



CHELtenham
BOROUGH COUNCIL

FOOD SAFETY SERVICE PLAN 2016-2017

1. FOOD SAFETY SERVICE AIMS AND OBJECTIVES

1.1 Background, Aims and objectives

Background

The requirement to have a Service Plan is laid down by the Food Standards Agency (FSA) in its *Framework Agreement on Official Feed and Food Law Controls by Local Authorities, Amendment number 5*. The FSA is an independent monitoring and advisory body that issues guidance to ensure local authorities' delivery of official controls is 'effective, risk-based, proportionate and consistent'.

Aim

The key food safety function of Cheltenham Borough Council is to ensure that the food sold, offered and stored for sale and entering the Borough is wholesome and fit for human consumption. The overarching aim is to protect public health whilst supporting food business activities.

Our objectives include:

The regular control of food premises within the Borough in accordance with the Food Law Code of Practice (FLCoP).

The investigation of the safety and fitness of food including all complaints about the operation of businesses within the Borough.

To sample foods within the Borough whilst participating in local, regional and national food sampling programmes.

To ensure we approve and register all food premises within the Borough as required by legislation.

To undertake appropriate and proportionate food safety enforcement action within the Borough.

To support food businesses in all stages of their lifecycle.

To undertake Home and Originating Authority duties within the Borough.

To promote food safety by way of advice and assistance to all food businesses, citizens and visitors of the Borough.

To administer and promote the national Food Hygiene Rating Scheme

To undertake Primary Authority Partnership arrangements

To control foodborne infectious diseases through the investigation of notifications

1.2 Links to Cheltenham Borough Council's corporate strategy for 2016-17

The Corporate Strategy contains four high level outcomes for 2016-17:

- Cheltenham's environmental quality and heritage is protected, maintained and enhanced
- Sustain and grow Cheltenham's economic and cultural vitality
- People live in strong, safe and healthy communities
- Transform our council so it can continue to enable delivery our outcomes for Cheltenham and its residents.

The Food Service Plan supports these outcomes by working to achieve: improved food safety and hygienic premises; high rating food businesses in the national food hygiene rating scheme (resulting in increased consumer confidence in local businesses); and the control of foodborne diseases – all of which help promote the local economy as well as protecting the health of the people who live, visit or work in Cheltenham. Advice is also given that directly improves or protects the environmental quality of the town – examples range from pests and other vectors; to the disposal of FOGs (fat or grease in drains).

The ethos of the service is to support and advise food businesses in the borough so that they can grow and thrive safely. There is a high rate of compliance with food law in Cheltenham which is recognised, and a graduated approach to enforcement is exercised when working with non-compliant businesses.

When the food safety team is back to full resource following a senior officer's phased return to work, commercial opportunities will be explored such as Primary Authority Partnerships, food hygiene training courses and other chargeable advisory services.

2. BACKGROUND

2.1 Profile

Cheltenham is an attractive and vibrant town serving an extensive catchment area in central and eastern Gloucestershire and the South Midlands. It is ranked in the top thirty regional shopping centres in the UK, third in the South West and has the eighteenth highest consumer expenditure in Great Britain.

The Borough is based on the town of Cheltenham and is mainly urban with some areas of surrounding countryside. It covers an area of approximately 4,680 hectares and has a population of over 110,000.

Cheltenham has a wealth of restaurants and eating places. It hosts a farmers market offering a valuable opportunity to sample local produce, as well as Continental and Christmas food markets. The town offers a wide range of educational and employment opportunities, a year-round programme of festivals and events plus a strong cultural and sporting profile.

2.2 Organisational Structure

The food safety service is within the Public and Environmental Health team of the Public Protection Department, which forms part of the Environment Division under Mike Redman. The Environment Division is part of the recently appointed Director of Place and Economic Development's portfolio. The current structure is shown at the end of this plan.

2.3 Scope of the Food Service

The Council is not a Unitary Authority and therefore shares its duties under the Food Safety Act with the Trading Standards Department of Gloucestershire County Council. Cheltenham Borough Council aims to provide a full range of services within its remit offering a balanced approach between education and enforcement, in accordance with the council's graduated enforcement policy.

The Borough Council food safety service is provided by three appointed and authorised officers in accordance with the requirements of the FSA code of practice. There are two Senior Environmental Health Officers and a Senior Technical Officer. These officers are also responsible for infectious disease control along with other environmental health functions in all food premises within the Borough. The officers are also responsible for food safety advice at events and festivals in the district of Cheltenham.

Specialist services such as public analyst and food examiner are provided externally by Worcester Scientific Services, Worcester and The Public Health England Food, Water & Environmental Laboratory, Sutton Coldfield, respectively.

Also within the scope of the food service are the following functions: sampling (food, water and environmental); primary authority partnerships and the local administration and promotion of the national food hygiene rating scheme.

Demands on the Food Safety Service

The Service Delivery Point:

Address	Hours	Contact details
Cheltenham Borough Council Municipal Offices Promenade Cheltenham GL50 9SA	Mon, Tue, Thurs and Fri (09.00-17.00) Wed (09.30- 17.00)	01242 775020 env.health@cheltenham.gov.uk

There is an out of hours emergency service available which addresses the emergency closure of premises, food product withdrawal and outbreaks of food associated disease.

On 31st March 2016 there were 1031 food businesses on our database (compared to 1011 at the close of the previous financial year. The premises profile is given in the table below with figures for the previous financial year in brackets as a comparison:

	NO. OF PREMISES
PRIMARY PRODUCERS	0 (0)
MANUFACTURERS + PACKERS	5 (6)
IMPORTERS/EXPORTERS	2 (2)
DISTRIBUTORS/TRANSPORTERS	7 (8)
RETAILERS	178 (167)
RESTAURANTS AND CATERERS	839 (828)
TOTAL	1031 (1011)

As is expected for a town like Cheltenham the hospitality and catering sector predominates, the majority being small or medium sized enterprises.

With such a small team, the programmed food hygiene intervention plan for any given year can be severely disrupted by food poisoning investigations, national food alerts, food sampling and non-food related matters such as health and safety accident investigation.

2.4 Enforcement Policy and Regulatory Reform

Cheltenham Borough Council has adopted and published a corporate enforcement policy which will form the basis of all enforcement action undertaken by the Food Safety Service.

In recent years there have been a number of reviews conducted that have resulted in a change to the nature of regulation. The emphasis being that the regulatory system as a whole should use comprehensive risk assessment to concentrate resources in the areas that need them most.

In terms of food safety, this means concentrating efforts on those businesses that do not meet the minimum legislative standards, with alternative interventions in those that generally comply. This was further developed in the Regulatory Reform Act 2006 Compliance Code, which encompasses the criteria of the Enforcement Concordat of being transparent, accountable, proportionate and consistent with the additional element of being targeted only at cases in which action is needed.

There is a suite of interventions that focus on outputs and continued improvements in food safety. This allows us to choose the most appropriate action to be taken to drive up levels of compliance of food establishments with food law. In addition, we operate an Alternative Enforcement Strategy (compliant with Annex 5) which allows us to target resource at the highest risk premises.

3. SERVICE DELIVERY

3.1 Food Premises Regulation

The regulation of food premises is undertaken in accordance with the Food Safety Act 1990 Food Law Code of Practice (FLCoP). All food premises are subject to a detailed assessment based on particular criteria including types of food and method of handling, consumers at risk, level of current compliance in terms of practices, procedures including cleanliness and confidence in management.. This numerical calculation is transferred into the categorisation of premises from A to E. Category A premises are inspected a minimum of every 6 months, category B every year, category C every 18 months, category D every two years and category E premises every 3 years.

The food safety team aim to inspect all non-compliant food businesses within our area within 28 days of the due date. This includes all newly registered premises as they are deemed non-compliant until the first visit and a risk assessment has been undertaken. All non-compliant category A and B premises, i.e. those that fall significantly short of broad compliance will be visited within 28 days of the due date as required by the Food Standards Agency. Other categories of premises that are broadly compliant will be addressed by a combination of official controls and other interventions.

Further official control visits are made to premises where there are food safety concerns, in particular where the level of current compliance in food safety practices and procedures fall below satisfactory or there is little or no confidence in management. Other visits to food premises may follow a request for advice, complaint or an alleged food poisoning incident. Visits are primarily unannounced with evening/weekend inspections undertaken when required to accommodate the needs of some food businesses, e.g. those that do not open during office hours and markets and festivals held at weekends.

In line with current guidance and the necessity to target ever scarce resource at higher risk activities, we operate an alternative enforcement strategy for low risk businesses. The strategy allows for lower risk Category D and E premises to alternate between an inspection and another form of intervention such as self-assessment questionnaire.

a) Statutory Performance Monitoring

Each local authority must submit a statutory return to the FSA on their official food controls each year through the Local Authority Enforcement Monitoring System. Monitoring tables can be viewed on the FSA website: <http://www.food.gov.uk/enforcement/monitoring/laems/mondatabyyear> although it can take some time for the latest data to be published.

b) 'Broadly Compliant' premises and the National Food Hygiene Rating Scheme

Cheltenham Borough Council participates in the national Food Hygiene Rating Scheme, which is a public interface to food hygiene standards in premises that sell food direct to the final consumer. Each food business in the scheme is given a food hygiene rating ranging between 0 (urgent improvement necessary) and 5 (very good) after it has been inspected, and the level of compliance with food safety and hygiene legislation is reflected in the rating - a rating of 3 and above indicates the premises is broadly compliant, for those businesses not excluded or exempt from having a rating. The website can be viewed at www.ratings.food.gov.uk

The service benefited from a Food Standards Agency audit on the Food Hygiene Rating Scheme in February 2016 and the findings were generally very positive in terms of the authority's compliance with the Brand Standard (see 3.2 for more detail).

The measure of how many food premises in the district are 'broadly compliant' with food safety legislation has been kept as local management performance indicator since it was discontinued as a national one.

Percentage of food businesses which are broadly compliant with food safety legislation

2008/2009 was a baseline year with less than 70% of our food premises being broadly compliant. As at 31st March 2016, 96% of rated food premises in Cheltenham in the food safety database were broadly compliant (n=990/1031 premises) which is a 2% increase from 2014-15, and 1% above the target of 95% set for the year in review. All unrated new businesses are automatically non-compliant at first, so are excluded from this calculation. A full breakdown by risk category is provided below. Officers have already addressed all but one non-compliance but are only able to change the risk rating to reflect compliance if a full or partial re-inspection, or audit is completed with the business rather than a visit to verify non-compliances have been rectified.

Profile of premises in broad compliance with food law	Broadly compliant	Total # of premises	% broadly compliant
Premise Rating - A	0	0	N/A
Premise Rating - B	66	73	90.4%
Premise Rating - C	334	341	98.0%
Premise Rating - D	315	318	99.7%
Premise Rating - E	275	276	99.6%
Totals	990	1031	96.0%

For 2016 -17, the target is to end the year with 97% of rated premises broadly compliant with food safety legislation.

c) Grow the number of food businesses with a rating of 3 or more

At year end there were 875 Cheltenham food premises with a rating of 3 or higher out of 953 food premises on the national Food Hygiene Rating Scheme website. This equates to 92% with a rating of 3 (generally satisfactory) or higher. This indicator is reported to Divisional Management Team on a quarterly basis and is also reported in the corporate plan. The figure for 2014-15 was slightly higher at 93% (n=975/953) but the number of new food businesses was also slightly lower (if a business opens without being broadly compliant with food law it will not receive a rating of 3 or more).

A **target number of interventions** is not set on an annual basis as the number of premises opening and closing or changing food liability throughout the year means such a target would not be meaningful. However, it is necessary to assess the percentage of planned interventions delivered per risk rating category in order to inform resource allocation and ensure the authority complies with its duties in accordance with the FLCoP.

The following table gives the targets and results for 2015-16 for inspections due per risk category:

Risk Category	Interventions due	Interventions achieved	Target
A	4	4 = 100%	100%
B	120	120 = 100%	100%
C	248	174 = 70.1% (100% of non-compliant Cs achieved)	100%
D*	144	84 = 58.3%	0%
E*	59	8 = 13.6%	0%
Unrated ie 'new'	142	142 = 100%	100%
TOTAL	717	532 = 74.2%	54.6%

The overall intervention rate of 74.2% against the authority's self-set target of 54.6% to adjust for one third of the team being on long term sick leave was achieved by concentrating on inspections and service requests. The service did not engage in any sampling programmes as a result.

The mobile technology business case demonstrated in the previous financial year has not yet been realised but the service remains committed to exploring improved efficiency.

The service plan for 2015-16 attempted to mitigate the impact of long term officer sickness not being backfilled by prioritising resource at interventions due in premises rated in the highest risk categories. However, this strategy posed risks itself (as was commented on by FSA auditors) as it assumed the nature and likelihood of risk of Category D and E premises had not changed despite the length of time since last intervention. This premises profile for overdue interventions contained caring premises such as nurseries, schools and residential homes as well as mobile traders with the potential to serve a wide geographical area.

The authority is not in compliance with Food Law requirements if it operates outside of the frequency of official controls, particularly without a plan in place to address such a situation. Following the auditors advice, the service was granted approval to backfill resource to undertake the interventions that were already overdue, or that were projected to be overdue on 31st March 2016.

It is imperative that the food safety service is sufficiently resourced to undertake each year's programme of official controls.

2016 - 17 Service Delivery Proposal

Inspection performance will be impacted this year whilst one of the senior officers is on a phased return to work. The inspections due as of the start of the financial year are as follows:

Official food safety controls (inspections) overdue as of 31.03.16 = 398

New premises (average of 15 per month) = 180

The inspections due can be broken down into risk categories as follows:

Risk category	Number due for intervention	Target for 2015-16
Unrated – ie new businesses	Minimum of 180	100%
A	0	
B	67	
C	182	100%
D	96	100%
E	42	100%
TOTAL	393 due + 180 new = 504	393 due and all new (unrated) = 100%

Plan for overdue inspections

A food safety officer is currently undertaking all 398 overdue inspections contracted using underspend from the salaries budget for some of the time the postholder was on sick leave in 2015-16.

Plan for due interventions

The total number of premises due intervention in 2016-17 is 504: significantly less than the 717 due in 2015-16 when one third of the team resource was not available. The total number of interventions achieved in 2015-16 was 532 which indicates current resource could deliver all interventions due over the course of the coming year although this is unlikely to stretch to include sampling programmes or business advisory visits for example. Should this situation change, the food safety service will request authorisation to acquire additional resource. There are approximately 70-100 revisits to premises each year to verify specific requirements; undertake a full revisit for non-compliance; or at the request of the food business operator under the Food Hygiene Rating Scheme.

The following table provides interventions due by risk category in each quarter. It is likely that some inspections due in quarter 2 may carry over to quarter 3 but at year end, 100% of inspections should be achieved.

	Q1	Q2	Q3	Q4	TOTAL
A	0	0	0	0	0
B	3	17	22	25	67
C	41	74	34	33	182
D	13	26	27	30	96
E	7	9	13	13	42
TOTAL	70	126	96	101	393

3.2 Food Hygiene Rating Scheme audit – Food Standards Agency action plan

The implementation of audit action plan recommendations will be led by a Senior Food Safety Officer as part of a phased return to work. Key actions relate to improved internal monitoring and consistency arrangements such as updating consistency and intervention frameworks. In addition, the team leader will accompany each food safety officer on shadowed visits to a range of premises each financial quarter as well as continuing to assess consistency and performance in 121s, peer reviews and team meetings.

3.3 Food Complaints

Food complaints are investigated in accordance with the FSA Code of Practice. The number of food complaints investigated by the food safety team in 2015-16 was 11 (20), with a further 59 (68) complaints relating to the hygiene of food premises. The number of complaints received in the previous year is shown in brackets.

Performance target: A target has not been set for the resolution of these complaints as that depends upon the most appropriate course of enforcement action for each complaint on a case by case basis. The principle is to instigate investigation or advise the complainant why no action is possible, as soon as possible (so that 'end to end times' can be demonstrably reduced) and at least within three working days. 100% of all complaints received were actioned.

3.4 Primary Authority Principle

The Council will consult at an appropriate level with the Primary Authority for any food business, in accordance with the principles laid down in The Food Safety Act 1990 Code of Practice and BRDO guidance.

3.5 Advice to Businesses

It is the policy of the Section to provide assistance to local food businesses when requested to help them comply with the legislation and to encourage the use of best practice. This is achieved through a range of activities including:

- Advice given during inspections and other visits to premises
- Provision of advisory leaflets
- Responding to service requests and enquiries
- Attendance at Event Consultative Groups to advise on food safety at public and community events.
- Advice given in response to planning and licensing applications.

Whilst the resources of the Food Safety Service will always be used in proportion to the risk to public health, every effort will be made to accommodate requests for advisory visits to food premises.

3.5 Food Sampling

The food service did not participate in Public Health England coordinated cross-regional food sampling programmes or national studies in 2015-16 due to insufficient resource but hope to recommence this as soon as practicable.

Performance: the usual target would be to participate in 100% of local, sub-regional and national sampling studies as agreed by Gloucestershire Food Safety Liaison Group and to follow up 100% of any unsatisfactory results with the respective businesses.

3.6 Control & Investigation of Outbreaks & Food Related Infectious Disease

The measures to be taken to control the spread of infectious diseases are contained in various acts of Parliament and their associated Regulations. This legislation places a duty on local authorities to control the spread of food poisoning and food and water borne diseases.

Annual notifications vary from year to year with a noticeable increase in Norovirus outbreaks in recent years. These outbreaks are often associated with closed settings which have a more vulnerable group of clients, for example care homes. Intervention in these outbreaks takes up a significant amount of officer time.

The objectives in respect of this service are:

- To administer and implement our statutory responsibilities relating to the control of infectious disease.
- Investigate all notifications of food poisoning cases and likely sources of infection whether confirmed or not at the earliest opportunity.
- Where a source is identified take appropriate action to ensure risk of spreading is controlled.
- Protect the well-being of individuals at risk by taking action to contain the spread of infection and provide advice and information regarding personal hygiene, food handling and control of infection.

- Exclude food handlers and people working with high-risk groups from work in consultation with the Consultant for Communicable Disease Control (CCDC).
- A Countywide “Outbreak Control Plan” is operated including standardised food poisoning investigation questionnaires.

Performance target: to action 100% of infectious disease notifications within two working days (with the exception of *Campylobacter* which has been put on reduced surveillance by the local health protection unit) unless the potential risk to public health requires a same day response (eg *E Coli 0157*)

183 infectious disease notifications were received in 2015-16 compared to 196 the year before, and 100% were investigated within two working days.

3.7 Food Alerts

The Food Standards Agency operates a system to alert the public and food authorities to serious problems concerning food that does not meet food safety requirements.

Food alerts vary in significance and require an appropriate response. Some are of high priority and require immediate action. This may involve contacting and/or visiting food premises and taking immediate action under powers contained in Food Legislation. Others are for information only.

All alerts are received directly from the Food Standards Agency via a secure dedicated computer network system. The Public & Environmental Health Team Leader will instigate the necessary response and provide the necessary out of hours cover for this service.

Where the Council becomes aware of a serious localised incident or a wider food safety problem, it will notify the Food Standards Agency in accordance with the Code of Practice.

It is estimated that around 100 food alerts requiring various levels of action will be received on an annual basis. It is difficult to estimate the resource required to meet this responsive element of the service as the work associated with individual alerts can vary significantly.

3.8 Liaison with Other Organisations

The Council is committed to ensuring that the enforcement approach it adopts is consistent with other enforcing authorities. This takes place through regular meetings and attendance by the manager at the Gloucestershire Food Safety Group. This group comprises of peer representatives of each of the six District and Borough Councils in the County, the County Council Trading Standards Service, the Food Standards Agency, the local FSA vet and PHE Laboratory Service.

The forum provides a mechanism for discussion of relevant food matters, the provision of training on a county-wide basis, the formulation of policy, documentation and guidance and co-ordinated responses to Government and Central Agencies.

The Council attends the Gloucestershire Public and Environmental Health Forum (previously known as the Consultant in Communicable Disease Committee). By means of this forum, which meets half yearly, members are kept informed about relevant subjects and are able to benefit from the valuable and very necessary liaison between public health and medicine.

A Divisional Veterinary Officer is part of the Forum and is able to brief the group on local and national issues regarding animal welfare, disease control and food safety.

Within the Council, the Food Service is also a consultee for the planning, building control and licensing functions.

4. RESOURCES

4.1 Financial Allocation

The Food Safety Service budget for the coming year is £171, 200 (down from £184,000 the previous year as central recharges have reduced). This budget includes staffing, travel subsistence, I.T. development, legal action and office overheads necessary as part of the food safety enforcement function. Specific Food Safety related insurances. Recharges for I.T. support, Human Resources, accountancy and audit. Corporate insurances, communications, E government and asset management.

The Council always seeks to recover costs following successful legal proceedings wherever possible.

4.2 Staffing Allocation

All food safety officers are appropriately trained and competent to work within this field. Officers are authorised according to their competency and experience. There are 3 FTEs dedicated to the delivery of the food safety service. One of these (Senior Environmental Health Officer) is on a phased return to work following long term sick leave.

The food safety service is headed by Yvonne Hope and Barbara Exley (Head of Service) and managed by Sarah Clark (Team Leader)

There are two SEHOs and one senior technical officer in the food safety team who are widely experienced in food safety. All officers have completed a competency framework assessed by the Lead Officer.

4.3 Staff Development Plan

The Council has an annual review system of staff, this process includes training needs. The food safety team holds regular meetings to review and distribute workloads in addition to monthly 1-2-1 meetings for all the team. Any training needs required for new legislation, guidance etc are discussed and actioned at these meetings.

Food safety regulators are required to achieve a minimum of 20 hours of continued professional development every year to include 10 hours specifically on food topics. The service encourages cascade training as a mechanism to disseminate new guidance and further staff development.

5. QUALITY ASSESSMENT

Local performance indicators are reviewed quarterly. Please refer to section 3.1.

All officers use standard inspection/audit forms and have undergone consistency training.

The Uni-Form database (which also forms the Public Register of food premises) is audited on a monthly basis for data accuracy before upload to the Food Hygiene Rating Scheme portal.

6. REVIEW

Last year's progress in food safety includes:

- continuing a high standard of broadly compliant businesses included in the food hygiene rating scheme
- intervention at over 50% of premises due for inspection despite one third less resource ie official controls carried out in
- assessment of all unrated 'new' food businesses
- prioritisation of visits to non-compliant food businesses and use of alternative enforcement strategy
- 311 written warnings of non-compliance with food hygiene legislation
- one voluntary closure of a premises because of public health risk
- one Improvement Notice served to secure compliance
- official controls carried out in 532 premises
- received and actioned 183 infectious disease notifications
- Participation in FSA FHRS audit and subsequent implementation of recommendations
- Tried leaving 5 rated premises with report of visit and FHRS rating at time of inspection to reduce time and printing/postage costs.

Head of Public Protection
Barbara Exley & Yvonne Hope (Job share)

Team Leader: Sarah Clark
Public and Environmental Health

Senior Environmental Health Officers : 2 x Food Safety
: 2 x H&S
: 2 x EP

Contaminated Land Officer : x 1 Vacant post
Senior Technical Officer : x 1

ASB lead officer :x 0.6 FTE

Business Support
: x 2.6 FTE

Licensing Team Leader - Louis Krog

Senior Licensing Officer : x 1

Licensing Officer : x 2
Enforcement officer : x 1

Licensing admin : x 1

RARV coordinator: : x 1 p/t