedures/policies are EIA assessed. Existing EIAs to be reviewed yearly
Joint working with N.Somerset		
Deliver Food Safety Messages to Older Peoples Groups	Linked to Older persons safety initiative	4 a year
Intelligence/Database Maintenance,	Continuously updating the food hygiene register by programmed telephone surveys of low risk establishments, being alert to the advertisement or discovery of new food businesses. Review new business pack medium and distribution, link to other Council services	On-going.

Proposed Food Standards Sampling Plan 2015/16

Product	How much to sample	Where to sample	What to test for	When to sample	Officers
Free range and organic eggs	5	Independent butchers	Dioxins, furans and PCBs	May – July	
Minced meat	10	Independent butchers and local shops	Compositional standards and labelling	May – July	
Raw chicken products and preparations	10	Independent butchers and local shops	Added water not declared	May – July	
Ready to eat chips and French fries	10	Takeaways and restaurants	Presence of acrylamide	August - October	
Allergen “free from” claims	5	Local cafes	Presence of named allergen	August - October	
Allergens – ground almonds	5	Takeaways and restaurants	Presence of ground almonds	August - October	
Smoked foods	2	Valley Smoke House	Polycyclic aromatic hydrocarbons	November - January	
Durum wheat	5	Harvest, local delicatessens	Authenticity	November - January	

UK Microbiological Sampling Programme in 2015/2016

Year	2015												2016			
Months of sampling	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A
New studies																
Study 47. Olympic preparation & response sampling (5 mobiles to target for food/swabs and potable water – 5 Hotels for same)																
Study 48. Pâté study: comparison of 'in-house' produced and large-scale produced offal-based pâté 10 samples (60 per liaison group)																
Study 49. Reactive response study* TBC																
Regional/Liaison Group studies																
Environmental Swabs hygiene monitor pilot – 20 swabs in total (4 premises)																
Local Sampling based on local intelligence																
Sous Vide – 8 samples food																
New Approved Premises 5 dairy based samples 1 water																
Approved Processes – Water/Food – 10 dairy 5 meat																

Appendix 6
Food Safety Officers Training Matrix 2015/2016

Post/Team	Training for Role	PACE (r3)	RIPA	CPIA	Equalities	Lead Auditor	Imported Food	Dealing with Complaints	HACCP - 3 Day FSA	Evaluation of Food Safety	In House Procedures
PEHO - F & HD	Complete	Complete	Complete	Desirable	Required	26/01/2004	Desirable	Complete	Desirable	Desirable	Required
SEHO - Food	Complete	Complete	Complete	Complete	17/11/2010	Required	Complete	Complete	21/03/2011	18/02/2010	Required
SEHO - Food	Complete	Complete	Complete	Complete	Complete	Complete	Complete	Complete	Required	Complete	Completed
SEHO - Food	Complete	04/12/2008	Complete	Complete	17/11/2010	28/06/2010	Required	Complete	02/11/2010	25/11/2008	Required
SEHO - Food	22/10/2001	Complete	Complete	Complete	12/05/2009	28/06/2010	31/03/2009	Complete	Required	02/11/2010	Required
EHO - Food	Complete	Complete	Complete	Complete	19/12/2006	Required	Required	Complete	Required	25/11/2008	Required
FSO - Food	Complete	04/12/2008	Complete	Complete	29/11/2010	Required	Complete	Complete	21/03/2011	Complete	Required
FSO - Food	Complete	Complete	Complete	Complete	03/11/2010	03/11/2008	Required	Complete	Complete	Complete	Required

Post/Team	Emergency Prohibition	HIN - Food	Seizure & Detention - Food	Remedial Notices Food	Milk	Meat	Eggs	Fish	Vacuum Packaging	Food Sampling	Receipt of Food Complaints
PEHO - F & HD	01/02/2011	Completed	01/02/2011	Desirable	Desirable	Desirable	Desirable	Desirable	Desirable	Complete	Complete
SEHO - Food	07/07/2010	Completed	07/07/2010	Desirable	Desirable	Completed	Desirable	Desirable	17/06/2009	Complete	Complete
SEHO - Food	Completed	Completed	07/07/2010	Desirable	Completed	Desirable	Completed	Desirable	17/06/2009	Complete	Complete
SEHO - Food	Completed	Completed	Completed	Desirable	Completed	Completed	Desirable	Desirable	17/06/2009	Complete	Complete
SEHO - Food	Desirable	Completed	07/07/2010	Desirable	Completed	Desirable	Desirable	Desirable	17/06/2009	Complete	Complete
EHO - Food	Desirable	Completed	Desirable	Desirable	Desirable	Desirable	Desirable	Desirable	17/06/2009	Complete	Complete
FSO - Food	Desirable	Completed	07/07/2010	Desirable	Desirable	Desirable	Desirable	Desirable	23/10/2008	Complete	Complete
FSO - Food	Desirable	Completed	Completed	Desirable	Completed	Desirable	Desirable	Desirable	12/10/2009	Complete	Complete

Final Internal Audit Report Confidential

Food Safety

December 2014
(Revised)

Executive Summary

Audit Opinion:

Assurance Rating	Opinion
Level 5	The systems of internal control are excellent with a number of strengths and reasonable assurance can be provided over all the areas detailed in the Assurance Summary
Level 4	The systems of internal control are good and reasonable assurance can be provided. Only minor weaknesses have been identified over the areas detailed in the Assurance Summary
Level 3	The systems of internal control are satisfactory and reasonable assurance can be provided. However there are a number of areas detailed in the Assurance Summary which require improvement and specific recommendations are detailed in the Action Plan
Level 2	The systems of internal controls are weak and reasonable assurance could not be provided over a number of areas detailed in the Assurance Summary. Prompt action is necessary to improve the current situation and reduce the risk exposure
Level 1	The systems of internal controls are poor and there are fundamental weaknesses in the areas detailed in the Assurance Summary. Urgent action is necessary to reduce the high levels of risk exposure and the issues will be escalated to your Director and the Audit Committee

Assurance Summary:

Assessment	Key Control Objectives
Good	Complaints, service requests and notifications are recorded and responded to promptly.
Satisfactory	Food Businesses are registered and risk rated on a timely basis.
Satisfactory	Appropriate management information is produced and reported on a regular basis for decision making.
Weak	Food Businesses are inspected in accordance with the Food Law Code of Practice.

Detailed Report

Opinion:

Internal Audit has undertaken a review of the risks and controls related to Food Safety and assessed the framework of internal control at Level 3. A total of 10 audit recommendations are detailed in the Action Plan.

Scope and Objectives:

The scope and objectives of our audit were set out in the Audit Brief and a summary of our opinion against each of the specific areas reviewed has been detailed in the Assurance Summary section above.

Context & Audit Comment:

The Council's Food Safety Team, which consists of 6.8 FTEs, has responsibility for ensuring that food produced & sold within B&NES is safe to eat.

The main areas of activity are:

- Food hygiene and safety inspections
- Dealing with complaints about food and food businesses
- Investigating possible cases of food poisoning
- Promoting food safety
- Advising local businesses about food safety issues

There are 2006 registered Food Businesses in B&NES as at 29/07/14 of which:

- 7 are A Risk Rated (Highest risk),
- 73 are B Risk Rated,
- 677 are C Risk Rated,
- 277 are D Risk Rated,
- 860 are E Risk Rated (Lowest Risk),
- 112 are currently unrated.

When Food Businesses have been inspected they receive a Food Hygiene Rating Score (FHRS) from 0 to 5, as at 29/07/14 the ratings of the 1894 inspected premises were:

- 1336 premises scored 5 - Very Good,
- 319 premises scored 4 - Good,
- 150 premises scored 3 - Generally Satisfactory,
- 50 premises scored 2 - Improvement Necessary,
- 28 premises scored 1 - Major Improvement Necessary,
- 11 premises scored 0 - Urgent Improvement Necessary.

For premises which have a low FHRS the Food Safety Team offer Business Support Remediation Meetings (BSRM), where members of the team carry out intensive work with the businesses to improve their FHRS. This is done to reduce the number of 0 scores within B&NES, and remove the need to take these businesses to court which incurs high costs to the Council and uses up the limited staff resources.

In February 2011 a decision was made by Councillors to achieve savings by reducing staff resources within the Food Safety Team. The implications noted in the report to Members states that "Work to be ceased will include sampling, project work and low risk premises inspection as routine." The impact of these reductions has been confirmed by the

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audit with the team being unable to fulfil the Council's Statutory Duties of inspecting all food business premises within the required frequencies, as a result this has impacted upon the assurance level that we are able to provide.

All findings are based on the information that was recorded within the Uniform System and the Premises folders on the Food Safety shared network drive. All statistics reported are from a data download from Uniform on 29/07/14.

We identified the following strengths:

- Information for food businesses on the requirements of registering with the Council are readily available electronically and in hardcopy.
- There are procedure notes for staff which detail how to process food business registration forms onto Uniform.
- The Food Hygiene Ratings website is updated regularly with information from Uniform to ensure that the information is up to date.
- Following food hygiene inspections an FSA15 form was completed and signed by the business as acceptance of the inspection findings.
- Details from recent Hygiene Inspections were entered promptly and accurately onto the Uniform system.
- There are documented procedure notes covering how to deal with Service Requests and food complaints.
- Service Requests are all recorded promptly on the Uniform system and assigned to a relevant member of staff for resolution
- Premise specific Service Requests are recorded against the relevant premise record on the Uniform system.

We identified the following weaknesses:

- New food premises are not being inspected within the statutory timescales.
- There are a high number of premises which do not have a food hygiene risk rating.
- Training for new staff was not sufficient to prevent data entry errors.
- The staff training matrix is not being kept up to date.
- The Uniform system settings for risk rating levels do not comply with Code of Practice.
- Food premise inspection statutory timescales are not being met.
- Assessment forms are not being scanned to the premises file.

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- Limited Performance monitoring on compliance with Statutory Inspection Timescales.
- The documented procedures covering risk rating levels do not comply with the Food Law Code of Practice.
- Poor security of electronic evidence stored on the shared network drive.

Audit & Risk Personnel:

Lead Auditor: Steve Clarke

Acknowledgements:

Sincere thanks to Kelvin Pearce and all service staff for their help and assistance provided throughout the Audit review.

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ACTION PLAN

HIGH RISK EXPOSURE				
	Weakness Found	Implication or Potential Risk	Recommendation(s)	Responsible Officer Management Comments Implementation Date
H1	<p><u>New food premises are not being inspected within the statutory timescales.</u></p> <p>Sample testing of 20 new food businesses identified that the initial inspection to assess food hygiene practices are not being carried out within the statutory timescale of 28 days as set out in Annex 5.2 of Food Law Code of Practice</p>	<p>Non compliance with the Council's statutory duties with respect to inspection of new food premises, which could result in a health risk to the public.</p>	<p>The Group Manager: Public Protection & Health Improvement should report to Senior Management and Cabinet Member the failure to comply with Statutory inspection timescales to enable an action plan to be agreed and implemented to improve compliance.</p>	<ol style="list-style-type: none"> 1. Formalise the initial screening of new businesses to determine if they are high risk in nature and therefore require a site inspection or whether they can be adequately supported remotely 2. The Food Safety Team has returned to full complement after substantial absence due to post-operative convalescence and secondment, and should now have the capacity to address the backlog of new businesses by April 2015 3. This revised approach will be published in the Food Service Delivery Plan 2015/16 (FSDP 15/16) to be agreed by Senior Management and Cabinet Member. <p>Action Date - April 2015</p>

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HIGH RISK EXPOSURE				
	Weakness Found	Implication or Potential Risk	Recommendation(s)	Responsible Officer Management Comments Implementation Date
H2	<p>Poor security of electronic evidence stored on the shared network drive</p> <p>A review of users who have access to the evidence stored within the Premises folders on the shared network drive identified that out of 108 users with read & write access 52 (48%) of them should not have access to this folder based on the teams they work for.</p> <p>Examples of the teams of staff with inappropriate access are: Active Lifestyles, Building Control, Children Services, Customer Services, One Stop Shop, Democratic Services, Housing Services, Shopmobility, Partnership Delivery, Waste Services, Planning Services, Neighbourhood Operations, Land Charges and the Mail Room.</p>	<p>Evidence may be compromised resulting in loss of ability to enforce food safety.</p>	<p>The Public Protection Team Leader should carry out 6 monthly reviews of users who have access to the Premises folder on the s drive to ensure that only appropriate staff have access.</p>	<ol style="list-style-type: none"> 1. Contact IT Helpdesk to confirm how we achieve restricted access to the Premises Folder in Public Protection on the 'S' drive. 2. Determine list of PPHI staff who require access 3. Initiate 6 month review 4. Embed addition/removal of permission into starters/leavers process <p>Action Date - January 2015</p>

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HIGH RISK EXPOSURE				
	Weakness Found	Implication or Potential Risk	Recommendation(s)	Responsible Officer Management Comments Implementation Date
H3	<p><u>The Uniform system settings for risk rating levels do not comply with Code of Practice.</u></p> <p>The current risk rating levels set up within the Uniform System are not in accordance with the levels specified within the Food Law Code of Practice. The threshold between the C risk and D risk bands should be 52 and not 42.</p> <p>Analysis of food premises data from Uniform identified that 276 out of 2006 (14%) premises had incorrect risk ratings, of C instead of D, as a result of this error.</p>	Premises are inspected too often having an impact on the available resources.	The Public Protection Team Leader should ensure that system settings within the Uniform system for risk ratings are reviewed and corrected to match those in the Food Law Code of Practice.	<ol style="list-style-type: none"> 1. PEHO and Systems Administrator to examine the way 282 premises can be re-rated in the system 2. Implement on 1st April 2015 to avoid complication in the LEAMs return <p>Action Date - April 2015</p>

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HIGH RISK EXPOSURE				
	Weakness Found	Implication or Potential Risk	Recommendation(s)	Responsible Officer Management Comments Implementation Date
H4	<p><u>Food premise inspection statutory timescales are not being met.</u></p> <p>Analysis of food premises data from Uniform identified that 537 out of 2006 (27%) premises had missed their inspection target date.</p> <p>Sample testing of 17 high risk premises with missed inspections identified:</p> <ul style="list-style-type: none"> <input type="checkbox"/> 3 of the 17 had been part of the Business Support Remediation Meeting process delaying any inspections. <input type="checkbox"/> 1 of the 17 had recently been inspected (but after the data extraction) though 5 months after due date. <input type="checkbox"/> 7 of the 17 had been assigned on task list but not inspected. <input type="checkbox"/> 1 of the 17 is an annual event so inspections harder to manage. <input type="checkbox"/> 7 of the 17 had not yet been assigned on the task list. <input type="checkbox"/> 1 of the 17 had an incorrect inspection date on Uniform and therefore had not been flagged for inspection. 	<p>Non compliance with the Council's statutory duties with respect to inspection of food premises, which could result in a health risk to the public.</p>	<p>The Group Manager: Public Protection & Health Improvement should report to Senior Management and Cabinet Member the failure to comply with Statutory inspection timescales to enable an action plan to be agreed and implemented to improve compliance.</p>	<p>Note: As part of the MTSRP process in November 2012 the consequences of reducing staffing in the Food Safety Team were reported to, and approved by, the responsible cabinet member and senior management. The audit confirms that our enforcement programme does not meet the Statutory Food Law Code of Practice. However working within our means, we address the highest risks and mitigate the uninspected premises by means of alternative interventions.</p> <p>Given that most of these premises have been classified as Low Risk Premises, in conjunction with H1 and H3 above which will place 282 premises into the "D" rated category, where alternative interventions to inspections are legitimate under the Statutory Food Law Code of Practice (FLCoP).</p> <ol style="list-style-type: none"> 1. Determine the profile of the overdue inspections to identify the types of business category into which the majority fall

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			<ol style="list-style-type: none">2. Evaluate whether a particular type of alternative intervention will suit these groupings and:<ol style="list-style-type: none">i) be less resource intensive to deploy over routine/partial inspectionsii) Allow the proper application of FHRS.3. Or, if inspection is the most expeditious method of fulfilling our enforcement duties, project the shortfall into the next year and its possible impact upon the operation of FHRS locally. (and the additional staffing required to meet FLCoP)4. The findings of 2 and 3 above will be consolidated in the FSDP15/16 for Cabinet Member approval <p>Action Date - April 2015</p>
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MEDIUM RISK EXPOSURE				
	Weakness Found	Implication or Potential Risk	Recommendation(s)	Responsible Officer Management Comments Implementation Date
M1	<p><u>Assessment forms are not being scanned to the premises file.</u></p> <p>Testing found that 5 of 9 new premises inspected did not have an inspection form scanned to the s drive to support the scoring that was recorded on the Uniform System.</p>	Official documented evidence of the food hygiene inspection is lost.	The process for updating Uniform with inspection details must be amended so that the Admin team only close an inspection after all documents have been scanned in, with monthly verification checks identifying those that are still open.	<p>Additional verification checks and training in place</p> <p>Action Date - January 2015</p>
M2	<p><u>There are a high number of premises which do not have a food hygiene risk rating.</u></p> <p>Analysis of food premises data from Uniform identified that 112 out of 2006 (6%) premises do not have food hygiene risk rating.</p> <p>Of these 112, 32 of them opened prior to 2014, with one opening in 2004.</p> <p>Sample testing of 10 of the 112 identified that:</p> <ul style="list-style-type: none"> <input type="checkbox"/> 7 had not been visited <input type="checkbox"/> 3 had been visited and Inspection Form was fully completed on the s drive but the scores never updated onto Uniform. <p>There is a validation check on missing data that is run by the Admin Team, however it is not highlighting these premises.</p>	Premises without risk ratings may not be identified for inspection.	The Public Protection Team Leader should run monthly exception reports detailing all premises without risk ratings and ensure that they are investigated as to the reasons the risk score is missing, and prioritise for inspection.	<ol style="list-style-type: none"> 1. Systems review and corrective actions in place for missing records. 2. Included in monthly validation check <p>Action Date - February 2015</p>

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MEDIUM RISK EXPOSURE				
	Weakness Found	Implication or Potential Risk	Recommendation(s)	Responsible Officer Management Comments Implementation Date
M3	<p><u>The documented procedures covering risk rating levels do not comply with the Food Law Code of Practice.</u></p> <p>The current risk rating levels documented in the West of England Procedure notes are not in accordance with the levels specified within the Food Law Code of Practice. The threshold between the C risk and D risk bands should be 52 and not 42.</p>	Premises are inspected too often having an impact on the available resources.	The Public Protection Team Leader should ensure that the risk rating levels in the documented procedure notes are reviewed and corrected to match those in the Food Law Code of Practice.	Update Procedure notes Action Date - January2015
M4	<p><u>Limited Performance monitoring on compliance with Statutory Timescales.</u></p> <p>The performance report dashboard for senior management does not incorporate any data on whether statutory food hygiene inspection timescales are being met by the service. These are only monitored at team level rather than by strategic decision makers.</p>	Decision makers are not aware of the implications of decisions on resource allocation on meeting Statutory duties.	The Group Manager: Public Protection & Health Improvement should include performance information on compliance with statutory inspection duties within the quarterly performance reporting to senior management & the Cabinet member.	Data is not shown in the Managers Dashboard but is available to them via a link button on the data tab. Action Date - January 2015

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LOW RISK EXPOSURE				
	Weakness Found	Implication or Potential Risk	Recommendation(s)	Responsible Officer Management Comments Implementation Date
L1	<p><u>Training for new staff was not sufficient to prevent data entry errors.</u></p> <p>Testing of 20 new food premises identified that information for 3 of them had been entered onto the Uniform system incorrectly from the registration form.</p> <p>Management explained that the errors were made by a temporary member of staff who worked for the team for a short period of time, and who did not have sufficient training and supervision.</p>	Incorrect data is entered onto the Uniform system.	The Public Protection Team Leader should provide any new staff with sufficient training (e.g. documented procedure notes & walk through) or carry out supervisory checks to ensure the accuracy of data input.	<p>Review admin procedure notes after restructuring of admin/business support team complete</p> <p>Action Date - April 2015</p>
L2	<p><u>The staff training matrix is not being kept up to date.</u></p> <p>The training matrix, which is used to assess where there are gaps in staff training and competencies in relation to food safety, has not been kept up to date.</p>	Gaps in staff knowledge may not be identified promptly.	The Health & Environmental Manager should review the staff training matrix and update it on a quarterly basis.	<p>Update with PRDs and PDR review is sufficient</p> <p>Action Date - April 2015</p>