

Cheltenham Borough Council
Cabinet – 10th November 2020
Food Safety Service Plan 2020 – 2021

Accountable member	Councillor Andrew McKinlay, Cabinet Member for Development & Safety
Accountable officer	Sarah Clark – Public & Environmental Health Team Leader
Ward(s) affected	All
Key/Significant Decision	Yes
Executive summary	<p>The Council is required to produce a Food Safety Service Plan under the Framework Agreement with the Food Standards Agency (FSA). Local Authorities are required to consider and approve the Plan to ‘help ensure local transparency and accountability’.</p> <p>The Food Safety Service Plan is the Council’s expression of commitment to the delivery of an improving cost effective and efficient regulatory food service.</p> <p>This Food Safety Service Plan is an annual operational plan, giving details of how Cheltenham is going to execute its statutory food safety functions within the Public Protection service.</p>
Recommendations	<p>It is recommended that Cabinet:</p> <ol style="list-style-type: none"> 1. Approve the appended service plan for 2020-21.

Financial implications	<p>There are no specific financial implications associated with this report.</p> <p>Contact officer: Martin Yates, martin.yates@cheltenham.gov.uk, 01242 264115</p>
Legal implications	<p>There are no legal implications associated with this report.</p> <p>Contact officer: One Legal, legal.services@tewkesbury.gov.uk</p>
HR implications (including learning and organisational development)	<p>There are no direct HR implications arising from the content of this report.</p> <p>Contact officer: Julie McCarthy, julie.mccarthy@publicagroup.uk . 01242 264355</p>

<p>Key risks</p>	<p>Please refer to the appended risk assessment for full risk assessment. The key risk has already been realised in that an international pandemic has drawn resource from the food safety service and impacted service delivery. The appended service plan describes how the risk mitigations currently in place.</p> <p>Other risks are related to the consequences that could result if the service is under-resourced for any additional reasons.</p> <p>The service has enough existing capacity to undertake all programmed food hygiene interventions in 2020-21 and to deliver its statutory commitments (with the fixed term engagement of externally funded backfill, and the short term engagement of contractors using food officer salary efficiencies) under the Food Law Framework Agreement. However, there is little resilience if a major foodborne outbreak or investigation, or staff illness was to occur this year.</p>
<p>Corporate and community plan Implications</p>	<p>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).</p> <p>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.</p> <p>2. Continuing the revitalisation and improvement of our vibrant town centre and public spaces.</p> <p>3. Achieving a cleaner and greener sustainable environment for residents and visitors.</p> <p>5. Delivering services to meet the needs of our residents and communities.</p>
<p>Environmental and climate change implications</p>	<p>None additional to current situation (e.g. implications of transport to visits, use of paper forms).</p>
<p>Property/Asset Implications</p>	<p>None.</p>

1. Background

- 1.1 The Framework Agreement on Official Feed and Food Controls by Local Authorities (Amendment Five, April 2010) sets out what the FSA formally requires from local authorities with regard to their planning and delivery of food official controls, based on statutory Codes of Practice.
- 1.2 One such requirement is the production, approval and publication of an annual Service Plan.
- 1.3 Service plans are seen to be an important part of the process to ensure national priorities and standards are addressed and delivered locally. Service plans also:
 - focus debate on key delivery issues;
 - provide an essential link with financial planning;
 - set objectives for the future and identify major issues that cross service boundaries; and
 - provide a means of managing performance and making performance comparisons.
- 1.4 The plan follows a standard format provided by the FSA and is required to be submitted to Members for approval. The Food Hygiene Rating Scheme audit by the FSA in 2016 and internal audit by Audit Cotswold (now SWAP) in 2017 highlighted the importance of thorough service planning and resource allocation. Auditors recommended that lack of resource or other issues affecting the authority's ability to carry out official controls should be emphasised in the service plan, because of the nature of statutory requirements.

2. Reasons for recommendations

- 2.1 It is a statutory requirement to produce a Food Service Plan, and allows for the efficient planning of resource to deliver official controls as required by the Food Law Code of Practice and to deliver other commitments such as sampling, internal monitoring and business advice as required by the Framework Agreement.

3. Alternative options considered

- 3.1 This plan relates to the delivery of a statutory function, so no alternative options are available at this time.

4. How this initiative contributes to the corporate plan

- 4.1 This statutory food service plan is essential to protect the health of people who live, visit and work in Cheltenham, as well as to offer a fair, safe and supportive service to the district's businesses. Please see 'corporate and community plan implications' section above for further details.

5. Consultation and feedback

- 5.1 A copy of the plan is made available on the Council's website.

6. Performance management –monitoring and review

- 6.1 Documented internal monitoring procedures are required by Article 8 of Regulation (EC) 882/2004 (Official Feed and Food Controls), the relevant Codes of Practice, and centrally issued guidance.
- 6.2 Quality assurance is provided through the service's consistency and internal monitoring procedures. For example: Food Safety Officer performance management takes place on a monthly basis, through recorded 121s with the team leader and in team meetings; inter-officer

consistency meetings occur monthly; internal monitoring file and system checks take place in 121s and accompanied visits are scheduled four times each year with each officer. There are also rigorous procedures in place to ensure the accuracy and integrity of the food hygiene rating scheme.

- 6.3** The Food Safety Service used to report on a food service performance indicator on a quarterly basis to the corporate performance team. The service continues to use this as a local indicator although there is currently no requirement to report it corporately. The indicator is the growth in the number of food businesses with a food hygiene rating of three or above. Please refer to section 6 of the service plan for details of performance measures including the percentage of inspections achieved.
- 6.4** An annual statutory return is also produced through the Local Authority Enforcement Monitoring System (LAEMS) and monitored by the FSA.
- 6.5** The operation of the Food Hygiene Rating Scheme is monitored by the FSA against the Brand Standard. The service has robust monitoring and data procedures relating this.

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Appendices	<ol style="list-style-type: none"> 1. Risk Assessment 2. Food Safety Service Plan 2020-21
Background information	<ol style="list-style-type: none"> 1. Food Law Agreement on Official Feed and Food Controls by Local Authorities https://acss.food.gov.uk/sites/default/files/multimedia/pdfs/enforcement/frameworkagreementno5.pdf 2. Food Law Code of Practice and Food Law Practice Guidance 2017 https://www.food.gov.uk/about-us/food-and-feed-codes-of-practice

The risk				Original risk score (impact x likelihood)			Managing risk					
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register	
1	If the Council is unable to deliver interventions in food premises as they become due in accordance with the Food Law Code of Practice, then potential public health risks such as food poisoning outbreaks could occur (also damaging business and Council reputation)	Sarah Clark	01.04.20	4	2	8	A	The service plan is achievable within resource plan outlined in the Food Safety Service Plan and if no other circumstances change. If the situation does change, resource implications will be escalated to the Head of Service and Director.	In place	YH/MR		
2.	If the Council is unable to meet its commitments according to the Framework Agreement, and deliver them according to the Code of Practice and Practice Guidance, then it could be in breach of its statutory duty with potential FSA sanctions and damage to reputation	Sarah Clark	01.04.20	4	2	8	A	The service plan is achievable within resources detailed if no other circumstances change (a contractor has already been engaged). If the situation changes, resource implications will be escalated to the Head of Service and Director.	In place	YH/MR		

3	Emergencies and unusual situations – if the service suffers a lack of resource due to the ongoing Covid-19 pandemic, EU Exit implications, a major emergency or food/infection related incident, then there could be a failure to carry out planned interventions, or to investigate food complaints/incidents.	Sarah Clark	24.07.20	3	6	18	R	<p>External funding has been obtained for 12 months food safety officer backfill.</p> <p>Resource strategy has been approved by ELT and short term contractors are completing overdue/due inspections alongside core team.</p> <p>Trainee EHO is now newly qualified and almost ready for unaccompanied inspections.</p> <p>Impact of other emergencies eg foodborne are likely to be short-term if risk is realised so can potentially reduce risk with mitigation: a) mutual aid from neighbouring districts to cover high risk interventions or complaint investigation (Memorandum of Understanding/Protocol is being formalised through CPT b)</p>	<p>In place</p> <p>In place</p> <p>In place</p>	YH/MR	
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								notification to FSA of incident and possible impact on performance c) further use of agency contract staff to backfill if necessary			
4	If IDOX Uni-Form does not function as a stable case management system, then risk data relating to any business in Cheltenham cannot be accessed and planned interventions cannot be programmed	SC	22.10.20	2	2	4	A	Reduce risk by: a) reporting all issues to ICT and user group rep b) have now produced paper versions of inspection forms and Legal Notices etc c) reliance on paper files Access report of all due interventions has been saved in case of Uniform failure	In place	SC	
The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
Explanatory notes											
Impact – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)											
Likelihood – how likely is it that the risk will occur on a scale of 1-6 (1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)											
Control - Either: Reduce / Accept / Transfer to 3rd party / Close											