

# Neighbourhood Services Committee



30 June 2022

<b>Title</b>	Food and Health and Safety Service Plans for 2022/24
<b>Purpose of the report</b>	To make a decision
<b>Report Author</b>	Fidelma Bahoshy, Principal Environmental Health Officer (Commercial) & Tracey Willmott-French, Senior Environmental Health Manager
<b>Ward(s) Affected</b>	All Wards
<b>Exempt</b>	No
<b>Exemption Reason</b>	<i>n/a</i>
<b>Corporate Priority</b>	Community Environment Service delivery
<b>Recommendations</b>	<b>Committee is asked to: adopt both proposed service plans for 2022/2024</b>
<b>Reason for Recommendation</b>	Local Authorities are required to produce and adopt service plans for their food safety and health and safety enforcement services.

## 1. Summary of the report

- 1.1 This report seeks to outline the services plans for the food safety and health and safety at work enforcement team for 2022/2024 and proposes that the plans be adopted.

## 2. Key issues

- 2.1 Local Authorities are required by the Food Standards Agency (FSA) and the Health and Safety Executive (HSE) to produce service plans for their food safety and health and safety services. Each service plan must outline the aims and objectives for the years ahead and evaluate the achievements of the past year. We are moving from producing these plans annually to every two years with an update included in the Environmental Health Annual Service Plan.
- 2.2 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

- 2.3 Food Safety Service Plan - in 2021/22 the team continued to focus their resources on the highest risk food businesses and work through the backlog which built-up from the diversion of officer resource to the Covid-19 response.

The Food Team are responsible for ensuring that food businesses including retailers, caterers and producers satisfy the minimum food hygiene standards required by legislation and promoting adherence to best practice and industry guides.

- 2.4 As of 1 March 2021, there were 483 routine inspections due. The team carried out 336 food hygiene inspections, sent 306 written warnings, served 6 hygiene improvement notices, issued one simple caution and investigated 92 complaints.
- 2.5 The team has also continued to participate in the national Food Hygiene Rating Scheme (FHRS); 96.6% of eligible businesses have ratings of three or above, this exceeds the target of 92%. 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; 0.9% of businesses have a rating of 0 or 1 (represents 6 food businesses). The target is a maximum of 4%.
- 2.6 Health and Safety Service Plan - in 2021/22, reactive work was prioritised and actioned as required but there was no available resource to undertake proactive inspections or projects. The team are responsible for the enforcement of health and safety at work legislation in certain workplaces such as offices, shops, customers services, food businesses and warehouses.
- 2.7 The team undertook nine site visits to investigate health and safety related incidents, six site visits to investigate complaints and three revisits. The vast majority of health and safety work has centred around Coronavirus restrictions and risk assessments. The Commercial Team undertook 121 face to face visits at the request of either UKHSA or Surrey County Council to individuals who tested positive for Covid-19 but were not engaging with the Test and Trace teams and the team visited approximately 252 commercial premises to ensure compliance with Coronavirus restrictions.

### **Objectives**

- 2.6 The main objectives for the Food Safety Service Plan 2022/2024 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, to respond to a minimum of 95% of service requests within six days and to work with our colleagues in Surrey Trading Standards to promote the Eat Out Eat Well scheme to businesses and residents within the borough. The Food Safety Service Plan 2022/2024 is provided in **Appendix 1**.
- 2.7 The main objectives for the Health and Safety Service Plan 2022/2024 are outlined on page 3 of the plan and include targets to respond to at least 95% of service requests and accidents within six days and to participate in selected national/regional projects. The Health and Safety Service Plan 2022/2024 is provided in **Appendix 2**

### **Review**

- 2.8 The Covid-19 pandemic has impacted the delivery of the 2021-2022 Food Safety Service and Health and Safety Service plans. We continued to undertake restriction work and contact tracing up until the end of February 2022. In addition, we were working through a backlog of food inspections that

accumulated during 2020/2021. High priority objectives outlined in both plans were achieved.

- 2.9 A deterioration of hygiene standards has been noted in some food premises, it was noted that many businesses were experiencing difficulties recruiting and retaining suitable trained and competent staff. This was likely to be a consequence of both Covid-19 and EU Exit. This has led to increased pressures to undertake revisits, re-inspections and consider rating appeals.
- 2.10 In addition to Covid-19 work, the team continues to be involved in a complex accident investigation. Resources within the team are limited and high priority reactive work such as accident investigations will continue to take priority over proactive project work.
- 2.11 The departure of an animal licensing competent officer in September 2021 has resulted in only one officer competent (the PEHO on the Commercial Team) remaining with the department to undertake this work. Both issues have resulted in increased workloads within the Commercial Team and impacted capacity to meet our objectives. Two officers from within the Environmental Health department are undertaking specialist training this year to help with this work.

### **3. Options analysis and proposal**

- 3.1 **Option 1** - the preferred option is to adopt both proposed service plans for 2022/24, and for them to come into effect within 7 days of approval.
- 3.2 **Option 2** - Members to amend one or both of the proposed service plans.
- 3.3 **Option 3** - Members not to adopt one or both of 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.

### **4. Financial implications**

- 4.1 The proposed service plans will be delivered within the proposed budget for 2022/24. The financial implications have been discussed with the relevant finance staff.

### **5. Risk considerations**

- 5.1 No issues have been raised by the Audit Team following consultation.

### **6. Legal considerations**

- 6.1 No issues have been raised by the Legal Team following consultation.

### **7. Other considerations**

- 7.1 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.

### **8. Equality and Diversity**

8.1 Adoption of the proposed service plans provides a level ground for compliant businesses.

**9. Sustainability/Climate Change Implications**

9.1 The proposed service plans have no impact on sustainability or climate change issues.

**10. Timetable for implementation**

10.1 If the service plans are approved, they shall come not effect after seven days.

**11. Contact**

11.1 Fidelma Bahoshy – [f.bahoshy@spelthorne.gov.uk](mailto:f.bahoshy@spelthorne.gov.uk) or Tracey Willmott-French – [t.willmott-french@spelthorne.gov.uk](mailto:t.willmott-french@spelthorne.gov.uk).

**Background papers:** There are none.

**Appendices:**

Appendix 1 - Food Service Plan 2022/2024

Appendix 2 - Health and Safety Service Plan 2022/2024