

Cheltenham Borough Council
Cabinet – 13th September 2022
Food Safety Service Plan

Accountable member	Cllr. Martin Horwood, Cabinet Member Customer and Regulatory Services
Accountable officer	Darren Knight, Executive Director Place and Communities
Ward(s) affected	N/A
Key/Significant Decision	No
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	It is recommended that Cabinet approve the appended Food Safety Service Plan 2022-23.

Financial implications	<p>There are no financial implications of the recommendations in the report.</p> <p>Contact officer: Gemma Bell, Director of Finance and Assets (Deputy S151 Officer), Gemma.Bell@cheltenham.gov.uk</p>
Legal implications	<p>It is confirmed that in approving the Food Safety Plan contained in this report, the Council are acting within their legal powers. The report satisfies the requirements of the Framework Agreement on Official Feed and Food Law Controls by Local Authority. Failure to provide the Agency with requested information reasonably required for the purpose of carrying out its function of monitoring the performance of enforcement authorities is an offence under s16 of the Food Standards Act 1999 which is punishable by a fine.</p> <p>Contact officer: Rachael Baldwin, One Legal, Rachael.Baldwin@onelegal.org.uk</p>
HR implications (including learning and organisational development)	<p>The Food Safety Service Plan clearly details employee resourcing requirements and these are currently sufficient in order to meet the council's statutory food safety functions, due to the current engagement of agency services. Any implications of under resourcing are detailed in the report, HR will support the service ensuring that it maintains and meets its required resourcing levels, as well as supporting any identified training and development needs.</p> <p>Contact officer: Clare Jones, HR Business Partner, Clare.Jones@publicagroup.uk</p>
Key risks	<p>Risk Assessment in Appendix 1.</p>
Corporate and community plan Implications	<p>Cheltenham has a collective commitment to ensure that everyone thrives and that they are supported by a thriving economy and our objectives within this Food Safety Service plan align with this commitment. It ensures that the food sold and distributed within the Borough is fit for human consumption and does not cause illness. Business owners are given advice on best practice helping them to thrive and the operation of the food hygiene rating scheme allows consumers to make informed choices about where to eat or purchase food. It links to our corporate enforcement policy and departmental policies such as the sampling plan, the consistency framework and the intervention policy.</p> <p>Contact officer: Richard Gibson, Head of Communities, Wellbeing and Partnerships, Richard.Gibson@cheltenham.gov.uk</p>
Environmental and climate change implications	<p>Approval of this statutory plan does not have any environmental or climate change implications.</p> <p>Contact officer: Laura Tapping, Climate Emergency Programme Officer, Laura.Tapping@cheltenham.gov.uk</p>
Property/Asset Implications	<p>Approval of this statutory plan does not have any property or asset implications.</p> <p>Contact officer: Gemma Bell, Director of Finance and Assets (Deputy S151 Officer), Gemma.Bell@cheltenham.gov.uk</p>

1. Background

- 1.1** 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 Safety Service Plan. The framework agreement sets out a standard approach to service planning which is used by the Food Standards Agency (FSA) 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 safety service. It outlines the activities and 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.

2. Reasons for recommendations

- 2.1** It is a statutory requirement to produce a Food Safety 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** Cheltenham has a collective commitment to ensure that everyone thrives and that they are supported by a thriving economy and our objectives within this Food Safety Service plan align with this commitment. It ensures that the food sold and distributed within the Borough is fit for human consumption and does not cause illness. Business owners are given advice on best practice helping them to thrive and the operation of the food hygiene rating scheme allows consumers to make informed choices about where to eat or purchase food. It links to our corporate enforcement policy and departmental policies such as the sampling plan, the consistency framework and the intervention policy.

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** For the purposes of this plan the performance measurement is based on the service plan objectives. External monitoring by the Food Standards Agency is being reviewed. The previous Local Authority Enforcement Monitoring System (LAEMS) of performance management is no longer being used following the Covid 19 pandemic. The new intelligence led system will be implemented from 2023. In the interim there will be a series of targeted 'Temperature Check Surveys' to monitor food team performance against clearly identified milestones. There will also be a full bespoke end of year return to provide statistics for performance management. The Team leader will monitor internal performance against milestones. This plan, its format and content will be reviewed post April 2023 to include all requirements and recommendations of the new food delivery model as required by the Food Standards Agency.

Report author	Contact officer: Bernadette Reed, Interim Public and Environmental Health Team Leader, Bernadette.reed@cheltenham.gov.uk
Appendices	<ol style="list-style-type: none"> 1. Risk Assessment 2. Food Safety Service Plan 2022-2023
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 2021 https://www.food.gov.uk/about-us/food-and-feed-codes-of-practice

Appendix 1: Risk Assessment

Risk ref	Risk description	Risk owner	Impact score (1-5)	Likelihood score (1-5)	Initial raw risk score (1 - 25)	Risk response	Controls / Mitigating actions	Control / Action owner	Deadline for controls/ actions
1	If the council is unable to deliver the Food Safety Service plan then high risk food businesses will not be inspected thus posing a potential public health risk to consumers	B Reed	4	2	8	Contingency plan	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	Louis Krog	At each FSA milestone 'temperature check' as detailed in the delivery plan. Use of contract staff if necessary
2	If the Council is unable to deliver the Food Safety Service plan then it is in contravention of the requirements of the FSA recovery plan and poses a reputational risk for the Council. The rating scheme will lose	B Reed	4	2	8	Contingency plan	As above	Louis Krog	Early escalation to the FSA where applicable for advice and joint working to formulate a suitable action plan At

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	credibility with consumers and could jeopardize the mandatory introduction of the scheme.								each FSA milestone 'temperature check' as detailed in the delivery plan. Use of contract staff if necessary
3	If there is an emergency which requires redeployment of Food EHOs or if there is a large scale outbreak then there is no resilience within the team to continue implementing the recovery plan.	B Reed	2	4	8	Contingency plan	Redeployment of existing staff where possible use of contract staff where appropriate	Louis Krog	At each FSA milestone 'temperature check' as detailed in the delivery plan, Use of contract staff if necessary
4	Cyber security incident which locks down access to all food database	IT	5	2	10	Avoid Risk	All staff have completed the data security module on the LMS all concerns to be reported to IT adherence to	All IT users	On going

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							the IT user policy		