

# Cabinet

24 February 2016



<b>Title</b>	Food and Health and Safety Service Plans for 2016/17		
<b>Purpose of the report</b>	To make a decision		
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<b>Cabinet Member</b>	Councillor Mrs Jean Pinkerton OBE	<b>Confidential</b>	No
<b>Corporate Priority</b>	Delivering quality of life services		
<b>Cabinet Values</b>	Accountability		
<b>Recommendations</b>	Cabinet is asked to adopt the proposed service plans for 2016/17		

## 1. Key issues

- 1.1 Local Authorities are required by the Food Standards Agency and the Health and Safety Executive to produce annual service plans for their food safety and health and safety services. Each service plan must outline the aims and objectives for the year ahead and evaluate the achievements of the past year. This report briefly outlines the main achievements of the Environmental Health (Commercial) Team who are responsible for enacting the plans and the main changes to the 2016/17 plans.
- 1.2 The main achievements of the Commercial Team for 2014/15 and 2015/16 (so far) are summarised in the Executive Summary on page 3 of the Food Service Plan and page 3 of the Health and Safety Service Plan. These included carrying out 478 food hygiene interventions and 125 health and safety visits/inspections.
- 1.3 The Environmental Health Manager (EHM) left the organisation in September 2015. In January 2016, a Principal Environmental Health Officer (PEHO) was appointed to the Environmental Health (Commercial) Team to take on some of the EHM responsibilities. The PEHO (Commercial) will have responsibility for the day-to-day running of the Commercial Team and will work closely with the Senior Environmental Health Manager to ensure that the aims and objectives of these service plans are met. The new structure will result in a small increase in officer workloads as work is distributed across the team.
- 1.4 Food Hygiene Rating Scheme (FHRS) - The aim of the FHRS is to provide information to the consumer to empower them to include food safety in their decision making on where to buy food. Natural market forces have encouraged food businesses to increased compliance with food safety laws in the effort to achieve the higher FHRS ratings. Further research by the Food

Standards Agency has shown that the introduction of FHRS has brought about a reduction in food poisoning. The increase in the number of compliant businesses has also enabled local authorities to concentrate the focus of their attention on non-compliant businesses.

- 1.5 Spelthorne introduced the FHRS to the Borough in 2008/9. In March 2015, the Council started to publish those food premises who achieved a rating of five in the 'food hygiene rating scheme' on Facebook and Twitter, then later in April we also published those who rated zero and one. This has been generally welcomed by the public and the majority of businesses. The number of businesses affected by the use of social media in this manner is small. More details are provided on pages 22 to 24 of the Food Service Plan.
- 1.6 Our further publication of the ratings has positively impacted on the attitude of businesses towards their score, particularly those receiving low ratings as many will work to make the improvements necessary to achieve a higher score following a requested reassessment inspection. Environmental Health has seen an increase in the number of businesses requesting a reassessment inspection.
- 1.7 Businesses may appeal their rating. In such instances ratings are not published anywhere until the appeal is heard and decided upon. To date four appeals have been received; before April 2015 there were none.
- 1.8 Food Standards Agency Audit - The Council's Food Safety service was externally audited by the Food Standards Agency (FSA) in October 2014. No significant areas of concern were identified and the Audit identified a number of strengths within the service, including service planning and review, and the management of the food premises database. Following the FSA's Final Audit Report a long-term action plan was devised to address the few matters requiring attention. A progress update was given to the FSA in November 2015. The final outstanding action is to provide evidence to show the changes have been implemented effectively; the evidence will be submitted by February 2016.
- 1.9 Inter-Authority Audit - In December 2015, Spelthorne's Food Safety Service participated in an Inter-Authority Audit of the implementation of the FHRS; this was funded by the FSA. The auditor found a good level of compliance with the operating standards for the FHRS. The final report is awaited.
- 1.10 Customer Satisfaction - Between April 2015 to September 2015, 20 Customer Care questionnaire forms were returned from businesses who had received either a food hygiene or health & safety inspection. In terms of whether they were treated fairly by the EHO, 100% of respondents either strongly agreed or agreed.
- 1.11 Health and Safety in the Work Place Service - In 2014/15, those businesses where local or national intelligence indicate a health and safety intervention may be appropriate were the focus of attention for the Environmental Health team. Nine health and safety improvement notices and three prohibition notices were served these businesses to secure compliance with health and safety at work legislation.

## **2. Options analysis and proposal**

- 2.1 The preferred option is to adopt the proposed service plans for 2016/17 (**available in the Members Room for viewing**), to come into effect on 1 April 2016.
- 2.2 There is also an option for Members to amend the proposed service plans.
- 2.3 There is an option for Members not to adopt the proposed service plans. This would mean the Council would not be following either the Food Standards Agency's "Framework Agreement on Local Authority Food Law Enforcement" or the Health and Safety Executive's Guidance, as this requires local authorities to have food and health and safety service plans and recommends that the plans relate specifically to food and health and safety enforcement. If these service plans are not adopted, the likelihood of the FSA or HSE auditing us would increase.

## **3. Financial implications**

- 3.1 The proposed service plans will be delivered within the proposed budget for 2016/17. The financial implications have been discussed with the relevant finance staff.

## **4. Other considerations**

- 4.1 Under the Food Standards Act 1999 and the Health and Safety at Work etc Act 1974, the Food Standards Agency and Health and Safety Executive respectively have powers to audit any local authority's food and health and safety enforcement services. In exceptional cases, the FSA and the HSE have the powers to take over the duties of persistently under-performing councils.

## **5. Timetable for implementation**

- 5.1 If the service plans are approved they shall come into effect on 1 April 2016.

**Background papers: None**

### **Appendices:**

**Appendix 1 - Food Service Plan 2016/17**

**Appendix 2 - Health and Safety Service Plan 2016/17**