



CHELTENHAM  
BOROUGH COUNCIL

# **FOOD SAFETY SERVICE PLAN 2020-2021**

# 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'.

The Framework Agreement states what the FSA requires from local authorities when planning and delivering food and feed official controls. This Service Plan is Cheltenham Borough Council's plan as to how it will deliver those requirements.

Local authorities are monitored and audited by the FSA through service plans in accordance with the FSA's powers under the Food Standards Act 1999 and the Official Feed and Food Controls Regulations 1999.

### 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 a sustainable service that protects public health whilst supporting food business industry growth.

### 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, and in particular to provide new business start-up support.
- To undertake Home and Originating Authority duties within the Borough.
- To provide food safety by way of advice and assistance to food businesses, citizens and visitors of the Borough in a commercially sustainable way (eg through the Better Business for All partnership)

- To administer and promote the national Food Hygiene Rating Scheme (FHRS).
- To undertake Primary Authority Partnership arrangements.
- To control foodborne infectious diseases through the investigation of notifications.
- To move towards greater commercialisation and modernisation of the service through the delivery of corporate programmes.

## 1.2 Links to Cheltenham Borough Council’s Corporate Strategy for 2019-2023 and Place Vision

The Place Vision sets out three ambitions for Cheltenham. The Food Service Plan supports the Culture and Community ambitions 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).



### Culture

**Internationally renowned for its culture, heritage, food and sport.**

Cheltenham celebrates its cultural, heritage and sporting experiences, our food, drink and retail offer and our regency architecture, parks and gardens.



### Community

**Champions physical and mental wellbeing.**

Cheltenham takes a preventative approach to addressing some of the longer-term health inequalities and related challenges that some of our residents face including housing needs, feeling safe and realising their potential.

## Corporate Plan Priorities

The council has five corporate priorities identified in the Corporate Plan 2019-2023, of which the food safety service supports priorities 2, 3 and 5.

### Our priorities

1. Making Cheltenham the cyber capital of the UK
2. Continuing the revitalisation and improvement of our vibrant town centre and public spaces
3. Achieving a cleaner and greener sustainable environment for residents and visitors
4. Increasing the supply of housing and investing to build resilient communities
5. Delivering services to meet the needs of our residents and communities

## **Principles of service delivery**

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. Service capacity is prioritised at the riskiest food activities and/or the poorest performing food businesses, with the aim of improving standards across Cheltenham whilst supporting business growth.

The Service is also working as part of Gloucestershire Better Business for All and now offers a range of commercial services such as food hygiene rating reassessments; advice and consultancy; and coaching on how to achieve and keep the highest rating.

## **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 one of the key retail centres in the South West and has a tourist economy worth £154m.

The borough of Cheltenham is mainly urban with some areas of surrounding countryside. It covers an area of approximately 4,680 hectares and has a population of over 115,000.

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, supports approximately 72,000 jobs across the borough and hosts a year-round programme of festivals and events, and has a strong cultural and sporting profile. Nine Cheltenham restaurants were listed in the Michelin Restaurant Guide 2020 (Curry Corner, Lumiere, Purslane, Prithvi, East India Café, No. 131, Daffodil, Le Champignon Sauvage and Bhoomi Kitchen).

### **2.2 Organisational Structure**

The food safety service is within the Public and Environmental Health team of the Public Protection Department headed by Yvonne Hope, which forms part of the Environment Division under Mike Redman. The Environment Division is part of the Managing Director of Place and Growth's portfolio. The current establishment structure is shown at the end of this plan.

Specialist services such as public analyst and food examiner are provided externally by Public Analyst Scientific Services (PASS), Wolverhampton and The Public Health England Food, Water & Environmental Laboratory, Porton Down, respectively.

## 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 is one Senior Environmental Health Officer, one Senior Technical Officer and one newly qualified Environmental Health Officer. These officers are also responsible for infectious disease control along with other environmental health functions in all food premises within the borough (such as complaint investigation, business advice, sampling, and rating re-assessments). The officers are also responsible for food safety advice at events and festivals in the district of Cheltenham, and for monitoring planning and licensing consultations as a means of identifying and engaging with new or developing food businesses. The team offers chargeable services and products.

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.

## 2.4 Demands on the Food Safety Service

**Table 1: 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 264139 – business support <a href="mailto:env.health@cheltenham.gov.uk">env.health@cheltenham.gov.uk</a> <a href="mailto:ehbusinesssupport@cheltenham.gov.uk">ehbusinesssupport@cheltenham.gov.uk</a>  Food safety officers have mobile phone numbers available to stakeholders and the public.

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 31<sup>st</sup> March 2020 there were 969 food businesses registered on the database, compared to 933 at the close of the previous financial year.

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

**Approved Premises**

The council has two premises approved under Regulation (EC) No. 853/2004:

- a) Soho Coffee Shops Ltd, approval number UK CT007 EC (meat products).  
The business is a manufacturer and packer supplying to its own-brand coffee shops.
- b) Cheltenham Catering Supplies, conditional approval number UK CT008 EC  
The business provides stand-alone cold storage.

**Specialist or complex processes**

The council does not currently have any such processes in its area.

**External factors that may impact on service delivery****Covid-19**

The impact of Covid-19 has resulted in additional duties on the food safety team, for example, supporting food businesses in interpreting and complying with rapidly changing and complex legislation and guidance, and responding to complaints and outbreak notifications.

The service has followed all relevant advice for regulators issued by the Food Standards Agency during the pandemic, including pausing inspections for the defined period, supporting change of business delivery models (takeaways), and the approach to high risk inspections. A risk-based decision is made about the inspection of potentially high risk premises in covid-vulnerable settings eg care homes, and remote interventions are taking place where appropriate. However, remote interventions cannot be risk scored nor have their inspection frequency changed which means these businesses will still show as overdue for inspection. This issue is compounded by the backlog of inspections generated during the 3-4 month suspension of food inspections by the FSA due to the risk of viral transmission.

To cope with the increased pressure on the service, the service was successful in applying for £50,000 grant funding from Gloucestershire County Council Local Outbreak Management Plan Fund, to backfill the Senior EHO for 4 days a week for 12 months. In addition and to address the inspection backlog, a resource strategy was approved by the Executive Leadership Team, resulting in the short term engagement of food safety contractors in Summer/Autumn 2020.

**Routine Factors**

With 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 that might require food safety officer resource. It should also be noted that Cheltenham has a vibrant event economy that the council is actively trying to grow, and associated food safety advice adds to demands on the service particularly over the summer. In addition, the team delivers commercial services such as advice and consultancy although the rate of initial take-up is slow. Food safety officers are also members of the council's emergency management team which may require their resource during times of civil emergency, potentially for a prolonged period. The food safety team is part of Gloucestershire Food Safety Group which is formalising a 'mutual aid' protocol to mitigate the capacity risks associated with emergency incidents. The team is also involved in preparing for the EU Exit this financial year, although it is hard to estimate the impact on staffing capacity due to the considerable uncertainties around this at the moment.

Next years' service plan will reflect on more specific impacts if/once they are known – e.g. the potential likelihood and risks associated with food fraud, food poverty, pest control, business start up, growth and sustainability.

### **Staffing factors**

The Trainee Environmental Health Officer is now a newly qualified professional and is working through the required Food Law Competency Framework before he begins unsupervised inspections. Please see 'Covid-19' section above for more information on staffing factors.

## **2.5 Regulation Policy**

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

The Framework Agreement requires local authorities to take account of the Better Regulation agenda with regard to service delivery and planning. 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. Key principles of the Better Regulation agenda are targeting, proportionality, accountability, consistency and transparency.

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.

There is a suite of interventions that focus on outputs and continued improvements in food safety. This allows us to choose the most appropriate and **proportionate** action to be taken to drive up levels of compliance of food establishments with food law whilst being mindful of the regulatory burden on businesses and only intervening where necessary. In addition, we operate an Alternative Enforcement Strategy (compliant with Food Law Code of Practice) which allows us to **target** resource at the highest risk premises through the use of a self-assessment questionnaire for lower risk category businesses. The Service operates a **consistency** framework supported by internal monitoring procedures so that all businesses and individuals receive the same standard of regulation. The Service operates in an open and **transparent** way e.g. through the format of its interventions and associated documentation, reviews of procedures, release of food hygiene intervention reports to consumers upon request, and by taking on board feedback from service users, although it recognises that it could do more in this respect – for example through the establishment of surveys or focus groups. More progress needs to be made in this area utilising the skills of the shared Business Support Team in the Place & Growth Group and that service levels are re-assessed and explained to the public and stakeholders as part of the Service's **accountability** measures. The formation, approval and publication of this Plan also helps demonstrate the Service's accountability.

### 3 SERVICE DELIVERY

#### 3.1 Interventions at Food Establishments

##### **Intervention Policy**

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 Service operates an Intervention Policy which sets out how interventions will be selected and delivered in accordance with the provisions of the Food Law Code of Practice and the FHRS Brand Standard. As a guide the diagram below depicts the Service's policy with regard the choice of interventions available per risk category.

**Figure 1: Intervention policy schematic**



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, such as sampling, alternative enforcement strategies, intelligence/information gathering in accordance with the Food Law Code of Practice.

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 category E premises.

The service intends to prioritise official controls due over commercial requests for service if there is insufficient capacity at times to deliver both.

**Premises profile**

The premises profile is given in the table below with figures for the previous financial year in brackets as a comparison:

**Table 2: Premises profile as of 31<sup>st</sup> March 2020**

	<b>NO. OF PREMISES</b>
PRIMARY PRODUCERS	0 (0)
MANUFACTURERS + PACKERS	8 (6)
IMPORTERS/EXPORTERS	3 (3)
DISTRIBUTORS/TRANSPORTERS	6 (10)
RETAILERS	173 (171)
RESTAURANTS AND CATERERS	779 (743)
<b>TOTAL</b>	<b>969 (933)</b>

**Number of interventions programmed for 2020-21**

The inspections (official controls) due can be broken down into risk categories as follows:

**Table 3: Official controls programmed for 2020-21 and revisits estimate**

<b>Risk category</b>	<b>Number due for intervention FY 2020-21</b>	<b>Target</b>
<b>Unrated – i.e. new businesses</b> (projected from last year)	109	100%
<b>A</b>	0	100%
<b>B</b>	33	100%
<b>C</b>	128	100%
<b>D</b>	217	100%
<b>E</b>	115	100%
<b>Revisits for compliance</b> (average 30% of official controls p/a)	187	100%
<b>Revisits requested by Food Business Operator under FHRS (based on last FY)</b>	7	100%
<b>Overdue from previous year</b>	<b>51</b>	<b>100%</b>
<b>TOTAL NUMBER OF INTERVENTIONS</b>	493 Official controls due + 109 new premises visits + 194 revisits + 51 overdue <b>= 847 interventions</b>	<b>100%</b>

**Estimation of the number of revisits that will be made in 2020-21**

According to the Service’s statutory return (LAEMS – local authority enforcement monitoring system), last year there were 642 planned interventions at 397 premises i.e. 245 interventions involved a revisit to a premises. This equates to 38.2% of overall interventions (27.5% of interventions undertaken in the previous year 2019-20 were also revisits: 30% revisit rate in 2018-19 and 33% in 2017-18). In addition, there were 7 revisits requested by Food Business Operators under the FHRS.

For 2020-21 it is reasonable to assume a similar level of revisits will be required particularly as some interventions have to be delayed due to covid. 38% of 493 programmed official controls = 187 revisits for compliance + 7 requested revisits = **194 revisits**. The number of requested FHRS revisits has remained fairly stable since the authority began charging for them although there could be an impact on resource if the service is more aggressively marketed. Historic data for requested FHRS revisits is 7 in 2019 – 2020, 18 in 2018-19, 18 in 2017-8 and 19 in 2016-17.

**Estimation of resources required e.g. staffing**

Caveats:

- The data in the Table 4 (Resource Projection) contains estimates.
- The figures in the table below are based on the current system where food safety officers are responsible for the majority of administrative tasks associated with the service including: data entry, letter and report writing, filing, minute taking, FHRS administration, database maintenance, freedom of information requests, etc. However the service has recommended that work processes are undertaken at the appropriate pay grade in order to release senior officer capacity for fee earning work and to minimise the cost of service delivery. The service shares a business support team and the general intention remains to redirect some of the initial demand for senior food officers to support officers instead. This would have the effect of reducing the time/cost per service function/row of the table below.
- Projections do not include management or support time.

**Table 4: Resource projection for food service delivery 2020-21**

Service function	Projected demand or volume	Estimated time per unit (hours)	Total Food Officer resource required p/a (hours)
Category A interventions	0	5	0
Category B interventions	33	5	165
Category C interventions	128	5	640
Category D interventions	217	4	868
Category E interventions	115	2.5	287.5

Service function	Projected demand or volume	Estimated time per unit (hours)	Total Food Officer resource required p/a (hours)
Unrated (i.e. new businesses)	109	5	545
Revisits	194	2.5	485
Overdue interventions	51	4	204
Complaint investigations (based on last year's data)	151	2	302
Infectious disease investigations (based on last year's data)	194	1	194
Business advice (exc unrated businesses) – based on last year's data	28	1	28
Festivals and event advice (based on last year's data)	78	0.5	39
Mandatory competency training	3 officers	30	90
Internal monitoring, Lead Officer duties, Food Safety Week and other promotions, database maintenance and FHRS administration	52 weeks	7	364
Food service meetings, regional liaison group, consistency meetings etc. NB: 3 officers attend internal meetings & the team leader attends the regional meeting	2 x 1.5 hour food team meetings pcm inc 121s (24/yr)	9	108
	1 x 1.5 hour consistency meeting pcm (12/yr)	4.5	54
Sampling projects & interventions including delivery to lab, UKFSS & follow ups	3720 credits p/a = approx. 148 samples.		
	Sampling projects: @ 4 samples per premises. 148/4 = 37 premises/interventions	7	259
<b>TOTAL OFFICER HOURS REQUIRED p/a</b>			<b>4632.5</b>
<b>AVAILABLE OFFICER HOURS</b> per annum  37 hrs. p/w x 52 = 1924 p/a	3 FTE	1568	<b>4704</b> (3 x 1568)

Service function	Projected demand or volume	Estimated time per unit (hours)	Total Food Officer resource required p/a (hours)
<ul style="list-style-type: none"> <li>- 222 hrs annual leave = 1702</li> <li>- 30hrs CPD = 1672</li> <li>- 37 hrs other training or sickness = 1635</li> <li>- 9 Bank/Public Holidays p/a = 67 hrs = 1568</li> </ul> = 1568 available hours per officer p/a			
<p><b>Assessment of resource including impact of Covid-19</b></p> <p>According to the resource projection, in a 'normal' year there would have been insufficient officer resource to fully deliver this Food Safety Service Plan, with a <b>deficit of 80 officer hours approx.</b> A mid-year position was calculated in July 2020 to assess the impact of Covid-19 on service delivery. At that time there was a backlog of food safety inspections plus insufficient resource to deliver those due by end of March 2021 (inspections paused by FSA during lockdown and EHO resource still diverted to covid-related business concerns as well as outbreak control) which meant <b>by 31.03.2021 894 inspections would be due or overdue intervention.</b> Of that figure, there was capacity in the existing team to deliver 385 interventions.</p> <p><b>Resource Strategy</b></p> <p>A resource strategy was approved by Executive Leadership Team on 29<sup>th</sup> July 2020, which addressed the shortfall in resource required to deliver official controls for the financial year. As a result, the Senior EHO for food safety (currently leading on covid-compliance with businesses) has been backfilled by a food safety contractor (4 days per week for 12 months) using funding approved by Gloucestershire's Local Outbreak Management Plan Fund. This has been supplemented by short term temporary contracts (totaling 250 inspections) over summer and autumn 2020, funded by a vacant post. <b>This strategy will ensure the council is on target to complete all due inspections by 31<sup>st</sup> March 2021.</b> If a second peak of Covid-19 diverts further resource from the core team, the resource strategy has ensured that all high and medium risk interventions will still be completed.</p>			

***Targeted intervention work including projects***

No targeted intervention project work planned for this financial year other than to continue to support covid-compliance and economic recovery in food businesses. Food officers will continue to request gas safety certificates during food inspections where appropriate and will refer those and any Covid-19 Matters of Evident Concern to refer to Health & Safety colleagues.

**Priorities relating to locally or nationally driven outcomes**

Interventions focus on nationally driven outcomes which include compliance with allergen awareness/management (local delivery for Trading Standards); updated guidance for issues such as E Coli; focus on allergen awareness; food fraud, acrylamide regulations awareness; and FHSR promotions. The team also actively promotes FHSR revisits (chargeable) during their interactions with businesses. For 2020-21, the focus will be on covid-compliance.

Locally driven outcomes for this year relate to the response to the Covid-19 pandemic, and economic recovery. Although the food safety team now offers commercial services as part of Gloucestershire Better Business for All, it is anticipated income generation will be hampered due to the pandemic.

Participating in the national FHSR consistency exercise and local consistency events remains a service priority although the timing of these will naturally need to be sympathetic to the demands on the local and national food safety service due to the pandemic response.

**Access to appropriate expertise for the competent inspection of specialised processes listed in Section 2.**

There are no complex or specialised process such as smokeries, canneries, dairies, cheesemakers etc in the borough. However, should such a business emerge in the coming year, the neighbouring districts would be approached with regard buying expertise until one of the authority’s own food safety officers reached the appropriate level of competency.

**3.2 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 2019-20 was 37. Previous years’ data is shown below.

Year	# of food complaint investigations
2018-19	28
2017-18	32
2016-17	20

In 2019-20 the service investigated 114 complaints relating to the hygiene of premises. Previous year’s data is shown below.

Year	# of hygiene of food premises complaint investigations
2018-19	126
2017-18	98
2016-17	106

The numbers of complaints are fairly stable from one year to the next.

The service’s business support team receives and logs all food and hygiene complaints which are then allocated to a duty officer. The complaint investigation policy involves a risk based filter in order to prioritise response according to factors such as public health implications, premises history and compliance.

**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.

**Resource:** each complaint can take an average of 2 hours to investigate including preparation; site visit and travelling time; communication with primary authority, head office, customers; database entry; production of letters etc. and any resultant follow up required. Based on 2019-20 data, 302 officer hours are required for this function per annum.

### **3.3 Primary Authority Principle and Home 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 BIS guidance.

The Council does not currently act as a Home Authority or Primary Authority. The Home Authority Principle is where businesses have outlets in more than one local authority area, and/or supply goods or services beyond the boundaries of one local authority, the council in the district of the head office can act as the focal point for other regulators across the country.

### **3.4 Advice to Businesses**

The food safety service provides 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
- Chargeable advice and consultancy; FHRS revisits
- 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.
- Better Business for All Partnership eg Growth Hub referrals

The service also intends to offer food related training courses and events.

**Resource:**

Enhanced coding is needed in order for the service to truly capture its interactions with businesses.

It is estimated that the average business advice interaction takes approximately one hour mins and that 28 officer hours is needed for this function, based on 2019-20 data.

### **3.5 Food Sampling**

The food service participated in the Public Health England (PHE) cross regional school dinner trays, and spa and hot tub studies 2019-20.

A total of 22 microbiological samples were taken in 8 premises. No results were 'unacceptable' although 3 were 'unsatisfactory'. The unsatisfactory results were followed up by food safety officers to ensure the business received the appropriate advice to address them.

#### ***Sampling Policy***

The Authority's sampling policy states the following reasons for sampling:

- Investigation of food contamination, food poisoning and complaints
- Imported food responsibilities.
- Primary Authority/Originating Authority responsibilities
- Food sampling defined by statute e.g. shellfish
- Use of sampling as part of an Official Control
- Participation in EU co-ordinated control programmes
- Participation in nationally co-ordinated sampling programmes
- Participation in regional sampling programmes
- Sampling related to local products/events/initiatives relevant to Cheltenham Borough Council
- Continued use of the UK Food Surveillance System (UKFSS)
- Surveillance/Intelligence sampling to identify foods that could pose a hazard
- Sampling on request of a food business e.g. new product and/or process
- Informal sampling to assist with giving advice to businesses
- Resampling from previously unsatisfactory results

#### ***Analysis/examination of Samples***

All samples for analysis, taken under section 29 of the Food Safety Act 1990 in accordance with the Food Safety (Sampling and Qualifications) Regulations 2013 and with the requirements of this Code, will be submitted to the appointed Public Analyst at a laboratory accredited for the purposes of analysis, and which appears on the list of official food control laboratories. Cheltenham currently has an agreement with Worcester Scientific Services, Worcester.

All samples for examination, taken in accordance with regulation 14 of the Food Safety and Hygiene (England) Regulations 2013 and the requirements of this Code, will be submitted to the Food Examiner at a laboratory accredited for the purposes of examination, and which appears on the list of official food control laboratories. Cheltenham BC currently has an agreement with Food, Water and Environmental Microbiology laboratory Porton, Wiltshire.

**Other samples**

Other samples such as hygiene check swabs could be used within food premises to check on the efficiency of cleaning and disinfection. These fall outside the sampling programme and the number and type will be determined according to local needs.

**2020-21 Sampling Surveys**

The planned sampling projects identified by Public Health England at the start of 2020-21 are shown below. Processed chicken has since been added as a study.

**Table 5 - planned study timings for 2020-21 Programme:**

Year	2020-2021											
Months of sampling	A	M	J	J	A	S	O	N	D	J	F	M
<i>Study 70-RTE Salads/slaws and water used during production</i>												
<i>Study 71- Taps/water in temporary/mobile supplies</i>												
<i>Study 72 – reactive study</i>												

**Resource:**

The Authority is given around 3720 sampling credits free of charge each year. This equates to approximately 148 samples. Sometimes it may benefit a complaint investigation if samples are taken but generally the majority of credits are put towards national and cross-regional sampling surveys. The Service intends to maximise opportunities presented by sampling credits, in accordance with its Sampling Policy and to use its credit allowance in the financial year. It is likely that multiple samples (average of four) will be taken from each premises selected for the surveys to provide more meaningful results and to be resource-effective.

3720 credits = approx. 148 samples

148 samples/4 samples per premises = 37 premises surveyed/sampling official controls/complaint investigation samples

Estimated 7 hours officer time for each premises interaction including data entry, site visit and sampling; travel to lab, paperwork and follow up visit and/or paperwork.

37 premises x 7 hours = 259 officer hours required per annum.

**Resource assessment and mitigation**

The Service will be hard pressed to deliver its full sampling responsibilities under the Framework Agreement within the context of the Covid-19 pandemic, however, this will be the situation nationally.

### 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 policy in respect of this service is to:

- 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. The service has participated in Operation Brimstone, Summer Rose and Operation Spanish Oak (covid) public and environmental health emergency planning exercises regionally.

**Performance target:** to action 100% of infectious disease notifications within two working days unless the potential risk to public health requires a same day response (e.g. *E Coli 0157*)

**Table 6: Number of Infectious Disease Notifications by year**

Financial year	Number of Infectious Disease Notifications	Performance (actioned within two working days)
2019-20	194	100%
2018-19	213	100%
2017-18	178	100%
2016-17	209	100%
2015-16	183	100%
2014-15	196	100%

**Resource projection:** 194 cases x 1 hour average per investigation = 194 hours per annum

### 3.7 Food Safety Incidents

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. Approximately 100 FSA messages are received annually which used to be manually distributed to food safety officers by the team leader, but this is now co-ordinated through an information platform 'Smarter Comms'.

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.

The responsive element of work associated with individual alerts can vary significantly but the majority are alerts for information rather than action. Alerts for action are assigned to the Duty Officer as part of their reactive caseload alongside complaint and infectious disease investigations. An average of four alerts for action about a food business or food product in Cheltenham's district is received each year and does not usually require more than one officer's input for more than 2 hours, depending on the nature and scale of the incident.

### **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 District and Borough Councils in the County, Publica (shared regulatory services); the County Council Trading Standards Service, the Food Standards Agency's Regional Representative 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 service also takes part in any local public health groups convened to monitor local trends in infectious diseases.

#### **Resource**

##### *Internal meetings:*

1 x 1.5 hour inter-officer consistency meeting pcm (3 FTE attendance) = 54 hours p/a

2 x 1.5 hour food team meetings pcm (3 FTE attendance) = 108 hours p/a

### **3.9 Food Safety promotional work and other non-official control interventions**

The service will participate in FSA promotional work or covid-related non-official control interventions in 2020-21 to support pandemic response and local recovery. It will work with the Business Improvement District, Marketing Cheltenham and other services to that effect, within capacity.

The service has an active Twitter account which it uses to promote local 5 rated food businesses and will continue to utilise the council's Communications team with regard food safety or FSA press campaigns e.g. Food Safety Week.

## **4 RESOURCES**

### **4.1 Financial Allocation**

The Food Safety Service budget for 2020-21 is £207,200 (which has increased from £200,200 the previous two financial years). This budget includes staffing, travel, subsistence, I.T. development, legal action and office overheads necessary as part of the food safety enforcement function. Recharges for I.T. support, Human Resources, accountancy, audit, insurances, communications, and asset management are also included.

There is not a separate sampling budget.

The Council always seeks to recover costs following successful legal proceedings wherever possible, and the service is reviewing its functions to release capacity for income generating work.

### **4.2 Staffing Allocation**

There is one full time Senior Environmental Health Officer and one full time Senior Technical Officer in the food safety team who are widely experienced in food safety. A trainee EHO has recently attained full qualification and will shortly be commencing food inspections under supervision until the required competency has been demonstrated.

All officers have completed a competency framework assessed by the Lead Officer and are Authorised Officers according to their competency and experience as required by the Competency Framework. The 3 FTEs are dedicated to the delivery of the food safety service (backfill arrangement in place for 12 months to release the Senior EHO for Covid priority work).

The food safety service has contributed its 0.6 FTE Business Support Team Officer to a shared business support team as part of the agile working project. The service has been assured of greater resilience and cross-training in this shared team who act as a specific point of customer contact and register commercial premises etc. The BST officers do not have a role according to the Code of Practice but the service will explore the possibility of developing a Regulatory Support Officer if funding for training etc becomes available.

The food safety service is managed by Sarah Clark (Team Leader). Yvonne Hope is the Head of Service for the Public Protection Department which contains food safety amongst other functions.

Contractors engaged by the service are also authorised and assessed according to the competency framework.

It is projected that there are sufficient officer hours available to deliver this Service Plan due to the resource explanation above.

### **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.

The council's policy is to use a corporate system to record training and CPD. The current system is in the process of being replaced.

## **5 QUALITY ASSESSMENT**

### **5.1 Quality assessment and internal monitoring**

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 fortnightly basis for data accuracy before upload to the Food Hygiene Rating Scheme portal.

Data checking is also undertaken when quarterly inspection lists are produced.

Officers have a monthly consistency check with each other; internal monitoring checks are carried out in 121s; and accompanied visits occur quarterly. Feedback is given in team meetings. Liaison group training is arranged where possible and the authority participates in inter-authority audits when they are planned.

## **6 REVIEW**

### **6.1 Review against the Service Plan**

#### **6.1.1 Progress**

Last year's progress in food safety includes:

- Successfully completed 94% of all due interventions by year end.
- Continuing a high standard of broadly compliant businesses included in the food hygiene rating scheme (95%)
- Prioritisation of visits to non-compliant food businesses and use of alternative enforcement strategy
- Contributed to Public Health England National Sampling Studies
- 355 written warnings of non-compliance with food hygiene legislation (compared to 478 the previous year)
- 638 Official Controls carried out in 397 premises
- Investigated 154 complaints
- Undertook 194 infectious disease investigations
- Continued participation in FSA Digital Registration of Food Businesses project
- Member of Gloucestershire Better Business for All and Gloucestershire Food Safety Technical Liaison Groups.
- Joint work with Trading Standards on allergen cases
- Participated in Food Safety Week 2019
- Full participation in Inter-Authority Audit summer 2019 and implementation of recommendations and actions. CBC were audited by Gloucester City Council and in turn audited Tewkesbury Borough Council.
- Fully supported the internal modernisation process reviews.
- Delivering the 'future plan for CBC environmental health' through the training and development of entry level/technical staff
- Continue to grow the service's Twitter account which actively promotes local food businesses and food safety messages (@CBCEnviroHealth)
- Supported the Trainee EHO through his professional and competency assessments – he is now a fully qualified new professional.

#### **6.1.2 Performance monitoring**

##### **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](http://www.ratings.food.gov.uk)

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.

2008/2009 was the baseline year with less than 70% of our food premises being broadly compliant. As at 31<sup>st</sup> March 2020, 95% of rated food businesses in Cheltenham were broadly compliant (n=921/969).

This does not meet the target of 97% for premises in broad compliance.

Previous years' figures for comparison:

2018-19: 98% (n=913/933)  
 2017-18: 97% (n=882/905).  
 2016-17: 97% (n=882/911)  
 2015-16: 96% (n=990/1031)  
 2014-15: 94%

All unrated new businesses are automatically non-compliant at first, and are included in this calculation. A full breakdown by risk category is provided below. Officers have scheduled revisits according to the intervention policy and 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.

**Table 7: Percentage of food businesses which are broadly compliant with food safety legislation**

<b>Profile of premises in broad compliance with food law</b>	<b>Broadly compliant</b>	<b>Total no. of premises</b>	<b>% broadly compliant</b>
Premise Rating - A	0	-	N/A
Premise Rating - B	32	36	88.9%
Premise Rating - C	224	230	97.4%
Premise Rating - D	401	404	99.3%
Premise Rating - E	264	264	100%
Unrated	0 (unassessed)	35	0%
<b>Totals</b>	<b>921</b>	<b>969</b>	<b>95.1%</b>

For 2020-21, 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

There are currently 864 Cheltenham food businesses with a rating of 3 or higher out of 954 on the national Food Hygiene Rating Scheme website. This equates to 91% with a rating of 3 (generally satisfactory) or higher, which is 4% less than last year.

In 2018-19, this figures was 95% (n=864/906)

In 2017-18, this figure was 97% (n=847/876)

In 2016-17, this figure was 90% (n=846/945)

In 2015-16, it was 92% (n=875/953) and for 2014-15 it was 93% (n=975/953).

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.

#### 6.1.3 Review against Service Plan

The following table gives the targets and results for 2019-20 for inspections due per risk category – **snapshot as of 31.03.2020**

**Table 8: Food hygiene interventions achieved 1<sup>st</sup> April 2019 – 31<sup>st</sup> March 2020**

Risk Category	Interventions due	Interventions achieved	Target set
A	5	5 = 100%	100%
B	63	61 = 96.8%	100%
C	202	170 = 84.2%	100%
D	210	203 = 96.7%	100%
E	98	94 = 95.9%	100%
Unrated ie 'new'	109	109 = 100%	100%
<b>TOTAL</b>	<b>687</b>	<b>642 = 93.4%</b>	<b>100%</b>

The target for 2019-20 is to complete 100% of all interventions due.

#### 6.2 Identification of any variation from the Service Plan

The Service did not significantly vary from the Plan in 2019-20.

This Plan has been updated and published later than usual in 2020-21 to allow for service continuity planning due to the impact of Covid-19. There still could be variance from this service plan in 2020-21 if a second more severe peak occurs, if the district goes into a higher alert tier or if a resource gap occurs due to a food-related incident (for example an infectious foodborne disease outbreak or an in-depth investigation).

### **6.3 Areas of improvement**

Areas of improvement still include: modernisation/digitalization (eg. Online forms, automated data collection, handheld devices for data entry in the field) and enhanced business/technical support for the service. For example, some of the technical data entry and customer focused tasks could now be moved to business support or technical function. This would release food safety officer capacity to better deliver its food safety statutory functions eg inspections; support business economic development; undertake sampling and/or explore commercial opportunities including the provision of training courses.

Comments on service development in general are provided throughout this Plan.

### **6.4 Inter-Authority Audit**

The service was peer audited by Gloucester City Council in August 2019 as part of the Gloucestershire Food Safety Liaison Group's Inter-Authority Audit. The focus was on authorisations and competencies. All recommendations have been implemented by the service, these were:

- Implement refreshed authorisation procedure including review for students, new recruits and contractors.
- Imported food training for all food safety officers.
- Learning system being created corporately for logign of CPD (CIEH site used as an alternative)

NB the corporate Enforcement Policy is being developed through the Counter Fraud Unit.

