



FOOD SAFETY SERVICE PLAN 2021-2022

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 food controls.

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 (as amended).

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.

- 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 respond appropriately to Food Alerts from The FSA
- To move towards greater commercialisation and modernisation of the service through the delivery of corporate programmes.

1.2 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. 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 high food activities and/or the poorest performing food businesses, with the aim of improving standards across Cheltenham whilst supporting business growth.

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.

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 consists mainly of small to medium sized businesses a large proportion of which are restaurants and cafes. It hosts a farmers market as well as a Continental and Christmas food market. The town offers a wide range of educational and employment opportunities. The town also hosts a year-round programme of festivals and events, and has 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 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 normally by three appointed and authorised officers in accordance with the requirements of the FSA code of practice. There is one Senior Environmental Health Officer, who is also the lead officer for food safety as determined by the FSA, one Senior Technical Officer and one recently qualified Environmental Health Officer. These officers are also responsible for infectious disease control along with other environmental health functions in all food premises. 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. They also offer a chargeable service for sampling and certification for official certificates for export. The lead Officer is currently registered with DEFRA as the certifying officer.

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.

Since the beginning of the pandemic, the Senior Environmental Health Officer has been redeployed to work at local level on behalf of Health Protection at Gloucestershire County Council. The newly qualified officer has spent 0.5 FTE on covid restrictions and control work which left the Senior Technical Officer to carry out the high risk priority food safety demands as determined by the FSA. From May 2021 the Senior Environmental Health Officer has been employed within the Public and Environmental Health Team leader role on an interim basis following the departure of the team leader. The gap in food safety resource will be addressed to ensure the requirement of the FSA recovery plan are met as detailed below.

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) The offices are not currently open to members of the public	01242 264139 – business support env.health@cheltenham.gov.uk ehbusinesssupport@cheltenham.gov.uk 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 31st March 2021 there were 1025 food businesses registered on the database, compared to 969 at the close of the previous financial year.

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 had a significant impact of the food team in terms of staff redeployment to urgent reactive work and to other wider local public health work. The deferral by the FSA of all planned food hygiene interventions from March 2020 to July 2020 together with the diversion of resources to only high risk food related activities has understandably resulted in a back log of planned interventions. All the required high risk activities as required from the FSA (namely continued enforcement action, carrying out over due enforcement revisits, follow up of food incidents, investigation of any food poisoning cases and investigation of all food and premises complaints) have all been carried out. During the deferral period, Officers also carried out remote surveillance visits for all new business registrations and restarted site visits from July 2020. Remote surveillance visits cannot not be classed as an official control and so all businesses subject to surveillance still require an official control site visit. Site visits continue to focus on the high risk activities as above and our planned intervention programme of Category A and B rated businesses. For the bulk of the back log of business inspections we are implementing a recovery plan developed by the FSA. Food Safety contractors equivalent to 1 FTE have been engaged to carry out planned interventions from July 2021.

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 drive up levels of compliance. We operate an Alternative Enforcement Strategy which allows us to **target** resource at the highest risk premises through the use of a self-assessment questionnaire. 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 release of food hygiene intervention reports to consumers upon request. The publication of this Plan demonstrate our 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. This intervention scheme is under FSA review and a revised model will be effective from Apr 2023.

The Service operates an Intervention Policy setting out how the intervention programme will be delivered. The diagram below depicts the current policy with regard the choice of interventions available per risk category. The recovery plan allows for remote assessment in certain circumstances. Cheltenham BC has decided not to use remote interventions at this stage as we believe we have the capacity for on site visits

Figure 1: Intervention policy schematic



The food safety team aim to inspect all newly registered food businesses within 28 days of registration. Newly registered premises are non-compliant until the first visit when a risk assessment is undertaken. All other non-compliant premises are visited as a priority and always within the due date. Official controls at compliant premises can include interventions such as sampling, alternative enforcement strategies, intelligence and information gathering.

Other visits to food premises may follow a request for advice, complaint or an alleged food poisoning incident.

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 31st March 2021

	NO. OF PREMISES
PRIMARY PRODUCERS	0(0)
MANUFACTURERS + PACKERS	8(8)
IMPORTERS/EXPORTERS	2(3)
DISTRIBUTORS/TRANSPORTERS	6(6)
RETAILERS	177(173)
RESTAURANTS AND CATERERS	832(779)
TOTAL	1025(969)

Number of interventions programmed for 2021-22

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

Table 3: Official controls programmed for 2021-22

Risk category	Number due for intervention FY 2021-22 (including overdue inspections carried forward from 2021)	Target
Unrated – i.e. new businesses (projected from last year)	110 plus approx 100 anticipated	100%
A	0	100%
B	36	100%
C	150	100%
D	261	100%
E	48	100%
TOTAL NUMBER OF INTERVENTIONS	705	100%

NOTE: Primary production relates to the production of food and animal feed. It means the production, rearing or growing of primary products including harvesting, milking and farmed animal production prior to slaughter. It also includes hunting, fishing and the harvesting of wild products. We do not have any such businesses currently registered with the council hence 0. This can change as new businesses register with us. We did not have A rated premises which were due for an inspection during 21-22 hence the 0. A rated are the high-risk businesses as determined by the scoring criteria in the food law code of practice. This can change following any business inspection and at any point in time.

Resource Strategy

Staff resource strategy was approved by Executive Leadership Team on 5/5/21, 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 acting as Interim Team Leader) will be backfilled by 2 food safety contractor (equivalent of 5 days per week

for initially a 3 month period with the option of extending depending on the recovery plan and the Target Operating Model (TOM)

This strategy will ensure the council is on target to complete all due inspections by 31st March 2022 as detailed in the plan. It will also build in some resilience for the team as we move through phase 2 of the recovery plan.

Targeted intervention work including projects

New allergen labelling legislation comes into force on 1st Oct 2021 regarding food which is pre packed for direct sale. The enforcement responsibility lies with Trading Standards our partnership organization on matters of food standards with the expectation that District Councils monitor the compliance during food premises interventions. We will promote the new requirements locally and refer any non-compliances to Trading Standards. We will also continue to support covid-compliance and economic recovery in food businesses.

Priorities relating to locally or nationally driven outcomes

Locally driven outcomes for this year relate to the continued response to the Covid-19 pandemic, and economic recovery.

Additionally we will maintain the service level agreement regarding the operation of the National Food Hygiene Rating Scheme (FHRS).

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 2020-21 was 36. Previous years' data is shown below.

Year	No. of food complaint investigations
2019-20	37
2018-19	28
2017-18	32
2016-17	20

In 2020-21 the service investigated 49 complaints relating to the hygiene of premises. Previous year's data is shown below.

Year	No. of hygiene of food premises complaint investigations
2019-20	114
2018-19	126
2017-18	98
2016-17	106

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 target is an initial response within 3 days.

3.3 Primary Authority Partnership

The Council consults 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 the Business energy and industrial strategy (BEIS) guidance.

The Council does not currently act as a Primary Authority.

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
- Responding to service requests and enquiries
- Attendance at Safety Advisory Groups (SAG) and Event Consultative Groups (ECG) to advise on food safety at public and community events
- Advice given in response to planning and licensing applications.

3.5 Food Sampling

The food team participate in the Public Health England (PHE) cross regional and national sampling studies.

PHE put sampling studies on hold during 2020-21. Sampling was carried out for the purposes of export. High risk food not of animal origin (HRFNOAO) requires official sampling and certifying as complying with relevant legislation for the product and the originating country. There is a charge to businesses for this service. 1 request was received during 2020-21 and 2 complaint samples sent for analysis.

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 nationally co-ordinated sampling programmes
- Participation in regional sampling programmes
- Sampling related to local products/events/initiatives relevant to Cheltenham Borough Council
- 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 the Public Analyst Scientific Services in Wolverhampton.

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.

2021-22 Sampling Surveys

The planned sampling projects identified by Public Health England were put on hold. We will take part in any new programmes as they are released including the regional surveys from October 2021 onwards.

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

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 together with standard operating procedures for the investigation of single cases of infectious disease.

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)
2020-21	115	100%
2018-19	213	100%
2017-18	178	100%

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.

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.

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 2021-22 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 2021-22 is £207,200. 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.

4.2 Staffing Allocation

There is one full time Senior Environmental Health Officer (Vacant as employed on a temporary basis as team leader) and one full time Senior Technical Officer and a recently qualified EHO.

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. 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 food safety service is managed by Bernadette Reed (Interim Team Leader). Yvonne Hope is the Head Public Protection which contains food safety amongst other functions.

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

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:

Due to the pandemic a full data return was not required by the FSA. However, as detailed previously all required high risk activities were conducted as we navigated through the phases of the pandemic.

6.1.2 Performance monitoring

a) Statutory Performance Monitoring

Under normal circumstances , 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>
This year there is no intention for the returns 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 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.

For 2020-21, the target to end the year was 97%

6.2 Identification of any variation from the Service Plan

The Service did not significantly vary from the previous year plan.

This Plan has been updated and published later than usual to allow for service continuity planning due to the impact of Covid-19. There still could be variance from this service plan in 2021-22 if there is a significant change in the public health climate,

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 (e.g. Online forms, automated data collection, handheld devices for data entry in the field) and enhanced business/technical support for the service. For example, work is being carried out to move some of the technical data entry and customer focused tasks to business support or technical function. This would release food safety officer capacity to better deliver its food safety statutory functions, e.g. inspections; support business economic development; undertake additional food sampling and/or explore commercial opportunities.

