

# Cabinet

20 February 2019



<b>Title</b>	Food and Health and Safety Service Plans for 2019/20		
<b>Purpose of the report</b>	To make a decision		
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<b>Cabinet Member</b>	Councillor Daxa Patel	<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 2019/20		
<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. The report also outlines the main objectives for the coming year.
- 1.3 Food Safety Service Plan - in 2017/18 the team continued to focus their resources on the highest risk food businesses. They carried out 425 food hygiene interventions, sent 239 written warnings, served 39 hygiene improvement notices, one emergency prohibition notice, took one successful prosecution for food hygiene offences and investigated 97 complaints.
- 1.4 The team has also continued to participate in the national Food Hygiene Rating Scheme (FHRS), with 93% of the eligible businesses having ratings of three or above. We continue to target those businesses who are below this standard though revisits and where appropriate taking further legal action against them.
- 1.5 Health and Safety in the Work Place Service Plan - in 2017/18, 28 inspections were carried out in businesses where local or national intelligence indicated a health and safety intervention was appropriate. In addition, eight health and safety improvement notices and two prohibition notices were served, and a simple caution was issued.

- 1.6 Customer Satisfaction – questionnaires were sent out to at least 95% of food businesses following an inspection and positive feedback was received.
- 1.7 The main objectives for the Food Safety Service Plan 2019/2020 are outlined on page 3 of the plan and include a target of inspecting at least 95% of higher risk food businesses, the promotion of the FHS and to respond to a minimum of 95% of services requests within six days.
- 1.8 The main objectives for the Health and Safety Service Plan 2018/2019 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.
- 1.9 The team has had a vacant post since August 2017 (0.5 from August 2017 to March 2018 and a full-time post from February 2018 to date). Overall this has impacted on the ability of the team to deliver all aspects of the service plan, however, the team has ensured priority is given to high risk premises, and complaints and notifications have been attended to.
- 1.10 The recruitment of a competent officer as defined by the Food Law Code of Practice has proven difficult and remains a concern.

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

- 2.1 The preferred option is to adopt the proposed service plans for 2019/20 (available in the Members Room for viewing), to come into effect on 1 April 2019.
- 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 2019/20. 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 2019.

**Background papers: None**

**Appendices:**

Appendix 1 - Food Service Plan 2019/20

Appendix 2 - Health and Safety Service Plan 2019/20