

# Public Document Pack

**Date of meeting**      **Tuesday, 30th June, 2015**  
**Time**                      **7.00 pm**  
**Venue**                    **Civic Offices, Merrial Street, Newcastle Under**  
                                 **Lyme, Staffordshire ST5 2AG**  
**Contact**                 **Geoff Durham**

## **Public Protection Committee**

### **SUPPLEMENTARY AGENDA**

#### **PART 1 – OPEN AGENDA**

9a Local Government (Miscellaneous Provisions) Act - 1976

Private Hire Driver – Mr MRN

9b Local Government (Miscellaneous Provisions) Act - 1976 (Pages 17 - 20)

Private Hire Driver – Mr NA

18a Food Safety Service Plan 2015/16 (Pages 21 - 40)

**Members:** Councillors Allport, Braithwaite, Dymond, Hailstones, Hailstones, Harper, Kearon, Matthews, Robinson (Chair), J Tagg, Walklate, Wemyss (Vice-Chair), Williams and Winfield

**PLEASE NOTE:** The Council Chamber and Committee Room 1 are fitted with a loop system. In addition, there is a volume button on the base of the microphones. A portable loop system is available for all other rooms. Should you require this service, please contact Member Services during the afternoon prior to the meeting.

**Members of the Council:** If you identify any personal training/development requirements from any of the items included in this agenda or through issues raised during the meeting, please bring them to the attention of the Democratic Services Officer at the close of the meeting.

**Meeting Quorums :-** 16+= 5 Members; 10-15=4 Members; 5-9=3 Members; 5 or less = 2 Members.

Officers will be in attendance prior to the meeting for informal discussions on agenda items.

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of the Local Government Act 1972.

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## **FOOD SAFETY**

### **SERVICE PLAN 2015/16**

**This document has been developed in accordance with guidance issued by the Food Standards Agency.**

## **Introduction**

The Council has a statutory duty to carry out Official Food Controls and enforce food hygiene regulations within the Borough. This ensures that all food sold within the Borough is safe and fit for human consumption.

This plan details the way in which Newcastle's Food and Health and Safety Team performed in 20014/15, and how the service was delivered.

Whilst highlighting achievements the plan also sets the standard for how the service will be delivered over the next financial year. The service will strive to continue providing a quality, customer focussed service in line with the Corporate priorities.

**Nesta Barker**  
**Head of Environmental Health Services**

**June 2015**

## **Section 1 - Service Aims and Objectives**

### **1.1 Service Aim**

The council recognises that its food safety regulatory function plays an important role in maintaining and improving public health within the district. It is committed to ensuring that all food sold within the borough is safe and without risk to health. The service also plays an important role in supporting compliant food businesses and taking action against those businesses that are gaining an economic advantage by not complying with the food hygiene regulations.

### **Service Objectives**

#### **Food Safety Enforcement**

The Food & Safety Team has enforcement responsibilities in a wide number of areas affecting the public and businesses within the Borough. These include:

- Ensuring that food and drink intended for sale for human consumption is produced, manufactured, stored, distributed, and handled safely and in hygienic conditions.
- Ensuring that residents are provided with a supply of wholesome and potable water
- Investigating complaints about food and food premises.
- Responding to notifications of food alerts.
- Control and prevention of spread of infectious disease and food poisoning.

### **1.2 Links to corporate objectives and plans**

The Council's Corporate Plan sets out the overall vision and priorities for the Council. These are then incorporated into specific service and financial plans.

Within the Council's Corporate Plan 2013–14 to 2015-16 the Councils' priorities are:-

- ♦ **A clean, safe and sustainable borough**
- ♦ **A borough of opportunity**
- ♦ **A healthy and active community**
- ♦ **Becoming a co-operative council which delivers high quality, community-driven services**

The work of the Food and Safety team can be linked to all of these priorities; however, it is perhaps more closely associated with

- ♦ **A clean, safe and sustainable borough**
- ♦ **A healthy and active community**

The team report on 2 key performance indicators each quarter to the Council's Cabinet. These are:

#### **Outcome 1.1 Ensure high standards of safety and public health**

**1.1 Percentage of food premises that have a zero or one national food hygiene rating.**

**1.2 The percentage of food establishments which are broadly compliant with food hygiene law**

Other priorities for inspection of food premises and workplaces are prescribed in guidance issued by the Food Standard Agency and the Health and Safety Executive.

## **2 - Background**

### **2.1 Profile of Newcastle – under – Lyme Borough Council**

The Borough of Newcastle-under-Lyme is a local government district with borough status in Staffordshire, England. It is named after its main settlement, Newcastle-under-Lyme, where the council is based, but includes the town of Kidsgrove, the villages of Silverdale and Keele, and the rural area surrounding Audley. The Borough of Newcastle-under-Lyme forms part of the conurbation of North Staffordshire and covers some 81 square miles with a population of around 122,000.

The traditional industrial base of mining and pottery manufacture has changed significantly over the last century. The closure of local mines, and factories has seen the growth of hi tech and research industries within the area. The Borough has areas of considerable affluence, but also includes two wards that fall into the 10% most deprived in the country

Newcastle is an ancient market town and still maintains a vibrant market culture. Stallholders set up on a part of the town locally known as The 'Stones' and this area is used on an almost daily basis for events ranging from the regular market to specialist events such as Farmers and European markets and antique fairs. Due to the Boroughs central geographical location and the proximity to the M6 motorway, recent years have seen a significant increase in the numbers of distribution depots in the area. A large bakery supplying retailers nationally is based here. The Borough also has the prestigious Keele University, medical school and conference facilities located within its' boundaries.

### **2.2 Organisational Structure**

The Council is made up of 60 locally elected representatives, otherwise known as councillors or elected members.

The Council has a Leader who is elected by the members of the Council and is nominated by the largest group on the Council. The Council also has a Mayor, who presides over the Council meeting. The Mayor is a councillor who is appointed by all councillors to serve for one year as Chairman of the Council. The Council meeting is a civic and ceremonial demonstration of democracy in the Borough, epitomised by the authority of the Mayor.

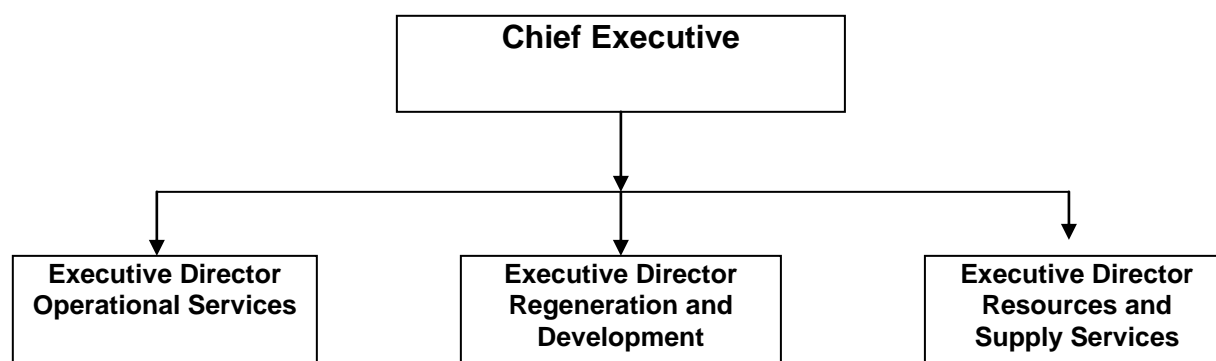
Today the Council comprises 60 Members, with 28 Labour councillors, 20 Conservative, 5 Liberal Democrats, 3 Newcastle Independent Group, 2 UKIP, 1 Independent and 1 Green. The Council operates a Cabinet System consisting of a Leader and a small Cabinet. Members of the Cabinet oversee the following 'portfolios' or groups of services: -

- Cllr Elizabeth Shenton (Leader) - policy, people and partnerships
- Cllr Ann Beech - environment and recycling
- Cllr Terry Turner (Deputy Leader) – finance, ICT and customers
- Cllr John Williams - town centres, business and assets
- Cllr Bert Procter - planning and housing
- Cllr Tony Kearon - safer communities
- Cllr Amelia Rout - leisure, culture and localism

There are a number of other Council committees who have important roles to play in a variety of areas including planning, licensing, scrutiny, standards and public protection.

### **Executive Management**

The Council's senior officer management structure comprises of the Executive Management Team:



The Food and Safety Team are in the Environmental Health Service area, within the Regeneration and Development Directorate. See Appendix A

### **Food and Safety Team**

The Food and Safety team operate within the Environmental Health Service together with the Environmental Protection, Licensing Enforcement and Dog & Pest Control teams.

The Food and Safety Service structure consists of:

The Head of Environmental Health Services (Reporting to the Executive Director Regeneration and Development)

Environmental Health Team Manager – Food and Safety

2 Environmental Health Officers

1 Food Safety Officer

1 Technical Assistant

1 Regulatory Business Support Officer

1 Food and Safety Assistant

The use of outside contractors will only be considered in the future if the following criteria are met:

- A backlog of inspections which cannot be completed by Officers;
- Agency contractors meeting the requirements of the Food Safety Act Code of Practice Qualifications and Experience of Authorised Officers; and
- The cost of the work being met within existing budgets.

Expert assistance is provided by the following outside organisations: -

- Public Analyst, Staffordshire Scientific Services
- Food Examiner and Microbiology Department, Public Health England, Good Hope Hospital, Birmingham
- Consultant in Communicable Disease Control, Public Health England, Stafford

### **2.3 Scope of the Food and Safety Service**

The food and safety team are responsible for enforcing food hygiene law within the borough. Issues relating to food standards and feed are dealt with by our colleagues in Staffordshire County Council's Trading Standards Department.

The Food and Safety team is responsible for the delivery of a number regulatory services including:

- Food Safety and Hygiene
- Occupational health and safety (in premises where enforcement responsibility is allocated to the Local Authority)
- Prevention and control of infectious diseases
- Public health licensing – tattooing, piercing etc.
- Health promotion

The service is provided to ensure the Council meets its' legal obligations specified in primary legislation. The service uses a range of interventions to deliver the service which can be divided into three main areas:

- **Inspection/Audit:** Inspection of food businesses at a minimum frequency laid out in the Food Law Code of Practice.
- **Demand:** Investigation of complaints regarding food and food premises, accidents and notifications of food poisoning.
- **Business support:** Provision of advice and guidance to local businesses and consumers.

The following functions are provided by the service:

- Maintenance of a food premises registration database for all food businesses located within the borough;
- Provision of advice to local businesses to assist them in complying with their legal responsibilities and to promote good practice.
- Inspections and audits of food businesses to ensure they comply with food safety legislation.
- Approval of food manufacturers handling products of animal origin.
- Sampling and analysis of food and water to check their compliance with safety requirements.
- Investigation of complaints about illegal/unfit food and unlawful food businesses;
- Investigation of food poisoning outbreaks;
- Investigation of national Food Alerts (issued by the Food Standards Agency).
- Health and safety inspections where we are the enforcing authority.
- Investigation of complaints about occupational health and safety.
- Investigation of accidents, dangerous occurrences, and occupational diseases.
- Inspection of establishments carrying out tattooing, ear piercing and electrolysis and other beauty services.
- In the most serious cases, formal enforcement action is taken to protect public health including the seizure of food, service of notices, closure of premises and prosecution of offenders.
- Consultation with external agencies and internal services i.e. licensing, trading standards, planning;
- Enforcement of Smoke-Free legislation

### **Service Delivery Points**

Officers are based at the Central Depot, Knutton Lane, Newcastle-under-Lyme and the service operates between **9.00 a.m. - 5.00 p.m. Monday – Friday.**

Newcastle Borough has two dedicated Customer Service Centres, these are located in The Guildhall, Newcastle and The Town Hall, Kidsgrove both are open Monday - Friday 9am to 5pm. There is also Madeley Centre, Whitmore Information Centre and a Community run one-stop shop in Chesterton.

The out of hours Emergency Call Centre service has been outsourced and is operated by Cannock District Council. The Environmental Health Service operates an emergency stand-by rota so there is always a manager available to respond to the contact centre in the event of any emergencies or incidents.

### **2.4 Demands on the Food Service**

In April 2015 there were 1092 registered food businesses in the Borough. These businesses were given a risk rating band between category A and E as shown in the table below (alongside figures for the previous 4 years). NB Please note the Food Standards Agency code of practice was revised last year which resulted in changes to the category C & D bandings.

| Food Premises Risk Band | 2015/16 | 2014/15 | 2013/14 | 2012/13 | 2011/12 |
|-------------------------|---------|---------|---------|---------|---------|
| <b>A</b>                | 0       | 2       | 3       | 3       | 6       |
| <b>B</b>                | 47      | 47      | 57      | 47      | 64      |
| <b>C</b>                | 229     | 403     | 375     | 408     | 411     |
| <b>D</b>                | 343     | 168     | 206     | 215     | 210     |
| <b>E</b>                | 431     | 425     | 406     | 350     | 425     |
| <b>UNRATED</b>          | 39      | 29      | 33      | 38      | 29      |
| <b>OUTSIDE</b>          | 3       | 1       | 1       | 1       | 0       |
| <b>TOTAL REGISTERED</b> | 1092    | 1075    | 1081    | 1062    | 1145    |

The risk rating awarded is generated by the inspecting officer who scores the business based on the types and quantities of food produced and their compliance with food hygiene requirements. Businesses awaiting inspection are classified as Unrated and those registered with other council's and trading in our area are deemed Outside the risk programme.

The risk band awarded also determines how often the food business will be inspected as detailed in the table below:

| Risk band | Minimum intervention frequency   |
|-----------|--|
| <b>A</b>  | At least every 6 months  |
| <b>B</b>  | At least every 12 months   |
| <b>C</b>  | At least every 18 months   |
| <b>D</b>  | At least every 24 months   |
| <b>E</b>  | A programme of alternative enforcement strategies or interventions every three years |

Businesses can be rated as a category A or B if they carry out a high risk activity such as food manufacturing, or if they are found to have poor compliance such as a premises awarded a zero or 1 Food Hygiene Rating.

A number of specialist and complex food manufacturers are located within the district including

- A specialist cheese-maker
- 3 Meat Product manufacturers

Officers responsible for inspecting/auditing these premises have received specialist training in the relevant fields.

## **2.5 Enforcement Policy**

The Council has approved an Enforcement Policy and carries out its' regulatory functions in accordance with the Regulators Compliance Code. The importance of achieving a fair and consistent approach to enforcement is recognised by the council. The Enforcement Policy is followed for all enforcement action undertaken by the food service and is available on the council's website: [www.newcastle-staffs.gov.uk/](http://www.newcastle-staffs.gov.uk/)



### **3. Service Delivery**

#### **3.1 Interventions at Food Establishments**

An annual risk-prioritised programme of inspections will be undertaken in accordance with the Food Safety Act 1990 Code of Practice. The Service will use the full range of interventions and enforcement options available to ensure that the highest standards of food hygiene and safety are achieved and maintained.

In 2015/16 there are 646 food premises due for a Food Hygiene Inspection, and these are broken down by Risk Band in the table below:

| <b>Food premises risk band</b> | <b>Total</b> |
|--------------------------------|--------------|
| <b>A</b>                       | <b>0</b>     |
| <b>B</b>                       | <b>47</b>    |
| <b>C</b>                       | <b>134</b>   |
| <b>D</b>                       | <b>163</b>   |
| <b>E</b>                       | <b>263</b>   |
| <b>OUTSIDE</b>                 | <b>3</b>     |
| <b>UNRATED</b>                 | <b>36</b>    |
| <b>Grand Total</b>             | <b>646</b>   |

In 2015/16 the Service aims to achieve:

100% of High Risk food premises (categories A – B) using full inspections/audits.

100% of category C premises using full inspections/audits.

100% of category D premises using full inspections/audits.

100% of category E premises will be subject to an inspection or alternative enforcement strategy such as a self-inspection form, to help assess compliance and identify if there has been any change in operations that warrants an inspection.

100% of Unrated premises using full inspections/audits.

NB we received 134 new food premise registration forms in 2014/15 notifying us of new food businesses or changes in ownership. This area of work places a significant demand on our Service as these inspections should be carried out within 28 days. We have no control over this reactive type of work and will aim to achieve 100% of these inspections. However if demand becomes excessive, then resources will be diverted away from lower risk category E and D inspections.

#### **National Food Hygiene Rating Scheme**

Newcastle-under-Lyme Borough Council was the first Council in Staffordshire to launch the national Food Hygiene Rating Scheme in June 2011. This has allowed residents and visitors the opportunity to make an informed choice about where they eat based on the premises last Food Hygiene inspection.

After each inspection all food premises are given a score based on their compliance with food hygiene law and confidence in management. These scores are then converted into a Food Hygiene Rating based on the FSA's 'Brand Standard'. Businesses can receive a Rating between zero and five.

On 8 June 2015 the following profile of Food Hygiene Ratings were published:

| <b>FHRS</b>                             | <b>Total Premises</b> |
|---|-----------------------|
| <b>5 – Very Good</b>                    | <b>445</b>            |
| <b>4 – Good</b>                         | <b>162</b>            |
| <b>3 – Generally Satisfactory</b>       | <b>81</b>             |
| <b>2 – Improvement Necessary</b>        | <b>15</b>             |
| <b>1 – Major improvement necessary</b>  | <b>9</b>              |
| <b>0 – Urgent Improvement Necessary</b> | <b>1</b>              |
| <b>Grand Total</b>                      | <b>713</b>            |

The Food and Safety team plan to target any premises rated 2 or below to try and improve Hygiene standards and protect public health. These premises will be subject to an enhanced number of revisits and support visits with the aim of improving standards. However where very serious hygiene offences are identified these premises may also be subject to enforcement action.

Please note, certain categories of food businesses are exempt from the scheme if they do not sell direct to the public or are handling low risk food only e.g. newsagents.

### **Revisits**

Revisits are only made where serious or ongoing contraventions are found during the initial inspection. Last year 45 Food Hygiene revisits were carried out and it is anticipated that a similar number will be required in future years.

### **Alternative Inspection/ Intervention Strategies**

The Service uses an alternative enforcement strategy to deal with lower risk category E food premises. This approach is advocated by the Food Standards Agency as a means to target limited resources towards areas of greatest risk.

The strategy involves sending a food safety questionnaire to those low-risk businesses rated as an E. Proprietors must then self-assess the food safety risk posed by the business and return the questionnaire. Responses are assessed to determine whether any further action is required and non-respondents are targeted with follow up actions and visits if necessary.

### **Inland control of Imported food**

Officers routinely check the traceability of all food during their interventions and this includes food that has been imported from outside the EU ('Third' countries). Officers within the team have received specialist training in Imported Food Control from the Food Standards Agency and support materials are available on the FSA website. Officers also monitor the microbiological quality of imported food as part of national and cross-regional sampling programmes.

## **3.2 Food Complaints**

Food complaints received and investigated by the service fall into one of the following categories of Service Request:

- Food contamination
- Complaints about Hygiene of food businesses (hygiene, pests etc.)

| <b>Year</b> | <b>Food Complaints</b> | <b>Hygiene of Food Premises</b> |
|-------------|------------------------|---------------------------------|
| 2014/15     | 42                     | 135                             |
| 2013/14     | 71                     | 273                             |
| 2012/13     | 62                     | 432                             |
| 2011/12     | 22                     | 313                             |
| 2010/11     | 23                     | 422                             |

We have no control over this reactive area of workload and will aim to respond to all service requests within the necessary timescales. Where the service receives excessive numbers of service requests then the Team Manager and Head of Service will make a decision on how these should be prioritised and whether resources need to be re-allocated.

Service requests are investigated in accordance with established procedures and policies. The initial response to complaints will be within five working days depending on the severity of the complaint, with more serious complaints receiving a more urgent response.

### **3.3 Home Authority Principle and Primary Authority Scheme**

The Home Authority Principle is an arrangement where multi-national food businesses can enter into a formal arrangement with a single local authority (known as their Home Authority), to agree on common standards and interpretation of the Regulations in their many premises with the aim of ensuring consistency of enforcement. Local Authorities dealing with the businesses other premises are then expected to have regard to any arrangement agreed by the Home Authority before taking enforcement action.

#### **Primary Authority Scheme**

The Better Regulation Delivery Office's (BRDO) Primary Authority Scheme is the gateway to simpler, more successful local regulation. It gives businesses the right to form a statutory partnership with a single local authority, which then provides robust and reliable advice for other councils to take into account when carrying out inspections or dealing with non-compliance. Since late 2011, the FSA has been working with the BRDO and Local Authorities in Primary Authority partnerships on a pilot around inspection plans within the Primary Authority Scheme. The pilot is mainly with multi-site retailers.

Newcastle BC is not currently acting as a Primary or Home Authority for any businesses within the borough. All of our officers are aware of the schemes and prior to any inspection of a food business that has a Primary Authority, our officers will check the Primary Authority website to review documentation and inspection plans.

### **3.4 Advice to Business**

Wherever possible, our officers will try and work with new and existing food businesses to help them comply with the legislation. Officers will offer advice when requested, and will encourage food business operators through an educative approach to adopt good practice. This is achieved through a number of measures:

- On request, advisory visits to new and existing businesses who require guidance;
- Advice is routinely given during inspections and other visits to premises;
- Provision of information leaflets and signposting;
- Responding to service requests and enquiries;
- The Council's website;
- We have also recently converted a vacant Technical Assistant post into a Regulatory Business Support Officer who will be able to specialise in offering expert advice to new and non-compliant businesses.

### **3.5 Food Inspection and Sampling Programme**

Our food sampling activities play an important role in monitoring the microbiological quality of food sold locally and helps us verify that the food business operators have effective food hygiene controls in place. Food is sampled according to a programme co-ordinated through the Staffordshire and Shropshire Food Liaison Group, together with colleagues at the regional Public Health England laboratory at Good Hope Hospital, Birmingham. Members of the group implement national, cross-regional and local sampling initiatives based on national intelligence and incidents.

Additional food sampling is carried out as necessary to support food hygiene inspections, the investigation of food complaints and outbreaks of food borne disease.

Samples are sent for microbiological examination to the Public Health England UKAS accredited laboratory at Good Hope Hospital, Birmingham. The laboratory send a courier to collect samples from the civic offices on Tuesdays and Thursdays.

Samples requiring analysis for chemical or physical parameters are sent to the Public Analyst at Staffordshire Scientific services, Martin Street, Stafford.

The following table outlines the number of food samples taken from food premises for microbiological examination in the last 5 years:

| Year    | Microbiological Food Samples |
|---------|------------------------------|
| 2014/15 | 146                          |
| 2013/14 | 142                          |
| 2012/13 | 63                           |
| 2011/12 | 55                           |
| 2010/11 | 79                           |

### **3.6 Control and Investigation of Outbreaks and Food Related Infectious Disease**

The Food and Safety team investigates all reported cases and outbreaks of food poisoning occurring within the borough in liaison with our colleagues at Public Health England.

The objectives of this service are to:

- Fulfil the Council's statutory responsibilities relating to the control of infectious disease;
- Identify the source and cause of reported infection;
- Implement measures to prevent further spread;
- Protect public health by providing cases and members of the public with advice on personal hygiene, safe food handling and control of infection;
- Exclude food handlers and people working with high-risk groups in consultation with the Consultant in Communicable Disease Control (CCDC);

Large outbreaks are resource intensive and place significant demands on the Service. In the event of a significant outbreak, the Team Manager and Head of Service will monitor the situation and re-allocate resources and staff from other areas as necessary.

During 2014/15 the Council received 175 reported cases of infectious disease. Control of food related infectious disease is a priority area due to the possible health consequences for the individual and the risk of infection spreading within the community. This area of the service will therefore receive whatever resources are required to fulfil these duties.

### **3.7 Food Safety Incidents**

#### **Food Alerts, product withdrawals and recalls**

The FSA issues information about product withdrawals and recalls to let consumers and local authorities know about problems associated with food. A Product Withdrawal Information Notice or a Product Recall Information Notice is issued where a solution to the problem has been put in place – the product has been, or is being, withdrawn from sale or recalled from consumers, for example. A Food Alert for Action is issued where intervention by enforcement authorities is

required. These notices and alerts are often issued in conjunction with a product withdrawal or recall by a manufacturer, retailer or distributor.

When a Food Alert for Action is issued, the Council must carry out the specified actions within the alert which may include visiting food premises and removing contaminated food from sale.

The FSA also sometimes issues Allergy Alerts which are normally dealt with by our colleagues in Staffordshire County Council's Trading Standards department.

Food Alerts are sent to the Council via a designated e-mail address which are auto-forwarded to members of the Food and Safety team for their prompt attention. Outside normal working hours the Environmental Health Team Manager subscribes to the FSA's Food Alert text messaging service to alert them to any significant Food Alerts: For Action. The Environmental Health Service also operates an emergency out of hours standby rota so there is always a Manager available to respond in an emergency.

Given the reactive nature of Food Alerts it is not possible to predict the likely resources required. A Food Alert: For Action can have large resource implications as they sometimes involve the need for us visit a large number of food businesses. However due to the risk to Public Health, it is essential that adequate resources are provided to action these Alerts and this area of the service will receive whatever resources are required to fulfil these duties. In serious cases the Team Manager and Head of Service will reallocate, or obtain additional resources to deal with the incident and maintain other high risk workload.

In 2014/15 we received:

|                                |    |
|--------------------------------|----|
| Food alert for action          | 23 |
| Food alert for information     | 50 |
| Food allergy alert             | 34 |
| Food recall information notice | 21 |

### **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 is achieved through regular meetings of the Staffordshire and Shropshire Food Liaison Group, which is attended by the Environmental Health Team Manager - Food and Safety. This group comprises of representatives from each of the 9 district and borough councils in the county, alongside Shropshire and Telford and Wrekin Council's, the County Council Trading Standards Department and the Public Health England laboratory and health protection teams.

This forum provides an opportunity for the authority's to discuss consistency issues both in their approach to enforcement and in the operation of the Food Hygiene Rating Scheme. The group holds regular training and consistency events and also implements an inter-authority auditing programme. The group also considers centrally issued guidance and consultations from the Food Standards Agency.

The Council also sends a representative to regular meetings with the Health protection team at Public Health England in Stafford, where communicable disease issues are discussed. These meetings are also attended by the Consultant in Communicable Disease Control (CCDC), local Water companies, DEFRA, AHVLA, Public Health nurses and the Microbiology department.

### **3.9 Food Safety Promotion**

Officers routinely promote food safety issues during their day to day contact with Food Business Operators. We will also be participating in campaigns to promote awareness of the Food Hygiene Rating scheme as part of Food Safety week in May.

## **4. Resources**

### **Financial Allocation**

The Food Safety and Environmental Health budget is published separately on the Council's website at [www.newcastle-staffs.gov.uk/](http://www.newcastle-staffs.gov.uk/)

#### **4.2 Staffing Allocation**

The Food Safety service within the Council employs the following officers:

Environmental Health Team Manager – Food and Safety  
2 FTE Environmental Health Officers  
1 Food and Safety Officer  
1 Technical Assistant  
1 Regulatory Business Support Officer  
1 Food and Safety Assistant  
1 Support Assistant (Support staff)

NB These officers do not spend all of their time on Food Law enforcement as they are also responsible for a number of other professional functions such as Health and Safety enforcement, Infectious disease control, Corporate Health and Safety, Licensing etc.

#### **4.3 Staff Development Plan**

The council is committed to providing each officer responsible for Food Law enforcement with a minimum of 20 hours Continuing Professional Development (CPD) training each year. All officers undertaking food safety work meet the qualifications and experience requirements detailed in the Food Safety Act Code of Practice.

Officers responsible for inspecting complex manufacturing and formally approved processes have previously received specialist training.

Professional and technical competence is also supported by:

- The council's annual Performance Appraisal system which helps identify training and development needs;
- Membership of the Staffordshire and Shropshire Food Safety Liaison Group;
- In-house training sessions/team briefings;

#### **5. Quality Assessment**

The Environmental Health service has systems in place to help ensure that food hygiene interventions are carried out consistently and in accordance with the Food Law Code of Practice. To assist this process a number of procedure notes and templates have been created that are available electronically to all Officers.

A procedure relating specifically to quality monitoring of inspections has been developed and this is further reinforced by:-

- The Food and Safety Manager carrying out a regular review of the paperwork, notices, and reports produced by officers following inspections;
- Consistency exercises
- Internal and inter-authority audits;
- Monthly team meetings;
- Monthly management meetings;
- Annual Performance Appraisal;

During 2014 the team also took part in an Inter-authority audit which specifically looked at the way we operate the national Food Hygiene Rating Scheme.

#### **Conflicts of Interest**

Article 4(2b) of [Regulation 882/2004](#) requires that staff carrying out official controls are free from any conflict of interest.

All officers are aware of potential conflicts of interest that may arise in an enforcement situation through promotion of the Food Authority's services. Officers do not provide their own services, e.g. training, in their own time within the borough. We also ensure that potential or actual conflicts of interest do not arise as a result of Home or Originating Authority responsibilities and contracting in services for enforcement purposes.

Our officers do not promote the borough council's services exclusively if other providers of those services exist in the area. Pest control and food hygiene training are examples of Council services that may be provided in competition with those supplied by other organisations. In such circumstances customers will be made aware of the availability of alternative service providers.

### **Enforcement within local authority-run establishments**

The Service has arrangements in place for ensuring compliance with food law in establishments where the Authority is itself the food business operator, and that steps are taken to ensure enforcement decisions are free from any conflict of interest.

If serious breaches of food law are detected in borough Council establishments, this will be brought to the attention of the Chief Executive, without delay.

Contract caterers that operate within local authority establishments will be registered and inspected in the normal way. In some Council buildings, café's, bars and vending machines are provided by outside contractors who register their businesses independently.

In some Council buildings small amounts of confectionary and ice cream are occasionally sold. In such circumstances the relevant Service Manager is responsible for registering the operation with the Food and Safety team and the operation will receive an inspection in the usual way.



## **6 Review**

### **6.1 Review against the Service Plan**

Each quarter performance data on 2 key performance indicators is reported to Cabinet, as detailed below:

| <b>Indicator</b>   | <b>2014/15 Result</b>                                 |
|--|---|
| <b>Percentage of food premises that have a zero or one national food hygiene rating.</b> | <b>0.88% (7 '0/1' premises out of 793 published).</b> |

This indicator measures the percentage of food premises that have a zero or one national food hygiene rating, where following each Food Hygiene Inspection, a food business is awarded a rating of between zero (Urgent improvement necessary) and Five (Very good). These ratings are published on the website at [http://www.newcastle-staffs.gov.uk/environment\\_content.asp?id=SXC69E-A7811729&cat=1390](http://www.newcastle-staffs.gov.uk/environment_content.asp?id=SXC69E-A7811729&cat=1390) or <http://ratings.food.gov.uk/> Those premises that are rated zero (urgent improvement necessary) or one (major improvement necessary) have been found to be not complying with Food Hygiene Regulations and will be subjected to enhanced business support visits/revisits (and in the most serious cases enforcement action) to help them raise their compliance and protect public health.

| <b>Indicator</b>   | <b>2014/15 Result</b>  |
|--|--|
| <b>The percentage of food establishments which are broadly compliant with food hygiene law</b> | <b>98%<br/>(1104 out of 1124 premises deemed broadly compliant).</b> |

Following each food hygiene inspection a premise will be risk rated and given a score of between 0 (Very Good) and 30 (Very bad) for its' compliance with 1. Food Hygiene Procedures, 2. Structure and 3. Confidence in Management. Where a premises scores 10 or better in each of these 3 categories they are defined as being 'broadly compliant' with food hygiene law. This indicator describes the percentage of businesses in the borough that are deemed 'Broadly Compliant' and the service has a target of 85%.

### **Local Authority Enforcement Monitoring System (LAEMS)**

Each year we submit performance data to the Food Standards Agency via an online LAEMS return which is reviewed and then published on their website. Below is an extract of the performance data submitted for 2014/15:

**Food Hygiene Interventions carried out in 2014/15**

|  | Total interventions |
|--|---------------------|
| Total Premises at 31 Mar 2014              | 1092                |
| Inspections and audits                     | 514                 |
| Verification and surveillance              | 8                   |
| Sampling visits                            | 44                  |
| Advice and education                       | 12                  |
| Information/intelligence gathering         | 60                  |
| Total premises subject to official control | 494                 |

**Interventions due and achieved in 2014/15 by risk rating**

|                          | Interventions Achieved | Due Interventions Outstanding |
|--------------------------|------------------------|-------------------------------|
| Premise Rating - A       | 3                      | 0                             |
| Premise Rating - B       | 64                     | 0                             |
| Premise Rating - C       | 197                    | 0                             |
| Premise Rating - D       | 172                    | 7                             |
| Premise Rating - E       | 52                     | 116                           |
| Premise Rating - Unrated | 150                    | 0                             |
| Premise Rating - Outside | 0                      | 0                             |
| Totals                   | 638                    | 123                           |

Premises risk rating profile on 1 April 2015

Tot

|                          |      |
|--------------------------|------|
| Premise Rating - A       | 0    |
| Premise Rating - B       | 47   |
| Premise Rating - C       | 229  |
| Premise Rating - D       | 343  |
| Premise Rating - E       | 431  |
| Premise Rating - Unrated | 39   |
| Outside programme        | 3    |
| Totals                   | 1092 |

**6.2 Identification of any variation from the Service Plan**

Key performance indicators listed in the above tables are reviewed on a regular basis. Results are reported to the Head of Service along with reasons for any significant variation, and where necessary an action plan is agreed to prioritise workload.

In 2014/15 the team received a large amount of reactive workload including involvement in a number of food fraud investigations, and we also had a vacant Technical Assistant post. As a result a number of lower risk food businesses did not receive an inspection as resources were directed to higher risk areas.

### **6.3 Areas of Improvement**

In 2015/16 the food and safety team are hoping to recruit a Regulatory and Business Support Officer to help new and existing food businesses comply with their legal obligations. This post will also help target poorer performing businesses to try and improve their compliance.

**Appendix A – Environmental Health Service Structure**

