



# **FOOD SAFETY SERVICE PLAN 2013–2014**

## 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'.

#### 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.

#### Our objectives include:

The regular control of food premises within the Borough.

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 license, 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 undertake Home and Originating Authority duties within the Borough.

To promote food safety by way of advice and assistance to all food businesses, citizens and visitors of the Borough.

### 1.2 Links to Council Strategy 2010-2015

The Council strategy sets out three community objectives:

- Enhancing and protecting our environment;
- Strengthening our economy; and
- Strengthening our communities.

Our food safety service contributes to all three of these objectives in the overall improvement in the wellbeing of those who live, visit and work in Cheltenham.

The work of the team also supports the following outcomes identified in the Corporate Action Plan 2013-14:

- Cheltenham has a strong and sustainable economy
- People are able to lead healthy lifestyles

The cross-cutting objective of ensuring we provide value for money services that effectively meet the needs of our customers is at the core of our food service delivery plan.

## **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 ranked in the top thirty regional shopping centres in the UK, third in the South West and has the eighteenth highest consumer expenditure in Great Britain.

The Borough is based on the town of Cheltenham and is mainly urban with some areas of surrounding countryside. It covers an area of approximately 4,680 hectares and has a population of over 110,000.

Cheltenham has an ever-increasing wealth of restaurants and eating places. Twice a month it hosts a farmers market offering a valuable opportunity to sample local produce. The town offers a wide range of educational and employment opportunities, a year-round programme of festivals and events plus 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. The structure is shown in Appendix 1.

### **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.

The Borough Council food safety service is provided by three appointed and authorised officers in accordance with the requirements of the FSA code of practice. These officers are also responsible for infectious disease control along with other environmental health functions in all food premises within the Borough. These activities usually include health and safety inspections, accident investigation, complaint investigation and drainage issues. The officers are also responsible for food safety advice at events and festivals in the district of Cheltenham.

Specialist services such as public analyst and food examiner are provided externally by Worcester Scientific Services, Worcester and The Public Health England Food, Water & Environmental Laboratory, Birmingham, respectively.

## Demands on the Food Safety Service

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)	01242 775020 <a href="mailto:env.health@cheltenham.gov.uk">env.health@cheltenham.gov.uk</a>

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 31<sup>st</sup> March 2013 there were 992 food businesses on our database - the profile is given in the table below:

	NO. OF PREMISES
PRIMARY PRODUCERS	1
MANUFACTURERS + PACKERS	1
IMPORTERS/EXPORTERS	0
DISTRIBUTORS/TRANSPORTERS	10
RETAILERS	165
RESTAURANTS AND CATERERS	815

As is expected for a town like Cheltenham the hospitality and catering sector predominates, the majority being small or medium sized enterprises.

With such a small team, the programmed food hygiene intervention plan for any given year can be severely disrupted by food poisoning investigations, national food alerts, food sampling and non food related matters such as health and safety accident investigation.

### 2.4 Enforcement Policy and Regulatory Reform

Cheltenham Borough Council has adopted and published a corporate enforcement policy which will form the basis of all enforcement action undertaken by the Food Safety Service.

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.

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. This was further developed in the Regulatory Reform Act 2006 Compliance Code, which encompasses the criteria of the Enforcement Concordat of being transparent, accountable, proportionate and consistent with the additional element of being targeted only at cases in which action is needed.

There is a suite of interventions that focus on outputs and continued improvements in food safety. This allows us to choose the most appropriate action to be taken to drive up levels of compliance of food establishments with food law.

### **3. SERVICE DELIVERY**

#### **3.1 Food Premises Regulation**

The regulation of food premises is undertaken in accordance with the Food Safety Act 1990 Code of Practice. The interventions are focus on guidance issued by the Food Standards Agency to reduce the risk of e-coli 0157 form cross-contamination between raw and ready to eat foods. 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.

The food safety team aim to inspect all non-compliant food businesses within our area within 28 days of the due date. This includes all newly registered premises as they are deemed non-compliant until the first visit and a risk assessment has been undertaken. All non-compliant category A and B premises, i.e. those that fall significantly short of broad compliance will be visited by the due date. Other categories of premises that are broadly compliant will be addressed by a combination of official controls and other interventions.

Further official control visits are made to premises where there are food safety concerns, in particular where the level of current compliance in food safety practices and procedures fall below satisfactory or there is little or no confidence in management. Other visits to food premises may follow a request for advice, complaint or an alleged food poisoning incident.

Visits are primarily unannounced with evening/weekend inspections undertaken when required to accommodate the needs of some food businesses, e.g. those that do not open during office hours and markets and festivals held at weekends.

In line with current guidance and the necessity to target ever scarce resource at higher risk activities, we operate an alternative enforcement strategy for low risk businesses.

### **Performance monitoring**

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/multimedia/pdfs/enforcement/leams\\_dc](http://www.food.gov.uk/multimedia/pdfs/enforcement/leams_dc) although it can take some time for the latest data to be published.

The national performance indicator (NI 184) which looked at the level of broad compliance within food businesses has been discontinued and has not been replaced. However, the intention of the food service is still to target resources where they are needed, i.e. at those premises that are not broadly compliant. The driving up of standards year on year must be demonstrated in the delivery of improvements for the community.

This can now be demonstrated through Cheltenham's participation 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. The website can be viewed at [www.ratings.food.gov.uk](http://www.ratings.food.gov.uk)

2008/2009 was a baseline year with less than 70% of our food premises being broadly compliant. There followed a year on year increase in this figure, and on 31<sup>st</sup> March 2013, 98% of food premises in Cheltenham in the food hygiene rating scheme were broadly compliant, i.e. achieved a rating of 3 or above.

The '**broadly compliant**' target for 2013-14 (set locally) is 98%. A 100% target is not considered realistic as all unrated new businesses are automatically non-compliant before first intervention.

A **target number of interventions** is not set on an annual basis as the number of premises opening and closing or changing food liability throughout the year means such a target would not be meaningful. However, it is useful to assess the percentage of planned interventions delivered per risk rating category. Therefore, the following targets apply for the **percentage of interventions** achieved for 2013-14:

- 100% of unrated new food premises inspected within 28 days of registration/opening
- inspect 100% of Category A premises due for intervention
- inspect 100% of Category B premises due for intervention
- inspect 96% of Category C premises due for intervention\*
- inspect 94% of Category D and E premises due for intervention\*

\*lower targets are given for Category C-E premises as they present a lower risk to public health and are more likely to contain a higher mix of seasonal premises.

### **Benchmarking**

The team leader for the food safety service is the lead officer for food safety benchmarking for 2013-14 in Gloucestershire. The aim is to establish baseline data and agree useful local indicators for future use. Gloucestershire's food safety services are not directly comparable so the county work plan has also identified exploring the establishment of benchmarking families.

This data will be published in update reports by the Gloucestershire Food Safety Liaison Group and a summary will be provided in Cheltenham's Food Safety Service Plan for 2014-15. This will allow evaluation against 2013-14 peer performance and more robust target setting for future years.

### **3.2 Food Complaints**

Food complaints are investigated in accordance with the FSA Code of Practice.

The number of food complaints fully investigated by the food safety team remains in the region of 20 per year with around 100 receiving at least partial investigation depending on evidence available.

**Performance target 2013-14:** to instigate investigation of 96% of food safety complaints received within three working days. 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.

### **3.3 Home Authority Principle**

The Council will consult at an appropriate level with the Home and/or Originating Authority for any food business, in accordance with the principles laid down in The Food Safety Act 1990 Code of Practice and Local Authority Co-ordinators of Regulatory Services (LACORS) guidance.

### **3.4 Advice to Businesses**

It is the policy of the Section to provide 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
- Provision of advisory leaflets
- Responding to service requests and enquiries
- Attendance at Event Consultative Groups to advise on food safety at public and community events.

Whilst the resources of the Food Safety Service will always be used in proportion to the risk to public health, every effort will be made to accommodate requests for advisory visits to food premises. **Performance target 2013-14:** to respond to 96% of such requests for advice within three working days.



### 3.5 Food Sampling

The food service participates in the LACORS/HPA (now PHE) coordinated cross-regional food sampling programmes as well as national studies. In 2012-3 this included the submission of samples from large scale outdoor events (to inform food safety at the Olympics), samples from chopping boards and cloths; ready to eat meat pies and vacuum packed meats.

The sampling plan for 2013-14 includes soda from dispensers; dish cloths; salad from restaurants and takeaways; imported ready to eat foods; and dishwashers hand washing and the hygiene of recently washed items. In addition, the county food safety liaison group were successful in obtaining funding for ATP (Adenosine triphosphate) monitors for each district. These detect the enzyme present in all organic matter and will be used to assess the effectiveness of cleaning regimes. Foods are also sampled in response to complaints and food poisoning investigations when necessary.

**Performance target 2013-14:** to participate in 100% of local, sub-regional and national sampling studies in 2013-14 as agreed by Gloucestershire Food Safety Liaison Group and to follow up 100% of any unsatisfactory results with the respective businesses.

### 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 with a noticeable increase in Norovirus outbreaks in recent years. These outbreaks are often associated with care homes, day nurseries and other similar settings which have a more vulnerable group of clients. Intervention in these outbreaks takes up a significant amount of officer time.

The objectives in respect of this service are:

- 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 in consultation with the Consultant for Communicable Disease Control (CCDC).
- A Countywide "Outbreak Control Plan" is operated including standardised food poisoning investigation questionnaires.

**Performance target 2013-14:** to action 100% of infectious disease notifications within one working day (with the exception of *Campylobacter* which has been put on reduced surveillance by the local health protection unit from May 2013).

### **3.7 Food Alerts**

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 the Food Safety Act 1990. Others are for information only.

All alerts are received directly from the Food Standards Agency via a secure dedicated computer network system and via the Public and Environmental Health Managers mobile phone text messaging service. The Manager 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.

It is estimated that around 100 food alerts requiring various levels of action will be received on an annual basis. It is difficult to estimate the resource required to meet this responsive element of the service as the work associated with individual alerts can vary significantly.

### **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 six District and Borough Councils in the County, the County Council Trading Standards Service, the Food Standards Agency, the local FSA vet and PHE Laboratory Service.

The forum provides a mechanism for discussion of relevant food matters, the provision of training on a county-wide basis, the formulation of policy, documentation and guidance and co-ordinated responses to Government and Central Agencies.

The Council attends the Gloucestershire Public and Environmental Health Forum (previously known as the Consultant in Communicable Disease Committee). By means of this forum, which meets half yearly, members are kept informed about relevant subjects and are able to benefit from the valuable and very necessary liaison between public health and medicine.

A Divisional Veterinary Officer is part of the Forum and is able to brief the group on local and national issues regarding animal welfare, disease control and food safety.

Within the Council, the Food Service is also a consultee for the planning, building control and licensing functions.

## **4. RESOURCES**

### **4.1 Financial Allocation**

The Food Safety service budget for the coming year is £184,000 which includes staffing, travel subsistence, I.T. development, legal action and office overheads necessary as part of the food safety enforcement function. Specific Food Safety related insurances. Recharges for I.T. support, Human Resources, accountancy and audit. Corporate insurances, communications, E government and asset management.

The Council always seeks to recover costs following successful legal proceedings wherever possible.

### **4.2 Staffing Allocation**

All food safety officers are appropriately trained and competent to work within this field. Officers are authorised according to their competency and experience. There are 3 FTEs dedicated to the delivery of the food safety service.

The food safety service is led by Sarah Clark who is EHRB registered.

There are two SEHOs and one senior technical officer in the food safety team. Chris Fawcett is EHRB registered and widely experienced in food safety. Bernadette Reed has recently joined the team in April 2013 (following a six month vacant post after the previous post holder transferred to a new role). Bernadette is an experienced officer with over 25 years experience in local authority environmental health. The senior

technical officer is Stephen Edwardson. Stephen is EHRB registered and specialises in food safety enforcement.

Additionally, the Public Protection Heads of Service, Barbara Exley and Yvonne Hope, are EHRB registered and widely experienced in food safety enforcement.

### 4.3 Staff Development Plan

The Council has an annual review system of staff, this process includes training needs. The food safety team holds regular meetings to review and distribute workloads in addition to monthly 1-2-1 meetings for all the team. Any training needs required for new legislation, guidance etc are discussed and actioned at these meetings.

Food safety regulators are required to achieve a minimum of 20 hours of continued professional development every year. The service encourages cascade training as a mechanism to disseminate new guidance and further staff development.

## 5. QUALITY ASSESSMENT

Local and national performance indicators are reviewed annually.

All officers use standard inspection/audit forms and have undergone consistency training.

Customer satisfaction surveys are provided to businesses we deal with in accordance with National Indicator 182 (the percentage of customers satisfied with regulatory services - Environmental Health is one such regulatory service). In 2012-13, 88% of customers were satisfied with the food safety service they received.

**Performance target for 2013-14:** to achieve 90% customer satisfaction with EH regulatory service.

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.

## 6. REVIEW\*

Last year's progress in food safety includes:

- increase in broadly compliant businesses included in the food hygiene rating scheme to over 98% (at time of report publication there were no 0 rated premises)
- intervention at the majority of premises scheduled for inspection
- prioritisation of visits to non-compliant food businesses and use of alternative enforcement strategy
- 418 written warnings of non-compliance with food hygiene legislation
- participation in national and regional food sampling programmes and development of staff competencies in this area
- 41 unplanned food visits carried out
- received 229 infectious disease notifications.
  
- \* this review section will be expanded when evaluating 2013-14 (see notes on benchmarking and performance monitoring).



**Appendix 1 – Public Protection May 2013**

