



Please reply to:

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Date: Wednesday, 16 June 2021

Notice of meeting

Neighbourhood Services Committee

Date: Thursday, 24 June 2021

Time: 7.00 pm

Place: Council Chamber

To the members of the Neighbourhood Services Committee

Councillors:

A. Brar (Chairman)	S.A. Dunn	A.J. Mitchell
V. Siva (Vice-Chairman)	V.J. Leighton	S.C. Mooney
R.D. Dunn	J. McIlroy	B.B. Spoor

Substitute Members:

Councillors are reminded to notify Committee Services of any Gifts and Hospitality offered to you since the last Council meeting so that these may be entered in the Gifts and Hospitality Declaration book.

Spelthorne Borough Council, Council Offices, Knowle Green

Staines-upon-Thames TW18 1XB

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Agenda

Page nos.

1. Apologies

To receive any apologies for non-attendance.

2. Disclosures of Interest

To receive any disclosures of interest from members in accordance with the Members' Code of Conduct.

3. Introduction to Neighbourhood Services Committee

To receive a verbal introduction from the Group Head of Neighbourhood Services into the workings of the Neighbourhood Services Team so that the Committee has a better understanding of the activities the team is engaged with.

4. Neighbourhood Services Committee - Terms of Reference

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To note the Neighbourhood Services Committee's Terms of Reference as detailed in part 3b of the Council's constitution which can be found online [here](#) and attached for ease.

5. Food and Health and Safety Service Plans for 2021/22

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To consider the adoption of the proposed Food and Health and Safety Service Plans for 2021/22.

6. Forward Plan

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To consider the Forward Plan for committee business.

NEIGHBOURHOOD SERVICES COMMITTEE

Membership

9 members reflecting political balance.

Functions

This committee has responsibility for the following functions of the Council:

- Street cleansing services
- Street Scene
- Parking Services
- Customer Services and consultation
- Building Control
- Cemeteries
- Community safety and crime & disorder
- Civil Enforcement (JET)
- Environmental protection – including food safety & enforcement
- Health & Safety enforcement
- Consumer protection, licensing, trading standards and environmental health matters
- Planning enforcement
- To monitor and review relevant Council policies and strategies and recommend changes or new policies to the Corporate Policy and Resources Committee.
- To review and scrutinise service delivery and in particular ensuring that best value in service delivery is being obtained for the community.
- To undertake scrutiny and monitor the performance of external bodies who deliver services to the community
- To review and scrutinise budget proposals and make recommendations to the Corporate Policy and Resources Committee.

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Neighbourhood Services Committee



24 June 2021

Title	Food and Health and Safety Service Plans for 2021/22
Purpose of the report	To make a decision
Report Author	Tracey Willmott-French, Senior Environmental Health Manager
Ward(s) Affected	All Wards
Exempt	No
Exemption Reason	
Corporate Priority	Clean and Safe Environment
Recommendations	<p>Committee is asked to:</p> <p>1, adopt the proposed Food Service Plan 2021/2022</p> <p>2, adopt the proposed Health and Safety Service Plan 2021/2022</p>
Reason for Recommendation	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 (FSA) and the Health and Safety Executive (HSE) 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 Environmental Health's Commercial Team who is responsible for enacting the plans and the objectives. The report also outlines the main objectives for this coming year.

Achievements

- 1.3 Food Safety Service Plan - in 2020/21 the team continued to focus their resources on the highest risk food businesses. They carried out 253 food hygiene inspections, sent 157 written warnings, served 11 hygiene improvement notices, and investigated 78 complaints.
- 1.4 The team has also continued to participate in the national Food Hygiene Rating Scheme (FHRS); 96.3% of eligible businesses have ratings of three or above. Those businesses who are below this standard will continue to be targeted for improvement with revisits and where appropriate taking further legal action against them; 1.6% of businesses have a rating of 0 or 1 (represents 12 food businesses).

- 1.5 Health and Safety in the Workplace Service Plan - in 2020/21, visits to business premises included 146 proactive targeted inspections based on local or national intelligence that indicated a health and safety intervention was appropriate, 27 visits to investigate complaints and accidents, and 1 revisit.

Objectives

- 1.6 The main objectives for the Food Safety Service Plan 2021/2022 are outlined on page 4 of the plan and include a target of inspecting at least 95% of higher risk food businesses, the promotion of the FHRS with 92% of all food businesses achieving a food hygiene ratio of 3 or above, and to respond to a minimum of 95% of service requests within six days. The Food Safety Service Plan 2021/2022 is provided at **Appendix 1**.
- 1.7 The main objectives for the Health and Safety Service Plan 2021/2022 are outlined on page 3 of the plan and include a target of 100% of all Category A inspections, to respond to at least 95% of service requests and accidents within six days, and to participate in selected national/regional projects. for the Health and Safety Service Plan 2021/2022 is provided at **Appendix 2**

Review

- 1.8 This year has been an extraordinary year due to the impacts of the pandemic which required the redirection of Environmental Health resources to preventing the spread of covid-19. An outline of the covid work being carried out by the team throughout the pandemic is provided at **Appendix 3**. Consequently, last year's Food Safety Service Plan has not been fully met with only 87% of interventions being carried out.
- 1.9 Despite continuously recruiting over the last eight months for temporary EHOs we have not been successful. We have therefore engaged contractor EHOs (1 FTE) until December and are continuing to recruit others. The recruitment and retention of qualified EHOs remains a concern for local authorities nationally.
- 1.10 The team's priorities for 2021/22 is to continue its work to prevent the spread of covid-19, including variants of concern, to clear last year's backlog of food hygiene interventions, and to achieve this year's planned food and health and safety interventions.

	Inspections outstanding from 2020-2021	Inspections due in 2021-2022	Total no. of inspections due in 2021-2022
A	0	1	1
B	8	9	17
C	54	67	121
D	82	115	197
E	82	65	147
Total	226	257	483*
*Includes 54 new premises requiring 1 st inspection			

The inspections to be done as outlined in the table do not include follow-up revisits to assess progress of works requires, or inspection of new premises not included in the 54 mentioned.

2. Options analysis and proposal

- 2.1 The preferred option is to adopt the proposed service plans for 2021/22, and for them to come into effect within 7-days of approval.
 - 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 2021/22. 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. Equality and Diversity**
- 5.1 Adoption of the proposed service plans provides a level ground for compliant businesses.
- 6. Sustainability/Climate Change Implications**
- 6.1 The proposed service plans have no impact on sustainability or climate change issues.
- 7. Timetable for implementation**
- 7.1 If the service plans are approved, they shall come into effect after seven days.

Background papers: There are none.

Appendices:

Appendix 1 - Food Service Plan 2021/2022

Appendix 2 - Health and Safety Service Plan 2021/2022

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Spelthorne Borough Council

Food Safety Service Plan

2021 - 2022

FOREWORD

This plan sets out how the Council will deliver its 2021-2022 Food Safety Service Plan.

In its development, consideration has been given to the profound impacts the Coronavirus pandemic has had on the public and business activities over the last 12 months. Consideration has also been given to the continuing impacts they will likely experience over the next 12 months as businesses seek to recover.

Spelthorne's Environmental Health Service has not been immune to the impacts of the pandemic. Since March 2020, nearly all Environmental Health resources have been diverted to providing advice, guidance, and enforcement in respect of the Covid-19 business restrictions and investigating and controlling outbreaks of coronavirus and other infectious diseases in workplaces and the throughout Spelthorne. Accordingly, this plan has been produced in accordance with advice given by the Ministry of Housing, Communities and Local Government on the prioritisation of local authority regulatory activities over winter 2021 (extended to end of June 2021), and guidance provided by the Food Standards Agency on the prioritisation of control and activities (issued 07 January 2021).

This Service Plan has been produced in response to the Food Standard Agency's Framework Agreement on Food Law Enforcement which sets out how the plan should be structured and what the plan should contain.

The Plan explains how we will protect and promote food safety throughout the Borough by a combination of measures which include the enforcement of food safety law, sampling, advice, and education and liaising with other organisations. The mix of enforcement includes aspects that are demand driven, inspection driven, education driven, and intelligence driven. Our activities and procedures take account of the Food Law Code of Practice and its supporting document the Food Law Practice Guidance (England). In addition, our officers take account of the Food Hygiene Rating Scheme – Brand Standard.

The Plan is approved by Elected Members to ensure transparency and accountability and is published on the Council website.

The Plan is reviewed annually.

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1. SERVICE AIMS AND OBJECTIVES

1.1 Aims

- 1.1.1 The aim of the food safety service is to protect health by assuring the production, preparation, storage, distribution, and supply of food by businesses within Spelthorne is safe.
- 1.1.2 We aim to provide a comprehensive food safety service to consumers and the operators of food businesses and achieve a good balance between providing advice, information, training, and where necessary enforcement.

1.2 The following objectives have been identified for 2021/22:

Objective	
1	To prioritise food safety activities and controls as follows: - <ul style="list-style-type: none">• Ongoing proactive surveillance to obtain an accurate picture of the local business landscape and identify:<ul style="list-style-type: none">- open/closed/recently re-opened/new businesses- change of operation, activities, or food business operators• Appropriate interventions for establishments where there are concerns around public health as a result of the ongoing proactive surveillance• Urgent reactive work including, but not limited to, following up on food incidents, investigating foodborne disease outbreaks, following up on complaints• Establishments subject to ongoing formal enforcement action• Establishments overdue/due an enforcement revisit
2	For all overdue/due interventions not already captured in 1 above , priority will be given to achieving a minimum of 95% food hygiene inspections/interventions for: - <ul style="list-style-type: none">▪ All A, all B, and non-compliant C for hygiene▪ New businesses awaiting inspection and where intelligence raises no concerns around public health/consumer protection▪ Businesses applying COVID-19 requirements that might impact on food safety, or our ability to conduct a physical inspection
3	To promote the FSA national Food Hygiene Rating Scheme (FHRS), including publicising on the Council's Facebook and Twitter accounts those business receiving a 5 rating.
4	To achieve a 92% ratio of food businesses with a food hygiene ratio of 3 to 5 compared to those scoring 0 to 2.
5	To actively work with our lower rated businesses to improve their standards and achieve a maximum 4% of food business with a food hygiene rating of 0 and 1. Where necessary we will take appropriate enforcement action in line with our Enforcement Policy.
6	To respond to a minimum of 95% of food safety service requests within

	ten days.
7	To ensure all authorised officers are competent as per the requirements of the revised Competency Assessment Framework as set down in the Food Law Code of Practice for all officers undertaking official food controls.
8	To actively promote the “Eat Out Eat Well” award.
9	Where the opportunity arises, participate in national and local sampling projects as appropriate.
10	Food allergens and hypersensitivity - during routine inspections, businesses will be signposted to the free material available from the FSA and we will participate in any campaigns run by the FSA, as appropriate.

1.3 Links to corporate objectives and plans

1.3.1 The Council’s Draft Corporate Plan for 2019-2023, has four key priorities for Spelthorne:

- Community
- Affordable Housing
- Recovery
- Environment

1.3.2 The Food Safety Service Plan is key in protecting our Community and providing a safe Environment and makes a significant contribution to the Communities’ economic recovery out of the impacts of Coronavirus. An effective food safety team contributes to these priorities by protecting the health of its residents and visitors through the provision of safe food, the prevention and detection of food borne illness and food poisoning, and by ensuring that good businesses are not disadvantaged by non-compliant traders.

2. BACKGROUND

2.1 Profile

2.1.1 Spelthorne is in the far north corner of Surrey. Boroughs adjacent to us are Runnymede and Elmbridge to the south in Surrey, Windsor and Maidenhead and Slough to the west in Berkshire, and Hillingdon, Hounslow, and Richmond upon Thames to the north and east in Greater London.

2.1.2 Spelthorne’s population is approximately 95,600, based on figures from the 2011 census. The main centres of population are the towns of Staines-upon-Thames, Ashford, Sunbury-on-Thames, Shepperton and Stanwell.

2.2 Organisational Structure

- 2.2.1 The organisational structure of the Council comprises of the 39 elected members and a Chief Executive who is supported by two deputies. The food safety service forms part of the Environmental Health Department. The food team is headed by the Principal Environmental Health Officer (Commercial) who reports to the Senior Environmental Health Manager (SEHM). The SEHM reports directly to the Deputy Chief Executive.
- 2.2.2 The food safety service is provided by the Commercial Team who also provide a health and safety enforcement service including smoke-free legislation; and process, monitor and enforce various licensing/registration regimes, such as all animal licensing and beauty treatments in relevant premises.
- 2.2.3 The structure is as follows:



2.3 Scope of the Food Service

- 2.3.1 The Council provides a comprehensive service to food consumers and food businesses in Spelthorne. We have the main responsibility for enforcing the provisions of the Food Safety Act 1990, the Food Safety and Hygiene (England) Regulations 2013 and the European Union (Withdrawal) Act 2018 as amended by the European Union (Withdrawal Agreement) Act 2020 relating to retained EU regulations
- 2.3.2 As a designated Food Authority we are responsible for a full range of duties including:
- food hygiene inspections
 - participation in the national Food Hygiene Rating Scheme to enable consumers to make informed choices about the places where they eat out or shop for food
 - the investigation of complaints and service requests relating to food safety matters
 - responding to food safety incidents

- the provision of advice to businesses and the public on food safety matters
- sampling of foodstuffs for microbiological and where necessary chemical examination; and analysis of food handling environments through surface swabs
- controls of imported and exported foods
- the investigation of notifications and outbreaks of food poisoning and gastrointestinal infection to control and prevent further cases from source of disease, identify source and prevent spread from primary case
- provision food safety advice to managers and proprietors of food businesses
- the implementation of the Commercial Team's Health Promotion initiatives, such as the "Eat Out, Eat Well" Award Scheme which is promoted during inspections and via the Spelthorne website
- the maintenance the database of food premises in the Borough and ensuring that the information is accurate and up to date

2.3.3 Enforcement of food standards and animal feedstuff legislation is the responsibility of Surrey County Council Trading Standards Department and is outside the scope of the service.

2.3.4 Spelthorne is signed up to a Memorandum of Understanding in relation to food and feed imported through London Heathrow Airport. This MoU is managed by the FSA and is due for review in November 2023. The purpose of the MoU is to set out in writing the arrangements that have been agreed to establish Hillingdon as the single designated local authority responsible for carrying out all appropriate safety checks at Heathrow Airport on imported food at Internal Temporary Storage Facilities. External Temporary Storage Facilities remain our responsibility.

2.4 Demands on the Food Service

2.4.1 The majority of food premises in Spelthorne are predominantly small to medium sized catering or retail businesses.

2.4.2 The premises profile is outlined below. Please note that this is a snapshot in time that changes regularly as new businesses open and others close.

Type of Premises	on 01 April 2020	on 31 March 2021
Primary Producers	1	1
Manufacturers & Packers	2	7
Importers/exporters	4	2
Distributors/Transporters	16	18
Retailers	169	164
Restaurants/Caterers	591	616
Total	783	808

2.4.3 In addition there are:

- Two markets – one in Kempton Park every Thursday and one on Staines High Street on Wednesdays, Fridays, and Saturdays. There is a farmer's market once a month in Staines-upon-Thames.
- Two approved premises (an inflight caterer and a biltong manufacturer). There is also one large cereal producer.
- Routinely there are several events held within the borough during the year, including Staines-upon-Thames Day, Shepperton Big Tree Night, Sunbury Amateur Regatta and Shepperton Village Fair.

2.4.4 **Brexit Impacts on the Food Service**

2.4.4.1 Imports

The government introduced a new staged approach to imports that came into effective from 1 January 2021: -

- October 2021 (originally April 2021):
 - Pre-notification requirements for Products of Animal Origin (POAO), certain animal by-products (ABP), and High-Risk Food Not of Animal Origin (HRFNAO)
 - Export Health Certificate requirements for POAO and certain ABP will come into force on the same date.
- January 2022 (originally July 2021):
 - Extending the option for business to use deferred declarations for up to 6 months after the goods have been imported until Jan 2022
 - Safety and Security Declarations
 - Physical checks for POAO, certain ABP, and HRFNAO will not be required until 1 January 2022. At that point they will take place at Border Control Posts.
- March 2022 (originally July 2021):
 - From March 2022, checks at Border Control Posts will take place on live animals and low risk plants and plant products.

The team work closely with colleagues at the Imported Food Office in Heathrow Airport and a Memorandum of Understand is in place with regards storage sheds within the borough. Any consignments that illegal bypass the Border Control Post are referred to the inland authority where the consignment is stored. A similar arrangement is in place for third country imports prior to EU Exit and Spelthorne has received such referrals infrequently. It is yet to be seen if there will be an increase in the referrals of illegals imports to the team because of EU exit.

2.4.4.2 Exports

The EU require that some UK food and drink exports are certified by a UK certifying authority before being exported. In Great Britain, the Animal and Plant Health Agency (APHA) is responsible for issuing export health certificates (EHC) for certain products of animal origin (POAO) to specific countries.

Local authorities can provide export certification for certain products not covered by official EHCs issued by APHA. This can relate to products that are:

- not of animal origin
- processed meat products
- manufactured food and drinks

The type of certification that needs to be provided is specific to the product being exported and the requirements of the destination country.

To date the team has not received any requests from businesses to certify any products for export from the UK however requests for certifications for products not of animal origin have been received for countries not within the EU.

2.4.5 The service can be accessed by: -

- Calling in person to the Spelthorne Borough Council, Knowle Green, Staines upon-Thames, TW18 1XB. The Offices are open from 9am to 5pm Mondays to Thursdays and 9am to 4.30pm on Fridays. The office is closed in the evenings and at weekends.
- Telephoning the support staff (01784 446291). The Business Support Team is available from 9 am to 5 pm on Monday to Thursday and 9 am to 4.30 pm on Friday.
- A duty officer is available from 9.30 am to 5 pm Monday to Thursday, and from 9.30 am to 4.30 pm on Fridays.
- By telephoning officers through their direct line telephone numbers.
- By emailing the Commercial Team at eh.commercial@spelthorne.gov.uk.
- Emailing officers directly via their individual email addresses.
- Food safety emergencies can be dealt with by telephoning our 24-hour out-of-hour's emergency service where the on-call officer will contact a senior officer from Environmental Health.
- Information and advice can be accessed via the Council's website at www.spelthorne.gov.uk.
- Submitting information through the Food Standards Agency website portal.
- The food hygiene ratings of eligible businesses can be found at <http://ratings.food.gov.uk/> and via a link on the Spelthorne website.

2.5 Enforcement Policy

2.5.1 Enforcement will be carried out in a fair, equitable and consistent manner in accordance with the Regulator's Code and the Environmental Health Enforcement Policy.

2.5.2 The policy was last updated in October 2014 and is currently under review. Copies of the Environmental Health Enforcement Policy are

available on request and the policy is also available on the Council's website.

3. SERVICE DELIVERY

3.1 Food Premises Interventions

It is our policy to carry out programmed food hygiene interventions in accordance with the minimum inspection frequencies defined in the Food Law Code of Practice, and priority will be given to inspections of higher risk premises and approved premises.

3.1.1 Impacts of Coronavirus on Interventions (2020-2022)

Throughout 2020-2021, most of the team's resources have been diverted to providing advice, guidance, and enforcing the Coronavirus Regulations and related business restrictions, as well as investigating and controlling outbreaks of coronavirus and other infectious diseases in workplaces and throughout Spelthorne. Further, for the first four months of the pandemic nearly all food businesses were closed. Over the successive months many reopened but a good number remained closed throughout the pandemic.

This has had a significant impact on the team's ability to undertake food hygiene interventions, and while intervention activities have been prioritising in accordance with the advice provided by the FSA, a significant backlog of premises waiting routine intervention has accumulated.

3.1.2 Through 2021-2022, covid-19 will continue to exert an influence over the activities of the Food Safety team: -

- Throughout the first quarter of 2021-2022, the UK has been in national lockdown. From April, restrictions will be lifted in stages, with the final removal of all Covid restrictions planned for 21 June. Before and after each stage of reopening, the team's workload significantly increases. Before a stage change, the Team must prepare for changes to the legislation, and notify Spelthorne businesses what those changes are and what they must do to comply, and how to operate safely. Then after, they will need to response to calls of assistance from businesses for additional advice, and from the public reporting businesses that are not compliant.
- The World Health Organisation and Government's Medical Advisors are predicting further coronavirus waves and further threats brought by new variants of the virus. As part of its infection control duties, where Public Health England's (PHE) contact tracers cannot reach a person who has a variant of concern (VOC), or who may have been exposed to a VOC Public Health England is now required Environmental Health services to visit the person and make contact. This work will continue for the most part of 2021 as the team respond to requests for assistance from PHE and deal with other queries and complaints.

The significant public health impacts brought by Coronavirus will continue to direct Environmental Health’s activities, and if necessary, will have priority over certain food hygiene interventions, particularly within lower risk businesses such as categories D and E.

3.1.3 Food Premises Interventions Programmed for 2021-2022

The profile of premises by risk rating and the anticipated number of interventions to be undertaken during the year 2021-2022, are outlined in the table below. This is a snapshot of the system as of 31 March 2021. The profile can change quickly because of an intervention meaning that a premise can be moved either up or down. The number of “A” rated businesses can vary significantly during the year.

Risk Category	Number of Premises inspections due	Inspection Frequency
A	1	6 months
B	9	12 months
C	67	18 months
D	115	24 months
E	65	Alternative Strategy
Total	257	

The above table does not include inspections carried over from the 2020-2021 programme, which could not be carried out due to the pandemic. Further information is provided in section 6.2.2

- 3.1.4 The risk categories are derived from the scoring system laid down in the Food Law Code of Practice and are based on the type of food handled, the size of the business, the level of compliance with hygiene and structural requirements and the extent of management control.
- 3.1.5 In addition to this list, there will be unrated premises which are awaiting inspection and revisits to premises in line with our Food Hygiene Intervention Policy and Food Hygiene Enforcement Procedure.

3.2 Food Complaints

- 3.2.1 We will investigate food complaints or complaints relating to the hygiene of food premises in accordance with centrally issued guidance and our own Food Complaints Procedure. The depth and scope of investigation required will depend on the nature of the complaint.
- 3.2.2 All food complaints involving an imminent risk to health will be responded to as quickly as possible and all others within six working days. Where appropriate, complainants will be advised of the outcome.
- 3.2.3 The following tables outlines the number of complaints received:

Year	Complaints Received
2020 / 2021	78
2019 / 2020	110
2018 / 2019	82

The subject of these complaints often includes allegations of illness, poor hygiene practices, concerns about cleaning and general repair, pest infestations and foreign body allegations.

3.3 Home Authority Principle and Primary Authority Scheme

- 3.3.1 We support both the Home Authority Principle and the Primary Authority Scheme. We do not currently have any formal primary authority agreements in place.
- 3.3.2 The Primary Authority scheme permits any business to register with one local authority as a source of advice on environmental health issues. Officers are required to contact the Primary Authority before taking any enforcement action against that company. The Primary Authority can then block the proposed action if it believes that it is inconsistent with advice or guidance previously given to the organisation concerned.
- 3.3.3 All authorised officers are registered with the online database and are familiar with the requirements of the scheme.

3.4 Advice to Business

- 3.4.1 We recognise that most food businesses seek to comply with the law and will provide such advice and assistance as may be necessary.
- 3.4.2 This includes:
- Guiding businesses to food hygiene training courses/seminars as required.
 - Provision of business information sheets, including leaflets detailing local providers of food hygiene courses, practical advice on hazard analysis and controlling food safety hazards, temperature control and guides to compliance with specific food safety legislation.
 - On the spot advice during routine visits and inspections.
 - Advice in written inspection reports.
 - Provision of free telephone advice.
 - Provision of information on the Council's social media accounts.
- 3.4.3 In 2020/2021 we dealt with 82 specific requests from businesses and individuals for information requiring advice. These requests are often from new businesses setting up, businesses about to refurbish their premises or those wishing to expand upon their current activities.
- 3.4.4 The team has been working with businesses throughout the whole of the pandemic to help them to operate safely, and comply with the Covid-19 restrictions, and meet the requirements of guidance issued by Central Government. We have helped food businesses re-open following the various lifting of lockdowns and this work continues under the current Re-opening Roadmap. In association with the Licensing Team, we have routinely issued mailshots to licensed premises and food premises as well as mailshots specifically targeted in content to other businesses such as sports clubs, gyms, and close contact services.

3.5 Food Sampling

3.5.1 Food sampling provides useful information about the microbiological constitutes an important element of the intelligence driven side of the food safety enforcement mix.

3.5.2 We will ensure that food is inspected and sampled in accordance with our sampling procedure, relevant legislation, statutory Food Safety Code of Practice and centrally issued guidance to ensure that food meets the food safety requirements.

3.5.3 Our approach to sampling is:

- We will continue to support and participate in FSA/PHE national sampling programmes as appropriate and where resources allow.
- Where appropriate, samples will be taken during routine inspection and if necessary, as part of legal proceedings.
- Food complaint samples will be submitted on an ad-hoc basis as appropriate.
- We will re-sample should any sample result be unsatisfactory or potentially hazardous.

3.5.4 Food samples will be submitted for analysis to the PHE laboratory in Porton Down, Salisbury as it currently holds UKAS accreditation for the microbiological examination of food samples.

3.5.5 In 2020/2021 we submitted five samples taken from one premises following a notification of Listeria from PHE where the person had bought food from the premises prior to their symptoms starting.

3.6 Control and Investigation of Outbreaks & Food Related Infectious Diseases

3.6.1 We work closely with our colleagues in Public Health England (PHE). In the event of an outbreak of food poisoning we follow the procedures set down in the Surrey Outbreak Control Plan.

3.6.2 We regularly attend the Surrey Health Protection Group meetings to keep informed of local and national issues. We also regularly attend training events run by this group.

3.6.3 Certain infectious disease must by law be reported to us. Notifications received are shown in the table below.

Year	Notifications
2020 / 2021	86
2019 / 2020	144
2018 / 2019	141

3.6.4 We have a responsibility to investigate notifications to identify the source, to prevent cases from the source or from a primary case. In certain cases, we may need to require exclusion from work or nursery/schools. Our officers refer to the Single Case Plan when handling all notifications. This document has been drawn up in conjunction with PHE and is maintained

and updated by them. The response times required of us varies from 24 hours to three days and often these notifications will be treated as a priority.

3.6.5 There were no major food poisoning outbreaks reported in the Borough during 2020/2021.

3.7 Food Safety Incidents

3.7.1 Food alerts are issued by the FSA and notify the public and food authorities to serious problems involving food that does not meet food safety standards or food that does not meet compositional standards. They come to a special inbox that is monitored daily.

3.7.2 The content of all food alerts received will be assessed by the Principal Environmental Health Officer (Commercial) or an Environmental Health Officer on the Commercial team and appropriate action taken as specified in the alert.

3.7.3 We will promptly notify the FSA and all other relevant agencies if any potentially serious incident is identified locally.

3.8 Liaison with Other Agencies

3.8.1 We actively participate in liaison arrangements with a number of other local authorities, agencies and professional organisations in order to facilitate consistent enforcement, to share good practice and to reduce duplication of effort.

3.8.2 This includes:

- Surrey Food Liaison Group
- Surrey Health Protection Group
- Surrey Environmental Health Managers' Group. Spelthorne Chairs this group
- Liaison arrangements with Building Control, Planning, Licensing, Legal etc.
- Public Health England
- Surrey County Council Trading Standards
- Surrey Healthy Eating Award Steering Group.

3.9 Food Safety Promotion

3.9.1 We participate in the national Food Hygiene Rating Scheme. Most of our food business are included in the scheme and it is well received by both food business and consumers. The aim of the scheme is to help consumers to make informed choices about where they purchase food from.

3.9.2 We adhere to the guidance contained within the FSA's document – "The Food Hygiene Rating Scheme: Guidance for local authorities on implementation and operation – the Brand Standard".

- 3.9.3 We further publicise businesses with the top rating of 5 on the Council's Facebook and Twitter accounts.
- 3.9.4 We introduced a cost recovery fee for requested re-inspections under the Food Hygiene Rating Scheme in April 2019. Between the 01 April 2020 and the 31 March 2021, we received 24 requests for a re-inspection.
- 3.9.5 We work in partnership with the Trading Standards team at Surrey County Council to promote the Eat Out Eat Well scheme. The scheme is promoted during routine inspections to potentially eligible businesses and on the Council's website.
- 3.9.6 We did not run any Level 2 Foundation Certificate in Food Safety during 2020/2021. We do not intention to run any courses during 2021/2022. We will however, direct businesses requiring this training to Elmbridge Borough Council as they provide an online training service.

4. RESOURCES

4.1 Financial Allocation

- 4.1.1 The cost of providing the food safety service in 2021/2022, including staff and budgetary expenses is £190,500

4.2 Staff Allocation

- 4.2.1 The 2020/2021 staffing allocation was 2.9 full time equivalents. This included administrative supports (0.65), and management support (0.15) to provide overview of service plans, officer performance, service development and budget controls.
- 4.2.2 The allocation of staff remains at 2.9 full-time equivalent. However, over the last year some officer resources have been re-tasked to preventing the spread of coronavirus by promoting and enforcing the covid-19 regulations within Business. Recruitment of additional staff to facilitate both food safety and covid-19 duties has been on-going but unsuccessful due to insufficient availability of suitably qualified officers. To a degree this was alleviated by engaging specialist contract EHOs, however at the close of 2020-2021, a number of programmed food hygiene inspections remained outstanding.
- 4.2.3 In addition, approximately 0.1 FTE of authorised officer time is spent on duties such as checking notices, detailed investigations, small outbreaks, and preparation for prosecutions etc.

4.3 Staff Development Plan

- 4.3.1 We recognise the need for all officers engaged in food safety work to be trained, not only to the minimum level required by law, but also to a level commensurate with the work they carry out. We also recognise the need to develop the personal skills needed to work effectively in the field and for EHOs' to meet the requirements of the Chartered Institute of Environmental Health Continuing Professional Development (CPD) scheme.

- 4.3.2 The Food Standards Agency Framework Agreement on Local Authority Food Law Enforcement requires Local Authorities to appoint enough authorised officers to carry out food enforcement work and that they shall have suitable qualifications, training, and experience consistent with their authorisation and duties in accordance with the relevant Food Safety Code of Practice.
- 4.3.3 The Food Safety Code of Practice requires the Local Authority to ensure that every officer receives structured on-going training, which is managed, assessed, and recorded. The minimum on-going/update training for each officer should be at least 20 hours per year, of which at least 10 hours must be food based.
- 4.3.4 Each member of staff receives one annual appraisal, and one-to-one meetings every six to eight weeks at which time development needs are identified and a plan agreed to address these.
- 4.3.5 Training and development is provided by a range of methods including: -
- i. Post Entry Training - Nominations for formal training courses/qualifications are considered annually and in appropriate cases members of staff are sponsored on formal academic and practical courses.
 - ii. Short Course Training - Where appropriate, short courses, seminars and workshops can provide valuable updates for staff. We support attendance at such events through the Council's short courses training budget.
 - iii. In-house Training - We encourage in-house training as this helps to develop individual's presentation skills as well as cascade information to other members of staff.
 - iv. Cascade Training - Staff are encouraged/required to cascade information skills and knowledge they possess or have gained through attendance at Seminars and short courses to other members of staff at in-house training sessions.
 - v. Peer Review - Using peer review, during joint visits, and in monitoring work performance we encourage exchange of expertise and skills between staff.
 - vi. Surrey Food Study Group & Team Meetings - These provide useful forums for exchange of information and experience amongst team members and colleagues and assist in achieving a uniformity of approach to food safety issues.
 - vii. Consistency Exercises – these are held routinely following our monthly team meetings and involve either an exercise provided by the FSA or a recent case presented by one of the team.

5. QUALITY ASSESSMENT

5.1 Internal Monitoring

- 5.1.1 We have a monitoring programme in place. The PEHO undertake a monitoring visit each quarter. In addition to these visits the PEHO will

randomly check one report/written warning monthly. Contractors are also included in this schedule. The implementation of the schedule is a standing item on the agenda for the monthly Commercial Team meetings.

- 5.1.2 The PEHO also carries out one to ones with each member of the food team on a regular basis.
- 5.1.3 In addition to these checks, all food businesses who are moved out of Categories A & B into lower risk categories must be counter-signed by an authorised officer. In the first instance these files should be passed to the Principal Environmental Health Officer, however in her absence another authorised food officer will be acceptable.

5.2 Customer Care

- 5.2.1 Customer care questionnaires are sent out to at least 95% of food businesses that have received an inspection to assess the levels of satisfaction with the service. The team generally receive very positive feedback.

The following comments were received:

- (1) The officer was very respectful and courteous
- (2) Officer was really great and very fair, thank you
- (3) Staff member carried out the inspection safely adhering to Covid regulations.

5.3 External Monitoring

- 5.3.1 Our service is subject to audit from the Food Standards Agency. Our last audit was carried out in October 2014 and all the issues raised at that time have been addressed to the satisfaction of the FSA.
- 5.3.2 An annual return is submitted to the FSA. This is a requirement of all Local Authorities and it outlines in detail the work of our service.
- 5.3.3 Our implementation of the FHS was audited in December 2015 as part of an inter-authority audit organised by the Surrey Food Liaison Group and funded by the FSA.

6. REVIEW

This section should be read in conjunction with (a) section 3.1.1 of this report which details the impacts of coronavirus on delivering the food safety service interventions, and with (b) the Environmental Health's Performance review.

6.1 Review against the Service Plan

- 6.1.1 The service has continued to provide a professional and quality service. Overall, the higher priority objectives of the Council's food service were met.

6.1.2 The service aims to complete 95% of its programmed high risk inspections before 31 March 2021. This year, due to the impacts of COVID-19 on the Environmental Health service, this target has not been met.

Risk Category	2020-2021		
	No. of programmed inspections due	No. of inspections completed	inspections completed %
A	2	2	100%
B	21	9	43%
C	108	42	40%
D	127	82	65%
E	34	84	247%
Sub-total	292	253	87%

6.1.3 During 2020-2021, 253 inspections were completed. The table above provides the detail of these broken down by risk category. In respect of these, 162 food hygiene interventions were carried out, including the service of 11 Hygiene Improvement notices and 157 written warnings sent out.

6.1.4 We have continued to successfully participate in the national Food Hygiene Rating Scheme.

FHRS	No. of Premises	%
5	492	65
4	170	22
3	66	9
2	16	2.2
1	11	1.5
0	1	0.1

6.1.5 On the 31 March 2021, 96.3% of our eligible businesses have ratings of three or above. On the 31 March 2021, we had one zero-rated premises and eleven one-rated premises: representing 1.6% of our eligible businesses.

We will continue working to reduce the percentage of business having a rating of 0 or 1. Businesses that continue to fail to meet the required standards are subject to re-inspections, are invited to attend formal interview, and where appropriate further legal action is taken.

6.1.6 No scores given under the Food Hygiene Rating Scheme were appealed in 2020-2021. Where appeals are received, they are considered by a senior officer who was not involved in the inspection.

6.1.7 Throughout 2020-2021, we have continued to provide a free information and assistance to local businesses to help them operate safely for purposes of food safety and hygiene, and COVID-19 safety measures.

6.2 Identification of any Variation

6.2.1 The covid-19 pandemic has impacted the delivery of the 2020-2021 Food Safety Service plan. Consequently, the service plan has not been fully met. The table below shows the food inspections outstanding and now due to be completed in 2021-2022.

6.2.2 As outlined in sections 3.1.1 and 3.1.2 of this report, the incomplete delivery of the 2020-2021 Food Safety Service Plan is due to having to divert officer resources to the national higher priority of preventing the spread of coronavirus by providing advice to businesses (including food businesses) about how to operate safely by implementing covid-19 safety measures. The team has also been responsible for enforcing compliance with the coronavirus regulations. One other aspect is that many food businesses have been closed during lockdown periods, so it has not been possible to inspect them.

6.2.3 Contractors have been engaged to help with inspection-based work.

	Inspections outstanding from 2020-2021	Inspections due in 2021-2022	Total no. of inspections due in 2021-2022
A	0	1	1
B	8	9	17
C	54	67	121
D	82	115	197
E	82	65	147
Total	226	257	483*
*Includes 54 new premises requiring 1 st inspection			

The inspections to be done, as outlined in the table, do not include follow-up revisits to assess progress of works requires, or inspection of new premises not included in the 54 mentioned.

6.3 Areas of Improvement

6.3.1 The following are planned for 2021-2022: -

- Ensure that the backlog of inspections and interventions arising from 2020-2021 are completed.
- Continue to update and implement any policies and procedures required to ensure the service complies with the FSA Framework Agreement.
- Continue to promote the FHRS across the Borough and seek to increase the number of eligible businesses achieving a rating of three and above.
- Ensure that the service is inclusive and is provided to hard-to-reach groups
- Retain qualified and competent food officers.

- Ensure that technology is used efficiently to record information necessary to deal with customer queries, provide FSA returns and provide information to customers in an electronic format.

Spelthorne Borough Council
Health and Safety Service Plan
2021 – 2022

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1. SERVICE AIMS & OBJECTIVES

1.1 Aims

- 1.1.1 The aim of the health and safety service is to protect the health and safety of those working within the borough in workplaces where we are the enforcing authority. We also aim to protect members of the public and others who may be harmed by the work practices of those businesses.
- 1.1.2 Enforcement is shared with the Health and Safety Executive (HSE), with Spelthorne being responsible for workplaces such as offices, shops, hotels, restaurants, nurseries, pubs, wholesale distribution and warehousing.

1.2 Objectives

Our Health & Safety at Work enforcement objectives will be incorporated into the wider Environmental Health Service Plan.

1.2.1 For 2021- 2022 we have the specific objectives: -

Objective	
1.	To achieve 100% of programmed Category “A” health and safety inspections in accordance with frequencies set out in HSE’s Local Authorities National Enforcement Code.
2.	To participate in the flexible warranting scheme with other Surrey local authorities across the county and agree, where appropriate, joint projects to deliver under the scheme.
3.	To comply with all new legislative requirements imposed on the Borough regarding the enforcement of Health & Safety at Work. This includes any relevant guidance, codes of practice, etc., published by the HSE.
4.	To ensure authorised officers within the Commercial team have completed the Regulators Development Needs Assessment (RDNA).
5.	To actively participate in selected national/regional projects along with other Surrey LAs and HSE.
6.	To respond to at least 95% of health and safety service requests and accidents within six working days.
7.	To continue enforcing smoke free legislation, which prohibits smoking in most workplaces, work vehicles and public buildings and working with our partners on smoke free initiatives.
8.	To undertake a review of our procedures.

1.3 Links to corporate objectives and plans

1.3.1 The Council's Draft Corporate Plan for 2019-2023, has four key priorities for Spelthorne:

- Community
- Affordable Housing
- Recovery
- Environment

1.3.2 The Health and Safety Service Plan is key in protecting our Community and providing a safe Environment and makes a significant contribution to the Communities' economic recovery out of the impacts of Coronavirus. An effective health and safety team contributes to these priorities by protecting the health of its residents and businesses through the provision of safe workplaces, and by ensuring that good businesses are not disadvantaged by non-compliant traders.

1.4 Links to the HSE's Strategy – National Local Authorities' Enforcement Code

1.4.1 This National Code was developed by the HSE to ensure that Local Authority (LA) health and safety regulators take a more consistent and proportionate approach to enforcement. This Code provides statutory guidance and a framework to guide local approaches.

1.4.2 It identifies that we should use the full range of regulatory interventions available to influence behaviours and the management of risk with proactive inspection utilised only for premises with higher risks or where intelligence suggests that risks are not being effectively managed.

1.4.3 The HSE Local Authority Circular (LAC 67/2 (rev 5)) specifies how local authorities should prioritise interventions to comply with the National Local Authority Enforcement Code.

1.4.4 Whilst the primary responsibility for managing health and safety risks lies with the business that creates the risk, we have an important role in ensuring the effective and proportionate management of risks, supporting business, protecting our communities, and contributing to the wider public health agenda.

1.4.5 Considering the special characteristics of the LA enforced sector, the HSE has decided that it will be necessary for local authorities to prioritise certain hazards. Based on this list the following hazards are a priority for us:

- Workplace transport in warehousing/distribution.
- E. coli and Cryptosporidium infection especially in children from contact with animals at visitor attractions.
- Falls from height/working at height.
- Manual handling particularly high volumes warehousing and distribution.
- Commercial catering premises using solid fuel cooking equipment.
- Crowd management and injuries at large scale public gatherings.

- Violence at work.

1.5 Links to the HSE Section 18 – Guidance to Local Authorities

- 1.5.1 Local Authorities are responsible for the enforcement of the Health and Safety at Work etc. Act 1974 (HSW Act), to the extent as defined and prescribed in the Health and Safety (Enforcing Authority) Regulations 1998.
- 1.5.2 Section 18 (4) of the HSW Act requires us to perform our duties in accordance with guidance from the Health and Safety Executive (HSE). The “Section 18 Guidance” is therefore mandatory.
- 1.5.3 Section 18 (4) of the HSW Act states ‘it shall be the duty of every local authority to: -
- I. Make adequate arrangements for the enforcement within their area of the relevant statutory provisions; and
 - II. To perform the duty imposed on them by (a) above and any other functions confirmed on them by any of the relevant statutory provisions in accordance with such guidance as the commission may give them.
- 1.5.4 The HSE considers the following elements are essential for a LA to adequately discharge its duty as an Enforcing Authority: -
- A clear published statement of enforcement policy and practice.
 - A system for prioritised planned inspection activity according to hazard and risk, and consistent with any advice given by the HSE and HELA.
 - A Service Plan detailing the LA’s priorities and its aims and objectives for the enforcement of health and safety.
 - The capacity to investigate workplace accidents and to respond to complaints by employees and others against allegations of health and safety failures.
 - Arrangements for benchmarking performance with peer LAs.
 - Provision of a trained and competent inspectorate; and
 - Arrangements for liaison and co-operation in respect of the Primary Authority Partnership Schemes.
- 1.5.5 We need to ensure that we devote sufficient resources to the health and safety enforcement to comply with our duties under section 18 (4). HSE will take a view on the performance of LA enforcement and promotional activities, in accordance with its strategy using information supplied by authorities as requested (eg. Annual LAE1 returns) and by reviewing the reports of inter-authority audits carried out using the HELA protocol.
- 1.5.6 If a LA fails to meet its legal obligation under Section 18 of the HSW Act, the Secretary of State may, after considering a report submitted by the HSE, cause a local enquiry to be held. If the Secretary of State is satisfied by such an enquiry that a LA has failed to perform any of its enforcement function, he may make an order declaring the Authority to be in default. The order may direct the LA to perform their enforcement functions in a specified manner within a specified period of time.

1.5.7 If the defaulting LA fails to comply with such an order, under Section 45 of the HSW Act, the Secretary of State may enforce the order, or make and order transferring the enforcement functions of the defaulting LA to the HSE, in which case the HSE's expenses are paid by the defaulting authority.

2. BACKGROUND

2.1 Profile

2.1.1 Spelthorne is in the far north corner of Surrey. Boroughs adjacent to us are Runnymede and Elmbridge to the south in Surrey, Windsor and Maidenhead and Slough to the west in Berkshire, and Hillingdon, Hounslow, and Richmond upon Thames to the north and east in Greater London.

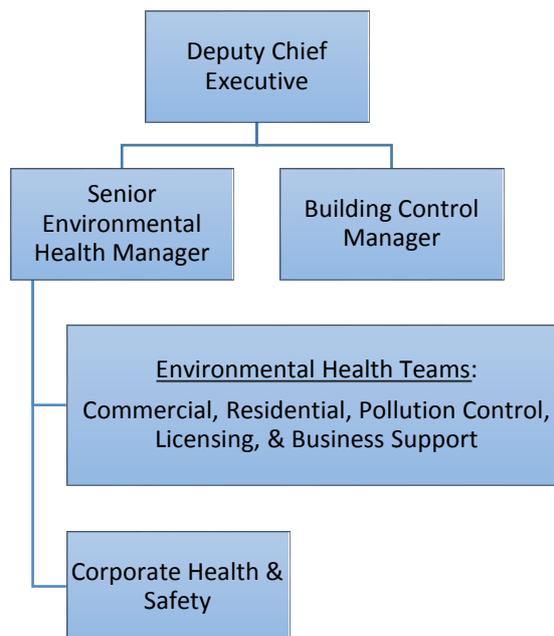
2.1.2 Spelthorne's population is approximately 95,600, based on figures from the 2011 census. The main centres of population are the towns of Staines-upon-Thames, Ashford, Sunbury-on-Thames, Shepperton and Stanwell.

2.2 Organisational Structure

2.2.1 The organisational structure of the Council comprises of the 39 elected members and a Chief Executive who is supported by two deputies. The health and safety service forms part of the Environmental Health Department's Commercial Team. The Commercial Team is headed by the Principal Environmental Health Officer (Commercial) who reports to the Senior Environmental Health Manager (SEHM). The SEHM reports directly to the Deputy Chief Executive.

2.2.2 The Commercial Team also provide a food safety enforcement service and licensing/registration regimes, such as all animal licensing and beauty treatments in relevant premises.

2.2.3 The structure is as follows: -



2.3 Scope of the Health and Safety at Work Enforcement Service

2.3.1 We provide a comprehensive service to both employers and employees of commercial premises, and the public who may be affected by work activity within our borough. The responsibility for health and safety enforcement within commercial premises in the Borough, is shared between the Health and Safety Executive and us. This responsibility is determined by statutory legislation (The Health and Safety (Enforcing Authority) Regulations 1998) and is established on the basis of the “main activity” carried out at the premises.

2.3.2 The main elements of the service are: -

- **Programmed Health and Safety Inspections** - Regular inspection of all our commercial premises, rated in the "A" category to check on health and safety standards to promote safe practices and secure compliance with the law, whilst having regard to the national/regional priority programmes. Commercial premises rated “B1”, “B2” or “C” categories, will not form part of the planned inspection programme. However, these category premises will be subject to other “Intervention strategies” such as planned, local or national campaigns/initiatives on topic-based issues (e.g. gas safety initiative and swimming pool safety). The inspections are carried out in accordance with the adopted Health and Safety Inspection Procedure. Enforcement is focused on hazards or sectors where the greatest action will be necessary, to contribute to the HSE’s overall strategy.
- **Revisits** are carried out to premises to check if specific action has been taken to remedy faults found at a previous inspection/visit.
- **Special/Other Health and Safety Inspections** – To undertake visits as necessary having regard to the priority programmes within HSE’s Strategy, focusing our enforcement on particular hazards or sectors where the greatest action will be necessary. This may come to light having analysed trends in official accident notifications.
- **Health and Safety Investigations** - Investigation of complaints relating to health and safety received from employers, employees, and the public. In 2017/2018, 28 such investigations were carried out in addition to general requests for information.
- **Accident Investigation** - Investigation of accident notifications received via the RIDDOR notification online system. This system is managed by the HSE. The PEHO (Commercial) or, in her absence the SEHO (Commercial), checks the database on a daily basis. Accidents are investigated in accordance with the adopted Accident Investigation Procedure.
- **Health and Safety Initiatives** - To participate in local and national initiatives.
- **Non-Food Premises Database** - we will maintain the database of non-food premises allocated to us under the Health & Safety (Enforcing Authority) Regulations 1998, in the Borough and take steps to ensure that the information is accurate and up to date.

2.3.3 The table below shows the numbers of notifiable accidents reported to this Council over the last four years:

Year	No. of notifiable accidents
2020-2021	19
2019-2020	26
2018-2019	35
2017-2018	41
2016-2017	39

2.4 Demands on the Health and Safety at Work Enforcement Service

We have the responsibility for enforcing the provisions of the Health and Safety at Work etc. Act 1974, and regulations made under the Act in approximately 1113 (as of 31 March 2021) commercial premises located within the Borough. This is likely to be an under-estimation as there is no longer a requirement for new businesses to inform us and as fewer inspections are being carried out this impacts the accuracy of our database.

2.5 Accessing the Service

The service can be accessed by: -

- Calling in person to the Spelthorne Borough Council, Knowle Green, Staines upon-Thames, TW18 1XB. The Offices are open from 9am to 4.45 pm Mondays to Thursdays, and 9 am to 4.30 pm on Fridays. The office is closed in the evenings and at weekends.
- Telephoning the support staff (01784 446291). The Business Support Team is available from 9 am to 5 pm on Monday to Thursday, and 9 am to 4.30 pm on Friday.
- A duty officer is available from 9.30 am to 5 pm Monday to Thursday, and from 9.30 am to 4.30 pm on Fridays.
- By telephoning officers through their direct line telephone numbers.
- By emailing the Commercial Team at eh.commercial@spelthorne.gov.uk
- Emailing officers directly via their individual email addresses.
- Health and safety emergencies can be dealt with by telephoning our 24-hour out-of-hour's emergency service where the on-call officer will contact a senior officer from Environmental Health.
- Information and advice can be accessed via the Council's website at www.spelthorne.gov.uk.

2.5 Enforcement Policy

- 2.5.1 Enforcement will be carried out in a fair, equitable and consistent manner in accordance with the Regulator's Code and the Environmental Health Enforcement Policy.
- 2.5.2 The policy was last updated in October 2014 and is currently under review. Copies of the Environmental Health Enforcement Policy are available on request and the policy is also available on the Council's website.

3. SERVICE DELIVERY

3.2 Health and Safety Complaints

- 3.2.1 Our policy is to investigate health and safety complaints in accordance with our policies and procedure notes, whilst having regard to our Enforcement Policy. The investigation of some complaints can be a lengthy process, it is expected that officers will ensure a first response within 6-days of the complaint being received. It is also recognised that certain issues will require a quick response and a duty officer rota is in place during office hours to ensure this.
- 3.2.2 The depth and scope of investigation required will depend on the nature of the complaint and whether the complaint arose within premises for which the Council has health and safety enforcement responsibility.
- 3.2.3 Complainants are advised of the outcome where appropriate.

3.3 Accident Investigation

- 3.3.1 Our policy is to investigate accident notifications received via the online RIDDOR notification system, in accordance with the departmental policies and Accident Investigation procedure notes, whilst having regard to our Enforcement Policy and HSE's Guidance including selection criteria.
- 3.3.2 The depth and scope of investigation required will depend on factors such as the nature and seriousness of the accident and whether the accident arose within premises for which the Council has health and safety enforcement responsibility.
- 3.3.3 RIDDOR Accident notifications shall be investigated in accordance with the Accident Investigation procedure.

3.4 Asbestos Notifications

- 3.4.1 Asbestos notifications are received via a portal on the Health and Safety Executive's website. Contractors and others are required by law to notify the relevant enforcing authority of their intention to carry out both licensed and unlicensed work on asbestos. The PEHO (Commercial), or in her absence the SEHO (Commercial), checks this portal three times a week.
- 2017 - 2018 we received 1 notification.
 - 2018 - 2019 we received no notifications.
 - 2019 – 2020 we received no notifications.
 - 2020 – 2021 we received no notifications

3.5 Advice to Business

3.5.1 We recognise that most businesses seek to comply with the law and during 2018/19 we have endeavoured to provide such advice and assistance as may be necessary. This includes:

- providing businesses with details of our Enforcement Policy. This may be through a leaflet either left at premises during routine visits or sent with inspection reports.
- developing and providing business free information sheets, leaflets, practical information, and other guides as necessary to simplify legislation and aid compliance with specific health and safety legislation.
- providing on the spot free advice during routine visits and inspections.
- provision of free telephone advice.
- the provision of information through the Council's social media pages.
- signposting to the Health and Safety Executives website.
- Health and Safety initiatives.

3.6 Primary Authority Partnerships

3.6.1 The Primary Authority Principle (PAP) is a formal recognition of the importance of the relationship between a business and a specific local authority.

3.6.2 This is a statutory scheme, and all local authorities must have regard to it when considering enforcement action in relation to a business which has a number of branches or units in other authority areas and a decision making base in another area, the relevant "Primary Authority" (PA) must be consulted before taking formal action. The only exemption to this requirement is when a local authority needs to take urgent action to avoid a significant risk of serious harm to human health.

3.6.3 Spelthorne does not have PA arrangements with any business currently.

3.6.4 Prior to undertaking an intervention, an officer must take appropriate steps to find out if the business concerned participates in a PAP and if so the conditions of that partnership. Any inspection plan devised as part of the PAP arrangement must be adhered to and actions taken must be fed back through the specified means.

3.7 Liaison with Other Organisations

3.7.1 The Council actively participates in liaison arrangements with other local authorities, agencies, and professional organisations to facilitate consistent enforcement, to share good practice, and to reduce duplication of effort.

- Surrey Health and Safety Study Group. Spelthorne Chairs this group.
- Surrey Environmental Health Managers' Group. Spelthorne Chairs this group.
- Health and Safety Executive
- Local Government Regulation

- Liaison arrangements with Building Control, Planning, Solicitors
- Public Health England

4. RESOURCES

4.1 Financial

The cost of providing the health and safety service, i.e. staff and budgetary expenses, in the current financial year (20/21) is £49,000.

4.2 Staffing Allocation

The 2021-2022 staffing allocation is currently 1.13 full time equivalents; this includes administrative supports (0.3) and management support (0.08) such as reviewing service plans, officer performance, service development and budget controls.

4.3 Staff Training and Development

- 4.3.1 We recognise the need for all officers engaged in the health and safety service to be trained, not only to the level required by law, but also to a level commensurate with the work they carry out. We also recognise the need to develop the personal skills needed to work effectively in the field, and for EHOs to meet the requirements of the CIEH Continuing Professional Development (CPD) scheme.
- 4.3.2 Each member of staff receives one appraisal and regular one-to-one meetings, during which development needs are identified and a development plan is agreed to address these.
- 4.3.3 Training and development of staff is provided by a range of methods including:
- Post Entry Training - Nominations for formal training courses/qualifications are considered annually and in appropriate cases members of staff are sponsored on formal academic and practical courses.
 - Short Course Training - Where appropriate, short courses, seminars and workshops can provide valuable updates for staff. We support attendance at such events through the Departments short courses training budget.
 - In-house/cascade Training - We carry out in-house training sessions as this helps to develop an individual's presentation skills, as well as cascading information to other members of staff following attendance at seminars and short course. They also assist in maintaining consistency of enforcement and the competency of Officers.
 - Peer Review - We use peer review, e.g.: joint visits, to monitor work performance; encourage exchange of expertise and skills between staff; achieve consistency in enforcement; to strive for continual improvement in service delivery.

- v) Commercial Team Meetings - These monthly meetings provide a useful forum for exchange of information and experience amongst team members and assist in achieving a uniformity of approach to health and safety enforcement. Health and Safety is a standing item on the agenda for these meetings.
 - vi) Attendance at the Surrey Health and Safety study group meetings.
 - vii) Participating in HSE webinars meaning officers do not have to leave the office but log on to a centrally hosted seminar via the internet. Dissemination of this information amongst colleagues, as above.
- 4.3.4 We will ensure that the Council's appraisal scheme and training plan is used effectively to identify general and personal training and development needs for all members of staff. These are addressed through each member of staff's agreed appraisal personal development plan.

5. QUALITY ASSESSMENT

5.1 Internal Monitoring

- 5.1.1 We have set up documented internal monitoring procedures to monitor compliance with HSE strategies and guidance, and our own internal procedures and policies.
- a. Officers carry out joint visits with each other twice a year to ensure consistency between officers (Peer Review).
 - b. The Principal Environmental Health Officer (Commercial) checks a selection of post-inspection risk scores and correspondence that is sent out.
 - c. The PEHO (Commercial) shall carry out joint visits with each officer twice a year to ensure consistency between officers.
 - d. Customer questionnaires are sent out to all businesses.
 - e. We use the Regulators Development Needs Assessment as a tool for officers to self-assess their competency and to identify potential areas for improvement.

5.2 External Monitoring

- 5.2.1 Our health and safety enforcement at work service receives peer review as part of the local Surrey Districts inter-authority audit scheme.

We participated in an Inter-Authority audit organised by the Surrey Health & Safety Study Group in accordance with both the HSC Section 18: Guidance to Local Authorities, which was issued in September 2001, and the revised HELA Audit Protocol (issued in January 2002). The audits were carried out in May/June 2004. Our Health & Safety Service was audited on 29 June 2004.

There are no confirmed plans in place for further inter-authority audits at present.

The Study Group undertake annual peer reviews with the topics covered last year including the review of a prosecution case taken by one member of the group and a desktop examination of reportable accident reports across the group.

- 5.2.2 We currently submit annual statistical returns to the HSE in respect of our health and safety enforcement activity.

6. REVIEW

6.1 Performance review against the Service Plan

- 6.1.1 The team continues to provide a professional and quality service. In 2020-2021, we carried out 146 proactive targeted inspections based on local intelligence identifying concerns, 27 visits to investigate complaints and accidents and 1 revisit.
- 6.1.2 In 2020-2021 we have been targeting events and businesses using inflatables. We have been offering advice and guidance to event planners on the safe use of such equipment. We have also investigated one notified accident and one complaint.
- 6.1.3 Throughout 2020-2021, all health and safety work within businesses was related to covid prevention work; associated with this the team served 6 prohibition notices and 1 coronavirus closure. No improvement notices were served for other matters.
- 6.1.4 We continue to provide free advice and support to our local businesses and attend regular liaison group meetings.

6.2 Impacts of Coronavirus on Interventions (2020-2022)

- 6.2.1 Throughout 2020-2021, most of the team's resources have been diverted to providing advice, guidance, and enforcing the Coronavirus Regulations and related business restrictions, as well as investigating and controlling outbreaks of coronavirus and other infectious diseases in workplaces and throughout Spelthorne. Further, for the first four months of the pandemic a high proportion of businesses were closed. Over the successive months many reopened but a good number have remained closed throughout the pandemic.
- 6.2.2 Through 2021-2022, covid-19 will continue to exert an influence over the activities of the team: -
- Throughout the first quarter of 2021-2022, the UK has been in national lockdown. From April, restrictions will be lifted in stages, with the final removal of all Covid restrictions planned for 21 June. Before and after each stage of reopening, the team's workload will significantly increase. Before a stage change, the Team must prepare for changes to the legislation, and notify Spelthorne businesses what those changes are and what they must do to comply and how to operate safely. Then after, they will need to respond to calls of assistance from businesses for additional advice, and from the public reporting businesses that are not compliant.

- The World Health Organisation and Government's Medical Advisors are predicting further coronavirus waves and further threats brought by new variants of the virus. As part of its infection control duties, where Public Health England's (PHE) contact tracers cannot reach a person who has a variant of concern (VOC), or who may have been exposed to a VOC Public Health England is now required Environmental Health services to visit the person and make contact. This work will continue for the most part of 2021 as the team respond to requests for assistance from PHE and deal with other queries and complaints.

6.2.3 The significant public health impacts brought by Coronavirus will continue to direct Environmental Health's activities.

6.3 Identification of any variation

6.3.1 The 2020-2021 Health and Safety Service Plan had intended to deliver on the nationally identified needs for health and safety interventions in gas appliance use and inflatables. However, the pandemic offset this and the team's focus has therefore been redirected to ensuring that public events and businesses operate safely to prevent the spread of coronavirus.

6.4 Areas of Improvement

6.3.2 None identified for 2021-2022,



Spelthorne Borough Council Services Committees Forward Plan and Key Decisions

This Forward Plan sets out the decisions which the Service Committees expect to take over the forthcoming months, and identifies those which are **Key Decisions**.

A **Key Decision** is a decision to be taken by the Service Committee, which is either likely to result in significant expenditure or savings or to have significant effects on those living or working in an area comprising two or more wards in the Borough.

Please direct any enquiries about this Plan to the Principal Committee Manager, Michelle Beaumont, at the Council offices on 01784 446337 or e-mail m.beaumont@spelthorne.gov.uk

Spelthorne Borough Council

Service Committees Forward Plan and Key Decisions for 1 May 2021 to 31 August 2021

Anticipated earliest (or next) date of decision and decision maker	Matter for consideration	Key or non-Key Decision	Decision to be taken in Public or Private	Lead Officer
Neighbourhood Services Committee 24 06 2021	Food and Health and Safety Service Plans for 2021/22 Annual food and health and safety enforcement plans for 2021-22 submitted for adoption by Committee	Non-Key Decision	Public	Tracey Willmott-French, Senior Environmental Health Manager
Neighbourhood Services Committee 24 06 2021	Introduction to Neighbourhood Services Committee	Non-Key Decision	Public	Jackie Taylor, Group Head - Neighbourhood Services
Neighbourhood Services Committee 09 09 2021	Community Safety update To provide an update to the Committee on Community Safety	Non-Key Decision	Public	Jackie Taylor, Group Head - Neighbourhood Services
Neighbourhood Services Committee 09 09 2021	Parking Services Update To provide an update on parking services within the borough.	Non-Key Decision	Public	Bruno Barbosa, Parking Services Manager, Jackie Taylor, Group Head - Neighbourhood Services
Neighbourhood Services Committee 09 09 2021	Review of rules and regulations: cemetery and burial grounds Review of rules and regulations in respect of cemetery and burial grounds.	Non-Key Decision	Public	Jackie Taylor, Group Head - Neighbourhood Services
Neighbourhood Services Committee 04 11 2021	Cemetery Capacity To provide an update on cemetery capacity to the Committee	Non-Key Decision	Public	Jackie Taylor, Group Head - Neighbourhood Services