

# Cabinet

22 March 2017



<b>Title</b>	Food and Health and Safety Service Plans for 2017/18		
<b>Purpose of the report</b>	To make a decision		
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<b>Cabinet Member</b>	Councillor Nick Gething	<b>Confidential</b>	No
<b>Corporate Priority</b>	Clean and Safe Environment		
<b>Recommendations</b>	Cabinet is asked to adopt the proposed service plans for 2017/18		
<b>Reason for Recommendation</b>	Local Authorities are required to produce and adopt annual service plans for their food safety and health and safety enforcement services (section 2.3 of this report refers).		

## 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.
- 1.2 This report briefly outlines the main achievements of the Environmental Health (Commercial) Team who is responsible for enacting the plans and the objectives for the 2017/18 plans.
- 1.3 The Main achievements of the Commercial Team in 2015/16 and 2016/17 (so far) are summarised within the Executive Summary on page 3 of the Food Service Plan and page 3 of the Health and Safety Service Plan. These include:-
  - carrying out 473 food hygiene interventions and 73 health and safety visits/inspections
  - Service of 47 food hygiene improvement notices
  - 372 of the lowest risk food premises were sent self-assessment questionnaires; some 90 of these have been completed and returned so far. Officers are assessing the responses to determine follow-up action. Those who failed to respond will be visited depending on the nature and potential risk of the business operation.
  - the successful prosecution of two businesses for non-compliance with food safety law. This resulted in fines totalling £35,300
  - the on-going investigation of two serious workplace accidents

- 112 cases of food poisoning were investigated in 2015/16, and 55 cases (so far) for 2016/17
- 1.4 Inter-Authority Audit - In December 2015, Spelthorne's Food Safety Service participated in an inter-authority audit for the implementation of the Food Hygiene Rating Scheme (FHRS); this was funded by the Food Standards Agency. The auditor found a good level of compliance with the operating standards for the FHRS.
- 1.5 Health and Safety in the Work Place Service - In 2015/16, 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. Six health and safety improvement notices were served on these businesses to secure compliance with health and safety at work legislation.
- 1.6 Customer Satisfaction – Through 2015/16, 360 customer care questionnaires were returned from businesses who had received either a food hygiene or health & safety inspection. 100% of respondents either strongly agreed or agreed they were treated fairly by the EHO.
- 1.7 The Senior Environmental Health Manager restructured the Environmental Health service in September 2015 and in January 2016, a 'Principal Environmental Health Officer (Commercial)' (PEHO) was internally appointed. The PEHO has responsibility for the day-to-day running of the Commercial Team and works closely with the Senior Environmental Health Manager to ensure that the aims and objectives of the service plans are met.
- 1.8 During 2016/17, one Environmental Health Officer (EHO) in the Commercial team left Spelthorne's employment to work in the private sector and the PEHO went on maternity leave (returns summer 2017). Both these positions have been backfilled with contract EHOs although due to limitations on the salary budget this always results in shortfall of staff resources. The vacant post has since been filled. The remaining Senior EHO has stepped up as acting PEHO. Overall, this has impacted on the ability of the team to deliver all aspects of the service plans, however, the team has coped well during this time and has ensured that all high risk premises, complaints and notifications have been attended to.

## 2. Options analysis and proposal

- 2.1 The preferred option is to adopt the proposed service plans for 2017/18 (**available in the Members Room for viewing**), to come into effect on 1 April 2017.
- 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 2017/18. 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 have powers to audit respectively 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 2017.

**Background papers: None**

#### **Appendices:**

**Appendix 1 - Food Service Plan 2017/18**

**Appendix 2 - Health and Safety Service Plan 2017/18**