



**CHELTENHAM**  
BOROUGH COUNCIL

# **FOOD SAFETY SERVICE PLAN 2022-2023**

# 1. FOOD SAFETY SERVICE AIMS AND OBJECTIVES

## Background

The Food Standards Agency (FSA) *Framework Agreement on Official Feed and Food Law Controls by Local Authorities, Amendment number 5* requires Cheltenham Borough Council to have an Approved Food Service Plan. The framework agreement sets out a standard approach to service planning which the Food Standards Agency (FSA) uses for audit and monitoring purposes. As we recover from the impacts of Covid 19, this plan sets out how Cheltenham Borough Council intends to deliver the food service. It outlines the activities, milestones set out in the FSA's Covid 19 recovery plan for 2022-23, and the resources needed to enable delivery. It takes into account the requirements of the Food Law Code of Practice, the Practice Guidance and the Framework agreement. Due to the varying challenges and varying resources currently available to Local authorities the level of detail required within the document is less prescriptive as in previous years and thus a simplified service plan has been formulated.

## The Covid recovery plan:

Due to the pandemic and restriction that were in place there was a reduction in the number of planned interventions we were able to carry out. We also saw an increase in the numbers of new food business registrations received as many started food businesses from home and operated food delivery services online. We also saw Officers redeployed and Officers leave and/or take internal promotions. The FSA formulated a Covid recovery plan for Local Authorities to implement. Cheltenham Borough Council was successful in a bid application as part of this recovery for extra funding for Food Officers to triage the backlog of unrated business and prioritise those for onsite inspections.

A series of bespoke interim 'temperature check' surveys have been conducted by the FSA to check compliance of Cheltenham Borough Council against each milestone, seeking assurance of preparedness for the Council to achieve the next milestone.

## Aim

The key food safety function of Cheltenham Borough Council is to ensure that the food sold, offered, stored for sale or entering the Borough is safe and fit for human consumption. Everyone has a right to expect that the food they eat will not make them ill. As detailed in the corporate plan, Cheltenham has a collective commitment to ensure that everyone thrives and that they are supported by a thriving economy and our objectives within this plan align with this commitment.

## Objectives:

- To restart the delivery system of food premises control within the Borough in accordance with the Food Law Code of Practice (FLCOP) to include high risk and non-compliant businesses. We will move at a faster pace on our inspection programme for lower risk and complainant businesses where resources allow. This approach will be adopted until the new inspection delivery model is introduced by the FSA in 2023-24.
- To investigate and manage complaints of noncompliance with appropriate enforcement actions.

- To manage food incidents and hazards including outbreaks of food borne illness.
- To conduct reactive samplings or where sampling is necessary to determine business compliance with legal requirements.
- To conduct pro-active surveillance to obtain an accurate picture of the local business landscape to include new or recently closed businesses plus businesses where the overall risk has increased.
- To prioritise new businesses for an onsite intervention where there are concerns around public health.
- To maintain the credibility of the Food Hygiene rating Scheme, in particular responding to requests for revisits.
- To conduct sector specific controls to support trade and enable export
- To ensure all Officers delivering official controls meet and maintain the competency requirements within the Food Law Code of practice.

### **Principles of service delivery**

We aim to maintain a level playing field for honest and diligent businesses, whilst reducing the burden on businesses with an intelligence led approach. As we continue to recover from the impact of Covid 19 our resources will be targeted where they have most value for public health in relation to food. Service capacity is prioritised at the high-risk food activities and/or the poorest performing food businesses, with the aim of improving standards across Cheltenham whilst supporting business growth.

### **Organisational Structure and Resources:**

The organizational review Phase 1 came into effect for this Service area on 1 July 2022. The food safety function sits within the Environmental Health Team under the newly appointed Head of Public Protection and the Communities and Place Director. The new structure is shown in Appendix 1. The Interim Public and Environmental Health Team Leader manages the Food Team and other Environmental Health teams on a day-to-day basis and the current team structure is shown in Appendix 2. This structure will be reviewed as part of the Phase 2 reorganisation. From 1 August 2022 the Neighbourhood Team will report to the Head of Public Protection thus allowing the Interim Public and Environmental Health Team Leader more time to focus on the Food Safety Service and the Recovery Plan.

The Interim Public and Environmental Health Team Leader acts as the Lead Officer for Food Safety as required by the FSA. There are normally 3 authorised officers to deliver the service. 1 x Senior Environmental Health Officer, 1 x EHO and 1 x Senior Technical Officer. They are supported by 0.8 FTE Business Support Officer. The Team leader post has been filled for the past year on an interim basis by the Senior EHO thus creating a vacant Senior Officer post. The Senior Technical Officer retired in March 2022 and this vacancy was filled in July 2022 by an Officer who is currently working through the detailed competency framework as required by the FLCOP. A contractor EHO is currently employed until March 2023 to help meet our objectives and is backfilling the redeployment of Food EHO's during Covid duties and test, and trace. Once the Phase 2 reorganization of the Council is complete then posts will be filled on

a permanent basis. It is recognized that recruitment of fully qualified officers is currently challenging for all local authorities due to a number of factors.

The Officer salary costs are approximately £138,000 (not including any on costs) (estimating that 0.2 of the Head of Public Protection and 0.4 of the Team Leader time is spent on the food service).

The Team applied for and were successful with grant funding of £2,200 for help to prioritise new business registrations.

There is not a separate sampling budget for analysis of samples by the Public Analyst but we have a service level agreement with UKHSA for microbiological testing. Cheltenham Borough Council is allocated a baseline level of sampling credits for testing. Once the credits are used then costs may be incurred however in some cases credits can be shared between County liaison groups. Samples directly associated with an outbreak will not be charged and the cost will be borne by UKHSA but certain sample types will incur a charge. The allocation for 2022-23 is £4,948.

The Officers in the food Team also have duties in relation to infectious disease, Health and Safety in food premises and other general enforcement of Environmental Health legislation. They also provide some resilience when necessary to other environmental health functions in emergencies.

Food 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. We continue to offer chargeable service for advice, sampling and certification and attestations for export and are looking to develop this further as we move out of the recovery phase. The lead Officer for food has revalidated her training as the Food Competent Certifying Officer (FCCO) on behalf of the Animal and Plant Health Agency APHA. We continue to be an active partner of the Gloucestershire Food Safety Liaison Group.

Specialist services such as the public analyst and the food examiner are provided externally by Public Analyst Scientific Services (PASS), Wolverhampton and UK Health Surveillance Agency (UKHSA formerly PHE) Food, Water & Environmental Laboratory, Porton Down, respectively.

### **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 is responsible for food hygiene and Gloucestershire County Council Trading Standards are responsible for food standards. Where there are areas of overlap, appropriate Memoranda of understanding are in place.

### **Demands on the Food Safety Service**

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.

### **Establishment Profile:**

At the time of writing 28 July 2022, there were 1113 registered food premises. This number changes daily as new business open and others close. The business type distribution is shown below

Business Type	Number
Restaurant/Café/Canteen	280
Restaurant and caterers- other*	160
Small retailer	126
Take away	111
Pubs/Clubs	100
Caring premises	92
Schools/colleges	66
Mobile Food Units	43
Hotel/Guest House	34
Supermarket/Hypermarket	32
Retail other**	31
Manufacturers/Packers	21
Distributors/Transporters	12
Importers/Exporters	3
Primary Producers	2

\*Home caterers and village halls

\*\*retailers who sell a very limited range of food products

### **Approved Premises**

The council has two premises approved under Regulation (EC) No. 853/2004: These are premises which handle products of animal origin and require approval (as oppose to registration) before trading.

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

### ***Specialist or complex processes***

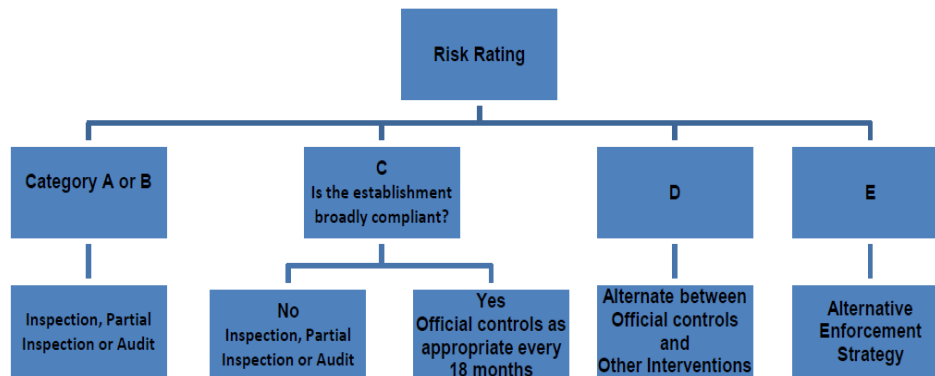
The council does not currently have any such processes in its area.

Business compliance within the Borough is high with 85% of registered businesses rated 3 (satisfactory) or above on the Food Hygiene rating Scheme with 66% rated 5 (very good). Only 0.6% of businesses are currently recorded as non-compliant. New business which have not yet been inspected are also classed as non-compliant until they receive a rating. When these businesses are included, the figure is approximately 5.5%. The full break down is shown in Appendix 3

In addition to the hygiene ratings above, each business is given a risk rating in accordance with the FLCOP. The risk rating is graded A-E. This is based on a number of set criteria, which determine potential risk, both inherent risks, which the business operator cannot control, and risks over which the food business operator has full

control. It is this rating which determines the frequency of inspection as shown in Fig 1.

**Figure 1: Intervention policy schematic**



The current risk ratings for businesses within Cheltenham is shown below:

Risk Rating	Number of businesses in Rating
A inspection every 6 months	0
B inspection every year	40
C Inspection every 18 months	175
D inspection every 2 years (can alternate with another intervention in some cases)	462
E Alternate enforcement strategy	316

The majority of businesses are currently D rated, requiring an intervention every 2 years, however it is common for some business not to have sustained compliance or allow compliance to fall and thus move between ratings so this is only ever a 'point in time' overview.

The demand on the service is currently driven by the Covid recovery plan. The demand below is the FSA expected minimum service delivery by 31 March 2023. Periodic 'temperature checks' are submitted to the FSA as a means of providing the necessary assurance that the delivery of controls by Cheltenham Borough Council is in line with government expectations.

Activity	Demand on Service
Inspect all A rated establishments	0
Inspect all B rated establishments	12
Inspect all non-compliant C rated premises	4
Inspect all non-compliant D	0
Inspect all Compliant C	97
Prioritise new business registrations*	173 received 2021-22 45 currently to Jul 22
New businesses yet to be inspected**	100
Investigate and manage complaints (including request for advice, complaints about premises, food and allegations of food poisoning)***	268 received 2021-22 94 currently to Jul 22
Investigations of confirmed infectious disease	148 received 2021-22 51 currently to July 22
FHRS requested revisits	16 received 2021-22 4 currently to July 22
Food Alert for action****	14 received 2021-22 4 currently to July 22
Food Sampling	Reactive and as required in the context of assessing food business compliance
Ongoing proactive surveillance	Monthly check of delivery platform websites and social media.

\*All new businesses and new food business operators must register with the Council 28 days before they intend to open. There is no charge for registration and it cannot be refused. A large proportion of businesses register but do not subsequently trade for a number of reasons.

\*\*Normally, businesses would be inspected within 28 days of registration. The recovery plan requires Officers to focus on risk by considering the information provided at registration together with any intelligence. Site interventions are carried out where there are concerns around public health. Where there are no immediate concerns around public health then they will be inspected in accordance with the Code of Practice and practice guidance. Many are low risk domestic caterers.

\*\*\* 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 infectious disease 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 in accordance with standard procedures developed by UKHSA.
- 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 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.

\*\*\*\* 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 are food alerts for action. Others are for information only. Only food alerts for action are recorded on the Council’s Uniform system.

All alerts are received directly from the Food Standards Agency via a secure dedicated ‘Smarter Comms’ platform. The Public & Environmental Health Team Leader will instigate the necessary response and provide the necessary out of hours cover for this service. Where the Council becomes aware of a serious localised incident or a wider food safety problem, it will notify the Food Standards Agency in accordance with the Code of Practice.

Where possible we aim to move at a faster pace than the minimum required in the recovery plan. Where resources permit the below will be included in service delivery:

Additional objectives not included in recovery plan	Demand on Service
All Category D inspected by 31 March 2023	462
All Category E ‘inspected’ by 31 <sup>st</sup> March 2023*	316
Proactive Sampling	Participation in National, Regional and local sampling studies as required by UKHSA and local intelligence

\*Businesses rated as E are classed as low risk and can be subject to an Alternate Enforcement Strategy. This strategy ensures surveillance of such establishments is maintained and any increase in risk is captured.

### **External factors that may impact on service delivery**

#### **Covid-19**

The significant impact of Covid 19 on the Council and in particular the food team in terms of staff redeployment to urgent reactive work and to other wider local public health work has been recognize by the Food Standards Agency by way of the Covid recovery plan as detailed earlier. As restrictions have been lifted there are no officers currently redeployed however should the need arise officers may be required to support the work of the County Public Health teams on request.

#### **Competency:**

This plan can only be effectively delivered by fully competent officers. The competency framework required for officers carrying out Official Food Controls was revised in July 2021. It is expected that the vacant Senior Officer post will be filled later in the year with the knowledge that recruiting fully qualified experienced officers is very challenging in the current climate. The newly appointed Technical Officer is currently working through this competency framework and will expect to meet the necessary competencies and associated authority within 6 months. The contractor can leave this



contract with 5 days notice. The Interim Team Leader is competent to carry out official controls but also leads other Environmental Health Teams thus capacity is limited. There is little resilience in the event of any long-term sick or absences. As a team we work with our recruitment and Human Resources partners to ensure there is no hindrance to the flow of potential new officers in the official control system by recruiting to 'career graded' posts and supporting 'on the job' training where possible. This results in additional supervision and monitoring work for the team leader and existing qualified staff.

**Time factors:**

The time taken to carry out an inspection has increased due to a number of factors including the introduction of new legislation regarding allergen labelling for food pre packed for direct sale and where businesses have struggled during Covid. There is evidence from the national temperature checks that standards within some businesses have dropped. This will have an impact on the number of inspections done in a given time.

**The modernization of the delivery model:**

When implemented the new model will redefine the expectations of local authorities enabling us to make more effective use of resources to address risks in the food system. This intelligence led model is in the pilot stage with full implementation from 2024. It also includes the use of artificial intelligence to predict FHRS ratings for newly registered establishments to assist with triaging and prioritisation. Any such changes to processes will require training and information cascade during the transitional period. This will be introduced to Officers towards the end of the recovery plan.

In conclusion, subject to the above it is considered that we will have sufficient resource to meet the milestones of the FSA Covid recovery plan and move at a faster pace for the inspection of the medium risk premises. This is based on the establishment profile in the Cheltenham area, including new businesses, the number of staff within the food team and the work done in phase 1 of the recovery plan, analysis of historic service data and maintenance of a duty officer system. 392 official controls were carried out 2021-22 including intelligence gathering (36) alternate enforcements (3), verifications (8), surveillance (7) and inspections (338). However, the considerable uncertainty of the current operating environment must be recognized.

**Performance measurement**

For the purposes of this plan, the performance measurement is based on the service plan objectives. The monitoring milestones are shown below. The FSA is reviewing the way it monitors the performance of Local authorities. Previously the Local Authority Enforcement Monitoring System (LAEMS) was used to collect performance data prior to the pandemic. This cannot be reconfigured to collect new data and support a transition to a more intelligence based risk assessment approach. Change is required to reflect the significant changes to the operating environment. It will result in a more qualitative assessment of Local Authority performance focusing on achievement of outcomes within the food system with less emphasis on inputs and outputs. The aim is to have this system ready for 2023 and replace the current interim monitoring arrangements in place covering the period of the recovery plan.

**Monitoring against the Recovery Plan**

October 2021	Short Targeted Temperature Check survey to <ul style="list-style-type: none"> <li>•Monitor progress against phase 1 of the Recovery plan</li> <li>•to identify risk of not meeting the Phase 2 requirements</li> <li>•to identify the rate of compliance progress across the recovery plan</li> </ul>
April 2022	Full End of Year bespoke return to: <ul style="list-style-type: none"> <li>•provide statistics for annual reporting</li> <li>•Assess the progress being made against the recovery plan</li> <li>•Assess compliance against the first milestone of phase 2</li> </ul>
July 2022	Short targeted temperature check survey to; <ul style="list-style-type: none"> <li>•assess compliance with the 30 June 2022 milestone</li> </ul>
October 2022	Short targeted temperature check survey to; <ul style="list-style-type: none"> <li>•Assess compliance with the 31 Sep 2022 milestone</li> </ul>
January 2023	Short targeted temperature check survey to: <ul style="list-style-type: none"> <li>•Assess compliance with 31<sup>st</sup> December 2022 milestone</li> </ul>
April 2023	Full end of year bespoke return to: <ul style="list-style-type: none"> <li>•provide statistics for annual reporting</li> <li>•assess the final progress being made against the recovery plan to 31 March 2023</li> <li>•Help transition to the new reporting arrangements as part of the new arrangements for monitoring the delivery of official controls.</li> </ul>
Post April 2023	Use the new monitoring system, which will be developed to gain assurance and support local authorities in the delivery of official controls.

### 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.

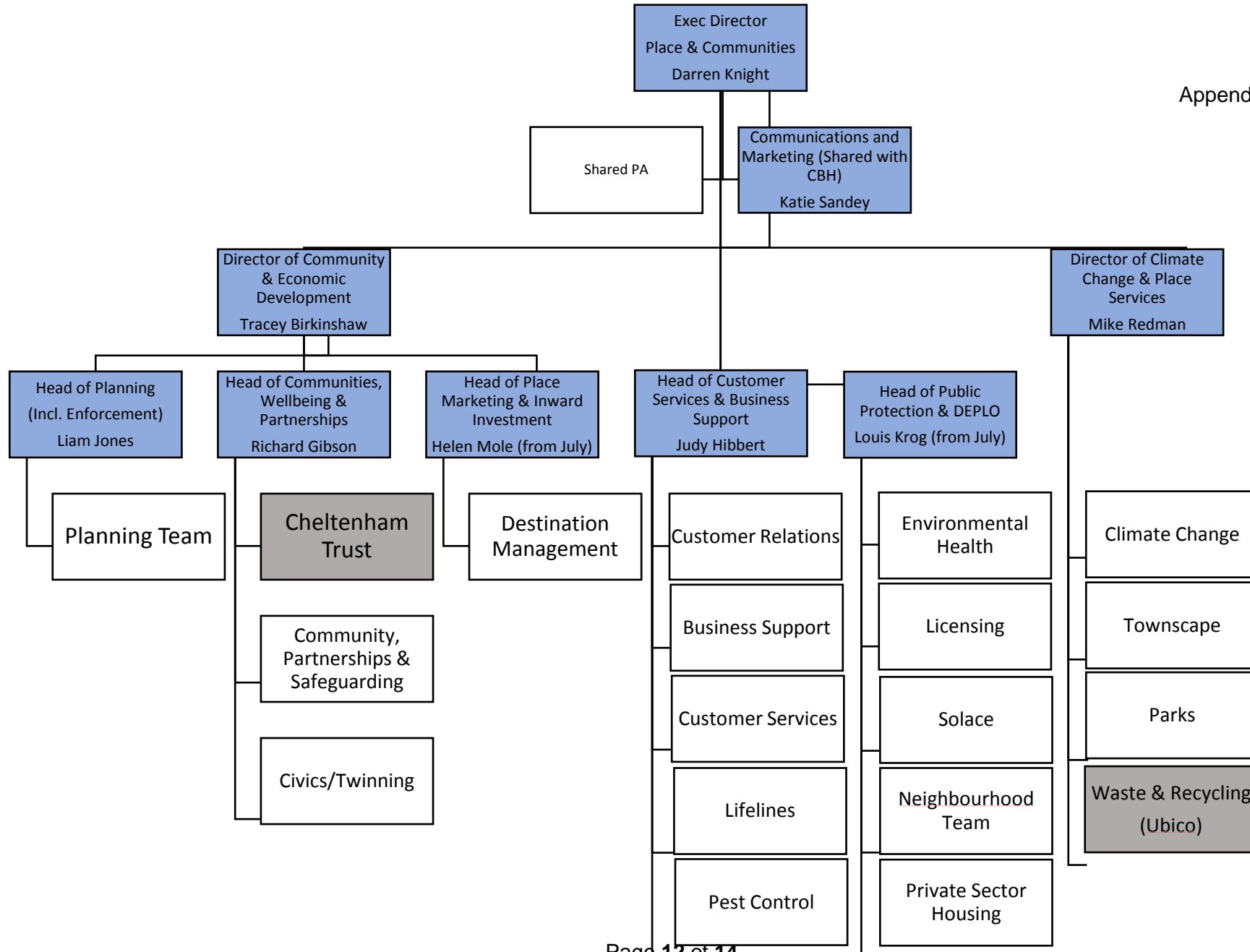
Data checking is undertaken when quarterly inspection lists are produced.

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

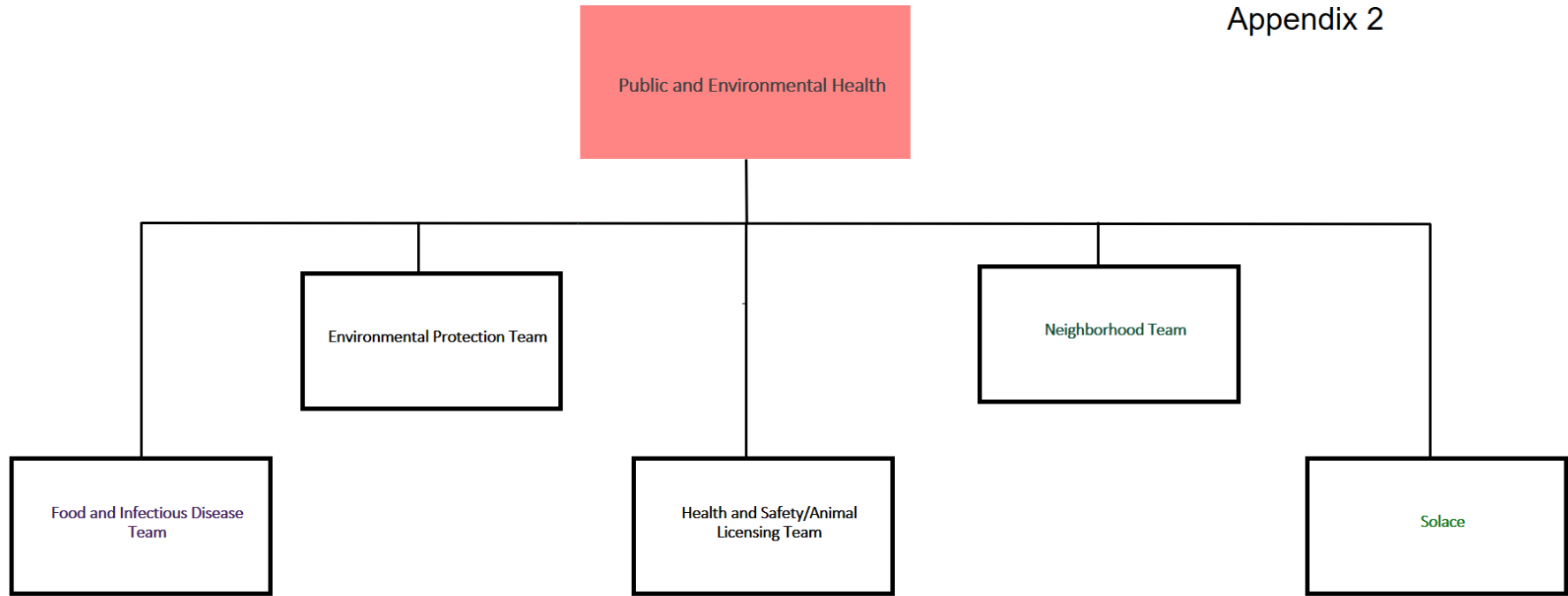
team meetings. Liaison group training is arranged where possible and the authority participates in inter-authority audits when they are planned. KPI's are being reviewed in light of the above changes.

**Review:**

This plan, its format and content will be reviewed post April 2023 to include all requirements and recommendations of the new food delivery model.



Appendix 2



## Food Hygiene Rating System

Distribution of FHRs ratings for Cheltenham at 03/08/22 22:00



### Number of establishments in each rating

FHRs rating	Restaurant/ Cafe/ Canteen	Hotel/ Guest House	Small Retailer	Superm arket/ Hyperm arket	Caring Premises	Restaur ants and Caterers - Other	Distribu tors/ Transp orters	Pub/ Club	Retailer - Other	Take- Away	School/ College	Mobile Food Unit	Manufa cturers and Packer s	Importe rs/ Exporte rs	Primary Produc ers	Total
5 - Very good	201	29	63	28	74	119		68	11	55	60	16	14		1	739
4 - Good	51	4	33	4	11	13		22	2	23	2	7	1			173
3 - Generally satisfactory	13	1	4		4	1		3	1	7	1					35
2 - Improvement required	2		1													3
1 - Major improvement required	1		1							2						4
0 - Urgent improvement required										1						1
<b>Total rated establishments</b>	<b>268</b>	<b>34</b>	<b>102</b>	<b>32</b>	<b>89</b>	<b>133</b>		<b>93</b>	<b>14</b>	<b>88</b>	<b>63</b>	<b>23</b>	<b>15</b>		<b>1</b>	<b>955</b>
<b>Establishments with rating of 3 or better</b>	<b>265</b>	<b>34</b>	<b>100</b>	<b>32</b>	<b>89</b>	<b>133</b>		<b>93</b>	<b>14</b>	<b>85</b>	<b>63</b>	<b>23</b>	<b>15</b>		<b>1</b>	<b>947</b>
Awaiting inspection	9		9			23	5	6	2	21	3	18	3		1	100
Exempt	1		13			3	1		13							31
Sensitive	2		1		2								1			6
Excluded			2		1	1	5	1	1				2	3		16
<b>Total establishments</b>	<b>280</b>	<b>34</b>	<b>127</b>	<b>32</b>	<b>92</b>	<b>160</b>	<b>11</b>	<b>100</b>	<b>30</b>	<b>109</b>	<b>66</b>	<b>41</b>	<b>21</b>	<b>3</b>	<b>2</b>	<b>1108</b>