

Cheltenham Borough Council
Cabinet – 14th September 2021
Food Safety Service Plan 2021 – 2022

Accountable member	Councillor Martin Horwood, Cabinet Member Customer and Regulatory Services
Accountable officer	Bernadette Reed – Interim 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 ensures national priorities are delivered locally and linked to corporate and financial planning. It also provides a means of managing performance and providing relevant information to stakeholders.</p>
Recommendations	<p>It is recommended that Cabinet:</p> <ol style="list-style-type: none">1. Approve the appended service plan for 2021-22.

Financial implications	N/A Contact officer: Andrew Taylor, Andrew.taylor@cheltenham.gov.uk, 01242 264115
Legal implications	N/A Contact officer: Legal Services, legalservices@onelegal.co.uk
HR implications (including learning and organisational development)	N/A Contact officer: Clare Jones, clare.jones@cheltenham.gov.uk, 01242 264364
Key risks	<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 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 capacity to deliver its statutory commitments as outlined in the Food Standards Agency Recovery Plan (with 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>
Corporate and community plan Implications	<p>The Food Service Plan supports the Culture and Community ambitions by working to achieve increased levels of food safety and hygiene in premises; high rated 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.</p> <p>The council has five corporate priorities identified in the Corporate Plan 2019-2023, of which the food safety service supports priorities of:</p> <ol style="list-style-type: none"> 1. Continuing the revitalisation and improvement of our vibrant town centre and public spaces 2. Achieving a cleaner and greener sustainable environment for residents and visitors 3. Delivering services to meet the needs of our residents and communities
Environmental and climate change implications	None additional to current situation (e.g. implications of transport to visits, use of paper forms).
Property/Asset Implications	None.

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. Potential lack of resource or other issues affecting the authority's ability to carry out official controls are 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 Regulation (EU) 2017/625 on Official controls and other official activities, the relevant Codes of Practice, and centrally issued guidance.
- 6.2 Quality assurance is provided through the service's consistency and internal monitoring procedures.
- 6.3 KPIs are being reviewed and will include the number of business interventions completed which were due, the number of businesses which are broadly compliant, the number of new high risk

food businesses which were inspected within 28 days following receipt of registration.

6.3 An annual statutory return is also produced through the Local Authority Enforcement Monitoring System (LAEMS) and monitored by the FSA.

6.4 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 Assessment2. Food Safety Service Plan 2021-22
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.pdf2. Food Law Code of Practice and Food Law Practice Guidance 2021 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)	Bernadette Reed	01.04.21	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 legal requirements and 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	Bernadette Reed	01.04.21	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 situation, a major emergency or food/infection related incident, then there could be a failure to carry out planned	Bernadette Reed	01.04.21	3	6	18	R	External funding has been obtained for 12 months food safety officer backfill. Resource strategy has been approved by ELT and short term	In place In place	YH/MR	

	interventions, or to investigate food complaints/incidents.							contractors are completing overdue/due inspections alongside core team.			
								Impact of other emergencies eg foodborne are likely to be short-term if risk is realised so can potentially reduce risk with mitigation: further use of agency contract staff to backfill if necessary	In place		
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	Bernadette Reed	01.04.21	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 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											