



Exeter City Council

Environmental Health Commercial and Business Support Team

Food Safety Service Plan 2011 - 2012

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Drawn up in accordance with the Food Standards Agency Framework Agreement

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CONTENTS

1. Introduction
2. Services Aims and Objectives
 - 2.1 Aims and Objectives
 - 2.2 Links to Corporate Objectives and Plans
3. Background
 - 3.1 Profile of Exeter City Council
 - 3.2 Organisational Structure
 - 3.3 Committee Structure
4. The Food Safety Services
 - 4.1 Scope of the Food Safety Service
 - 4.2 Remit of the Food Safety Service
 - 4.3 Food Business Profile
 - 4.4 Access to the Commercial Section
 - 4.5 Enforcement Policy
5. Service Delivery
 - 5.1 Food Premises Inspections
 - 5.2 Food Complaints
 - 5.3 Home Authority
 - 5.4 Advice to Business
 - 5.5 Food Inspection and Sampling
 - 5.6 Control and Investigation of Food Poisoning Outbreaks and Food Related Infectious Disease
 - 5.7 Food Safety Incidents
 - 5.8 Liaison with Other Organisations
6. Resources
 - 6.1 Food Safety Promotion
 - 6.2 Financial Matters
 - 6.3 Staffing Allocation
 - 6.4 Self Development Plan
7. Quality Assessment
8. Review
 - 8.1 Areas of Improvement
9. Food Safety Enforcement Policy
10. Conclusion
11. Glossary of Terms

12. Appendices

- 1 Recommendations for the Food Service Delivery Plan 2011/12
- 2 Summary of Activities in terms of Performance Indicators
- 3 Diagram of the Officer Structure for the Food Service
- 4 Diagram showing the Committee Structure for the Council
- 5 Profile of Food Premises in the City
- 6 Number of food premises by risk category at start of 2011/12
- 7 Total number of food inspections targeted compared with total number of inspections carried out
- 8 Annual comparison of food complaints/service request received
- 9 List of Businesses for which Exeter City Council acts as Home Authority
- 10 Food Sampling Programme 2011/12
- 11 Summary of sampling activity provided by Commercial Services
- 12 Annual comparison of officially notified cases of food related disease in the City
- 13 The number of Level 2, Level 3 and Level 4 Certificates in Food Hygiene courses delivered
- 14 Prosecutions Taken during 2010/11
- 15 Interventions/Activities during 2010/11
- 16 Intervention / Work Plan 2011/12

SECTION 1 - INTRODUCTION

1.1 **Introduction**

- 1.1.1 The Council recognises the important role it plays promoting Food Safety and securing the safety of food consumed in the City. The key aim of this plan is to demonstrate how the Council will fulfil its statutory obligations in accordance with the Food Standards Agency Framework Agreement (amendment 5). It includes:
- the Council's aim and objectives;
 - information about the food enforcement services provided by the Council;
 - details of the Council's performance management systems;
 - information on the performance of the Commercial and Business Support Team;
 - the Food Safety Enforcement Policy.
- 1.1.2 Recommendations for the Food Service Delivery Plan for the forthcoming year is contained in Appendix 1.
- 1.1.3 A review of the performance of the Commercial and Business Support Team's activities against the relevant performance indicators is contained in Appendix 2.

SECTION 2 – SERVICE AIMS AND OBJECTIVES

2.1 **Aims and Objectives**

- 2.1.1 The Council's strategic objectives are reproduced in appendix 13.0. The strategic objectives are contained within the corporate plan which is available by visiting www.exeter.gov.uk/corporateplan.
- 2.1.2 In respect of Food Safety, the objectives of the Council are to:
- undertake appropriate food safety interventions at food premises, for which the Council is the enforcing authority, and institute informal or formal action in accordance with the Services Enforcement Policy, Local Government Regulation and Food Standards Agency guidance and advice and current good practice. Businesses will be targeted, focusing resources on those businesses presenting a high risk to food safety with a view to securing an annual improvement in the compliance of food safety;
 - investigate complaints about food and food premises and at the conclusion of investigations institute informal or legal action as appropriate;
 - provide food safety training services to local businesses to assist them to meet legislative requirements;
 - investigate cases of food-borne disease and advise upon appropriate precautionary and control measures;
 - issue licences, approvals and monitor compliance with relevant conditions;
 - sample and arrange for microbiological testing of high-risk food products and premises;
 - develop "Home Authority" partnerships, where relevant, with local businesses;
 - provide advice and assistance to businesses to help them comply with food safety legislation and maintain a high standard of food hygiene;
 - work in partnership with related organisations to promote the well being of persons living, working or visiting the City.

2.2. **Links to Corporate Objectives and other local and national strategies and plans**

2.2.1 The food safety role the Council links to several of the Exeter Vision themes (and related strategies) and in particular:

- A prosperous city
- A cultural and fun place to be
- A learning city
- A city of strong communities
- A city where people are healthy and active
- A city where the environment is cared for
- A safe city
- Excellence in public services

2.2.2 The following represent key aims for the service. The service:

- embraces the principles of excellence in public services and Better Regulation and will look to make the most effective use of available resources to achieve maximum gain;
- implements the requirements of the Food Law (Code of Practice) England which adopts the recommendations of the Hampton Report - actively promoting and evaluating the use of effective food safety interventions to facilitate compliance with food law;
- recognises the importance of food and its influence on the wider determinants of health - seeking to work in partnership and play an active role to reduce the inequalities in health in the local population and thereby contribute to current delivery mechanisms such as the Health and Wellbeing Board;
- recognises the importance of the National Food Hygiene Rating Scheme which gives each premise a numerical rating based on their food safety management system, structure and confidence in management - this scheme is an important tool in maintaining high compliance of businesses with food hygiene law;
- embraces the tenets of Better Regulation to ensure that unnecessary burdens are not placed upon businesses.

SECTION 3 – BACKGROUND

3.1 **Profile of Exeter City Council**

3.1.1 The geographical enforcement area is relatively confined in local authority terms covering an area of 4,774 hectares and supporting a resident population of 118,800 persons. However, being the county market town and regional administrative, cultural and educational centre, the City has a significant impact on the adjacent areas of East and Mid Devon.

3.1.2 No significant food manufacturing premises are now located within the City. The bulk of the food premises are presently concerned with the storage, catering or retail sale of food. There is an increasing variety of ethnic eating places and fast food takeaway outlets and the food pattern is dynamic.

3.1.3 The City's status as a medical, university, and educational centre means that there are several large institutional catering premises located within the boundary.

3.1.4 The few Product Specific Premises are small scale operations by modern day standards.

3.1.5 Exeter is no longer a port authority.

3.1.6 The service embraces the core aims of the FSA's food safety issues (including Imported Food Controls), nutrition AND diet issues and sustainability.

3.2 **Organisational Structure**

- 3.2.1 The Commercial and Business Support Team within Environmental Health Services is responsible for delivering the Food Service Plan. In addition to this the Commercial and Business Support Team provides:
- the Health and Safety Enforcement function;
 - support to Environmental Health;
 - support to licensing duties in relation to Licensing Act 2003 and Gambling Act 2005,
 - the investigations of notifiable / infectious disease.
- 3.2.2 Environmental Health Services operates under the Directorate of Community and Environment.
- 3.2.3 The Head of Environmental Health Services has various delegations to act on behalf of the Council. All non-delegated matters are reported to the appropriate committee.
- 3.2.4 The officer structure in respect of the food service is detailed in Appendix 3. Overall co-ordination of the service is the responsibility of the Business Manager with lead officer responsibility given to the Principal Environmental Health Officer.
- 3.2.5 The Council's solicitor has delegated authority to instigate legal proceedings following instructions from the Head of Environmental Health Services.
- 3.2.6 Specialist analytical and microbiological services are provide by external agencies such as the Health Protection Agency and Somerset Scientific Services.

3.3 **Committee Structure**

- 3.3.1 A flow diagram showing the committee structure for the council is shown in Appendix 4.

SECTION 4 – THE FOOD SAFETY SERVICE

4.1 **Scope of the Food Safety Service**

- 4.1.1 The Commercial and Business Support Team is responsible for undertaking the following activities associated with the Food Safety Service:
- programmed food hygiene interventions and revisits;
 - approval of food businesses
 - monitoring the database
 - food sampling
 - investigation of food complaints;
 - assisting the HPA in investigation of food poisoning and infectious disease outbreak control;
 - responding to Food Standards Agency Food Hazard Warnings/Alerts;
 - provision of export food certificates;
 - inspection of food;
 - advisory and training services for businesses;
 - promotion of food safety.
- 4.1.2 The council believes in fair regulation. Whilst engaged in the above activities the Commercial and Business Support Team uses a variety of means to ensure that individuals and organisations meet their responsibilities including education, negotiation, advice, guidance, warning letters, formal notices and prosecution. Overall the team seeks to work in collaboration with businesses while avoiding unnecessary bureaucracy in the way its works.

4.2. **Remit of the Food Service**

4.2.1 **Interventions**

The Council will:

- carry out a range of official and other food control as set out in the Food Law Code of Practice (England) and other centrally issued guidance;
- inspect/audit and approve, relevant premises in accordance with the relevant legislation, Code of Practice and centrally issue guidance;
- liaise with the 'Home Authority' or Primary Authority of any company whose premises have been inspected and offences identified which are, or appear to be, associated with the company's centrally defined policies and procedures;
- assess the compliance of premises and systems to the legally prescribed standards having due regard to any relevant Industry Guides to Good Hygiene Practice and other relevant centrally issued guidance;
- take appropriate action on any non-compliance found, in accordance with the Council's Enforcement Policy;
- set up and monitor documented intervention procedures and record legible data and information following interventions, in a retrievable way.

4.2.2 **Complaints**

The Council will:

- implement the documented policy and procedure in relation to food complaints;
- liaise with the Home and/or originating authorities regarding matters associated with a company's centrally defined policies/procedures;
- take appropriate action on complaints received in accordance with the Council's policy/procedure.

4.2.3 **Home Authority Principle**

Where the Council acts as Home Authority we will:

- provide advice on legal compliance;
- have regard to any information or advice received as a result of any liaison;
- notify any authorities the Council have initiated liaison with of the outcome.

4.2.4 **Advice to Business**

The Council shall continue to work with businesses to help them comply with the law, for example the Council will:

- promote training courses and seminars;
- provide advice during visits and official on other food controls;
- respond promptly to queries;
- maintain a dialogue with business through the appropriate business forums;
- provide business with written information and advisory leaflets where appropriate.

4.2.5 **Food Premises Database**

The Council will:

- maintain the database of food premises in the City and take steps to ensure that the information is accurate and up to date.

4.2.6 **Food Inspection and Sampling**

The Council will:

- inspect food in accordance with relevant legislation to ensure it meets the legally prescribed standards;
- take appropriate action in cases of non-compliance in accordance with the Council's Enforcement Policy;
- maintain an annual sampling programme taking account of current guidance;
- adhere to the Council's procedures for procurement or purchase etc of samples;
- the Council has appointed Somerset Scientific Services and the Food, Water and Environment Laboratory as the Council's Public Analyst and Food Examiner respectively.

4.2.7 Control and Investigation of Outbreaks and Food Related Infectious Disease

The Council will:

- have regard to the Health Protection Agency Plans and recommendations in relation to the investigation and control of outbreaks of food related disease.

4.2.8 Food Safety Incidents

The Council will:

- respond to food hazard alerts in accordance with the documented procedure;
- maintain a computer system capable of receiving food hazard alerts;
- document our response to and the outcome of each food hazard alert;
- notify the Food Standards Agency of any serious localised incident or wider food safety problems.

4.2.9 Enforcement

The Council will:

- carry out food law enforcement in line with the Council's Enforcement Policy and the Codes of Practice (England) and Food Law Practice Guidance (England);
- document any departure from the criteria set out in the Policy.

4.2.10 Records and visit reports

The Council will:

- maintain up to date accurate records in a retrievable form for each food premises in the City, for at least 6 years.

4.2.11 Complaints about the Service

The Council's adopted complaints procedure is available to the public and food businesses.

4.2.12 Liaison with Other Organisations

Liaison with neighbouring authorities aimed at facilitating consistent enforcement will be exercised through the Devon Chief Environmental Health Officers Food Sub-Group having regard to advice issued by LG Regulation and the FSA. Regular contact will be maintained with Devon County Council Trading Standards Department and periodic meetings will be held with the local business forums & interested groups to provide advice and promote good practice;

Where appropriate, partnerships will be formed with educational establishments, Primary Care Trust and other bodies to promote food safety.

4.2.13 Internal Monitoring

Internal monitoring procedures to verify conformance with this Service Plan are well established and will be exercised.

4.2.14 Audit

The Council will:

- participate in third party and peer review processes against this Service Plan and associated procedures.

4.2.15 Food Safety Promotion

The Council will:

- actively promote food safety issues through award schemes, campaigns, dissemination of information and support to schools and colleges and targeted groups and where resources allow and liaise with organisations to promote food safety.

4.2.16 Other Services

The Commercial and Business Support Team have responsibility for undertaking a parallel role in respect of Health and Safety at Work in commercial premises:

General (non-food related) complaint work will initially be undertaken by the Environmental Protection Section (EPS) but specific problems related to food premises will be the responsibility of Commercial Section officers, in accordance with Departmental Guidance Note 2/99. Pest control treatment may be undertaken by officers from the EPS in liaison with Commercial Section staff, but only when it will not comprise future enforcement action.

The service seeks to work in partnership with relevant agencies to promote food safety & food related matters in the wider context of public health.

4.2.17 Use of Contractors

It is currently the policy of the Council to engage the services of outside contractors to assist in programmed food hygiene interventions.

This will be subject to any agency contractors meeting the requirements specified in the Code of Practice (England) and the relevant Councils procedure; and the cost of the work being met within existing budgets.

4.3 **Food Business Profile**

4.3.1 The current profile of the food premises in the City as per Food Standards Agency classification is illustrated in Appendix 5.0.

4.3.2 Following an inspection/audit, food premises are scored and categorised (i.e. A to E) in respect of the risk to food safety in accordance with the Food Law Code of Practice (England). The categories dictate the interval between inspections. For example category A, i.e. high-risk premises, are inspected every 6 months, category D premises are inspected every 2 years. The service currently operates an alternative enforcement strategy for category E premises, which includes forwarding such businesses a self-inspection questionnaire, and inviting businesses to attend food safety workshops.

4.3.3 The current profile of food premises in terms of risk category are shown in Appendix 5.1.

4.3.4 There are approximately 60 food premises in the City where business owners do not speak English as their first language. This can impact on the ability to successfully inspect premises and to effectively promote food safety. Food businesses in the city make great

use of migrant food handlers. (The pattern of this is dynamic and robust data is not available.)

4.4 Access to the Commercial and Business Support Team

4.4.1 The Commercial and Business Support Team is based in the Civic Centre, Paris Street. Service users may contact officers on site or by leaving a message in the following ways:

- in person at the Customer Service Centre in Paris Street.
- by telephone, 01392 265193 between 8.30am and 5.00pm Monday to Friday;
- whilst there is no formal out of hours service, staff can be contacted in the event of an emergency through the Council's Control Room on 0845 3511 060 by means of a pager/telephone service;
- by email: ce-admin@exeter.gov.uk or environmental.health@exeter.gov.uk
- by fax: 01392 265844

4.5 Enforcement Policy

4.5.1 The Enforcement Policy includes the principles contained in the Compliance Code which the Council is committed to incorporating into its regulatory functions. The Enforcement Policy will be subject to periodic review at which time amendments will be made to specifically reflect the requirements of the Food Standards Agency Framework Agreement on Local Authority Food Law Enforcement and other relevant and appropriate guidance.

4.5.2 The key elements of the Enforcement Policy are detailed below:

- a belief that enforcement must be firm but fair;
- the need for proportionality in the application of the law;
- showing transparency about how the service operates;
- a need for targeting of enforcement action;
- a need to deliver consistency of approach;
- the need to use prosecution as a deterrent as well as a punishment;
- the need to balance enforcement and education in the way the service works.

SECTION 5: SERVICE DELIVERY

5.1 Food Premises Inspections

5.1.1 A programme of official and other food controls form the core activity of the Food Enforcement function. The range of interventions are specified in the Food Law Code of Practice (England). In addition to the programme of interventions, other visits may be made to food premises following complaints from the public or requests from businesses for information and guidance.

5.1.2 Whilst the primary responsibility for identifying food hazards and controlling risks rests with food businesses, food hygiene interventions will be undertaken to:-

- establish whether food is being produced hygienically;
- establish whether food is, or will be having regard to further processing, safe to eat;
- to identify foreseeable incidences of food poisoning or injury as a consequence of consumption of food.

5.1.3 With the foregoing in mind, the main objectives of the interventions programme will be to:-

- determine the scope of the business activity and the relevant food safety legislation;
- thoroughly and systematically gather and record information;
- identify potential hazards and risks to public health;
- assess the effectiveness of process controls and HACCP based systems;

- identify specific contraventions of food safety legislation;
- consider appropriate enforcement action (proportionate to risk), to secure compliance with food safety legal requirements;
- produce advice and information and recommend good practice where appropriate;
- promote continued improvements in food hygiene standards to meet national / local performance indicators and the relevant Food Standards Agency strategy.

- 5.1.4 A comparison of the total number of food hygiene inspections targeted against those actually carried out is shown in Appendix 6. This is broken down by risk category in Appendix 6.1.
- 5.1.5 In order to achieve the inspection programme not less than 3 (FTE) qualified food inspectors will be required. This figure takes no account of the burden of any extra targeted inspection activity, sampling or investigations arising from complaints or Food Alerts for example.
- 5.1.6 All officers undertaking inspections, investigating complaints, giving advice and taking samples shall meet the qualifications and experience requirements in the Food Law Code of Practice (England).
- 5.17 It is not envisaged that arrangements will need to be made to ensure the Council has access to specialist expertise for the inspection of any specialised processes located in the city.

5.2 **Food Complaints**

- 5.2.1 Food complaints received and investigated by the service fall into one of the following broad categories:
- food contamination;
 - complaints about food businesses (poor hygiene, pests, lack of food handler training etc);
 - food hazard alerts.
- 5.2.2 The established procedure for dealing with food complaints sets out the action to be taken regarding investigation, (See Procedure/Practice Note No 2.2). Our investigation will be guided by the detailed considerations laid down in the LG Regulation publication “Dealing with Food Complaints”.
- 5.2.3 The number of food complaints/service requests received annually has been increasing in recent years, perhaps as the public become more aware and are better informed of food safety issues together with the introduction of methods to capture such information.
- 5.2.4 The number of complaints received in the previous years, together with an estimated number for the forthcoming year, is shown in Appendix 7. It is estimated that 0.2 FTE qualified inspectors will be required to deal with food complaints.

5.3 **Home Authority**

- 5.3.1 It is recognised that the co-ordination of advice and enforcement is essential to ensure uniformity of treatment and consistency in dealing with food businesses which have more than one branch or unit situated in different food authority areas. The Council will therefore be guided by the LG Regulation Home Authority Principle or where applicable the Primary Authority Principle.
- 5.3.2 The Council will take responsibility for giving advice to those food businesses with the main base in our area on matters relating to food hygiene and food safety policy and legislation.
- 5.3.3 Where the Council are unable to adhere to this principle the Council will discuss our concerns with LG Regulation and, should the matter not be resolved, with the FSA.

5.3.4 The list of business premises for whom the Council currently act as Home Authority are shown in Appendix 8. Current measures are sufficient to ensure that the Council meet and advise these businesses and can respond to enforcing authority enquiries. The new Primary Authority mechanism may supersede these Home Authority arrangements.

5.3.5 It is anticipated that 0.1 FTE required to fulfil our Home Authority commitments will be covered by existing staff.

5.4 **Advice to Business**

5.4.1 The full suite of food courses will be promoted to enable local businesses to fulfil their training requirements, including training provision for non English speaking food handlers.

5.4.2 Inspectors provide advice during routine interventions and respond to queries from the public and food businesses.

5.4.3 Advice on topics of general and current food safety interest will be placed on the Council web site and information leaflets will be produced and made available as necessary. Officers from the service will also be participating in Food Safety Week which takes place between 6 – 12 June 2011.

5.4.4 A newsletter incorporating food safety information is produced and distributed to approx 700 businesses in the City.

5.4.5 The Council will use local business and other forums as a means to disseminate relevant food safety information to help assess their needs and obstacles to compliance.

5.4.6 The service will actively seek participation in or look to co-ordinate appropriate forums to promote food safety and disseminate information.

5.4.7 It is estimated that 0.1 FTE qualified food inspectors will be necessary to provide information and advice to food businesses.

5.5 **Food Inspection and Sampling**

5.5.1 The Council will ensure that food is inspected in accordance with relevant legislation, The Food Law Code of Practice (England) and the Practice Guidance (England) and centrally issued guidance and ensure that food meets prescribed standards.

5.5.2 The food sampling programme for the forthcoming year commencing 1 April 2011 is attached as Appendix 9 and includes participation in national sampling campaigns co-ordinated by LG Regulation.

5.5.3 Routine sampling will be undertaken by the Environmental Health Officers supported by the Environmental Health Technician (Environmental Protection) (EHT(EP)). Activity reports will be submitted on a periodic basis. A procedure has been set up and implemented in respect of taking samples and the arrangements made for Analysis and Examination. (See Policy/Procedure Note 2.6).

5.5.4 A summary of the results from the sampling programme for the current and previous years is attached in Appendix 10.

5.6 **Control and Investigation of Food Poisoning Outbreaks and Food Related Infectious Disease**

5.6.1 The Commercial Team's objective, in respect of the control of food related disease is to:

- contain the spread of any outbreak;
- identify the focus of infection;
- identify the causative organism/chemical;
- trace carriers and cases;

- trace the source of infection;
- determine the causal factors;
- recommend practices to prevent recurrence of disease; and
- determine whether criminal offences have been committed.

5.6.2 The incidence of notified cases of food-related disease in the City over recent years is detailed in Appendix 11.

5.6.3 Investigations into outbreaks of food related poisonings are carried out in consultation with and under the direction of the Health Protection Agency.

5.6.4 The Principal Environmental Health Officer fulfils the role as lead officer in respect of infectious disease control and it is anticipated that adequate resources exist within the full complement of the Commercial Section to deal with this service demand.

5.6.5 It is estimated that 0.1 FTE qualified food inspectors will be required to investigate outbreaks and food related infectious diseases.

5.7 **Food Safety Incidents**

5.7.1 The Council has and will maintain a computer system capable of receiving food alerts and will implement the documented procedure for responding to food alerts and food safety incidents received from the FSA, in accordance with the relevant Food Law Code of Practice (England). The current informal out of hours contact arrangements will be used.

5.7.2 Documented responses to the outcome of appropriate food alerts will be in accordance with the adopted procedure. (See Policy/Procedure Note No 2.19).

5.7.3 In the event of any serious localised incident or a wider food safety problem, the Principal Environmental Health Officer will notify the FSA.

5.7.4 It is considered that adequate resources exists within the full complement of the Commercial and Business Support Team to deal with this demand.

5.7.5 It is anticipated that 0.1 FTE will be required to deal with food hazard alerts.

5.8 **Liaison with Other Organisations**

5.8.1 The Council is committed to ensuring the enforcement approach it takes is consistent with other authorities. Regular dialogue on food enforcement matters and food related issues takes place with:

- Home Authority business partners
- Trading Standards
- Devon Chief Environmental Health Officer Food Sub-Group
- Infection Control Committee
- Exeter and Heart of Devon Hoteliers & other appropriate business forums
- CIEH – University of Exeter – Exeter College
- Other services within the Council (e.g. Planning & Building Control)

5.8.2 In delivering the food service, the Council recognises the increasing importance of partnership working. Examples of this include:

- consultation with businesses and community leaders;
- participation in third party audits, joint sampling initiatives etc;
- Food Safety Week;
- organising the Exeter Chef Competitions and similar events;
- identify funding opportunities;
- development of food hygiene training;
- providing focused training sessions on nutrition;

- other food related subjects.

5.9 **Food Safety Promotion**

5.9.1 The service utilises many methods to promote food safety and increasingly is lead by the developing body of research. From 1st April 2011, the service has launched the National Food Hygiene Rating Scheme which has helped drive improvements in food law compliance. Over 850 businesses fall within the scope of the scheme, with all ratings being published on the national web portal at www.food.gov.uk/ratings and businesses encouraged to display certificates and stickers. The service will continue to promote usage of the scheme by consumers by harnessing the power and influence of the local media, health promotion initiatives and public events. The service will also continue to encourage at the time of visits voluntary display of rating stickers and certificates at premises that fall within the scope of the scheme.

5.9.2 Numerous promotional activities also occur during the course of a typical year usually in response to need/requests from the different communities in Exeter, for example:

- presentations to schools, interested groups, professional bodies, (e.g. Infection Control Study Days, Chef Focus Group, Taste of the West Members, Early Years providers);
- circulation of advisory leaflets or guidance notes in response to topical issues or changes in legislation;
- production of the 'Food For Thought' newsletter;
- participation in the annual Exeter Food and Drink Festival.

5.10 **Food Safety Training**

5.10.1 The service has established a robust cost effective training service for Exeter and the surrounding area. The service in the past has been successful in receiving external funding initiatives and will apply for funding schemes as and when they become available.

5.10.2 The number of learners who have attended the courses provided by the section are represented in Appendix 12 of the Enforcement Plan.

5.10.3 The service is currently achieving an average of 96% (97%) success rate for its training courses.

5.10.4 The service regularly provides training in other languages to meet the needs of the business community, with tailored courses being delivered in different languages. Courses in Mandarin, Cantonese and Bengali have been scheduled at Level 2 and it is also proposed that a Level 3 course in Cantonese is delivered.

SECTION 6: RESOURCES

Financial Matters

- 6.1.1 Detailed figures to determine the overall specific level of expenditure involved in providing the food safety service is not currently available as this has historically been part of the wider shared activities of the Commercial and Business Support Team (e.g. Health and Safety and Licensing Enforcement). Likewise with changes in the intervention pattern it is difficult to accurately determine the trend of growth, of the food safety function. The food safety function can occupy the significant portion of time of the Section, at the expense of the other services.
- 6.1.2 The training element is also shared amongst the enforcement disciplines although it has its own budget and cost centre and aims to produce significant income. External tutors are used to increase efficiency in delivering this service.
- 6.1.3 The budgets for sampling and analysis of samples is currently £560 for the year.

Budget Allocation Figures for 2011/12 – Food Safety Function

FUNCTION				
	Salary (+)	Equipment	Travel	Support costs and other overheads
<u>Health Education F018</u>	2,880	8,000	-	7,210
Proportion allocated to Food Safety function (80%)	2,304	6,400	-	5,768

ENFORCEMENT				
	Salary (+)	Equipment	Travel	Support costs and other overheads
<u>Commercial F020</u>	178,060	1,200	3,160	94,460
Proportion allocated to Food Safety Function (40%)	71,224	480	1,264	37,784
Analysis (max)		260		
Purchase of Samples		300		
Environmental Protection Sampling Technician	2,000			

NB:

- Based on 40% allocation to Food Safety. Analyst fees up to a maximum £260 (may also be used for water/health and safety samples) if required.

The specific training budgets are held with Environmental Health Services – Commercial and Business Support Team.

6.2 **Staffing Allocation**

6.2.1 There are currently 2 FTE staff directly working on food, enforcement and related matters with a significant and increasing support role by business support staff.

Title	% of time	Qualification	Role
Business Manager		Educated to Degree Level	Management
PEHO		BSc Environmental Health	Lead Professional Officer
EHO	<50	BSc Environmental Health	District Officer
EHO	<50	BSc Environmental Health	District Officer
EHO	<50	BSc Environmental Health	District Officer
EHO (part time)	<50	BSc Environmental Health	Inspector
EHO - Agency	>50	BSc Environmental Health	Contract Inspector
EHT	<20%	Informal Sampling only	EHT (Sampling)
Senior BSO		Support	Service Support
BSO (x3.5FTE)		Support	Service Support
Contract Tutors		CIEH/RIPH and/or Highfield Registration	Deliver training courses run by the service

6.3 **Staff Development Plan**

6.3.1 The service will ensure that Officers are appropriately qualified and receive regular training to maintain and improve their level of competency. All officers will have access to the equivalent of at least 10 hours food safety update training which will normally be identified at performance appraisal and target setting. All Environmental Health Officers will be afforded the facility of continuing professional development.

6.3.2 The training structure comprises:-

- the employment of enforcement officers capable of food law enforcement;
- evidence of formal qualification (sight of original qualification certificates prior to commencement of employment);
- in-house competency-based training;
- identification of training needs during annual performance appraisal to meet current targets to assist and improve upon performance against current job requirements.

6.3.3 The following additional steps are taken to ensure staff development:-

- internal training sessions will be held (anticipated 4 hours CPD in food related topics per year);
- briefing notes on topics of current interest will continue to be regularly circulated to bring details of new legislation and technological change in the field of food safety enforcement to the attention of officers;
- those staff who have not attained Chartered Status with the Chartered Institute of Environmental Health will be encouraged to achieve this by successfully completing their Assessment of Professional Development;
- programmes of instruction will be devised to accommodate the needs of new and existing staff and ensure the required level of competency.

SECTION 7: QUALITY ASSESSMENT

- 7.1.1 Internal monitoring procedures have been set up to verify the service operates in conformance with relevant legislation, the Food Law Codes of Practice (England) and our procedures.
- 7.1.2 A system of Food Safety Inspection Quality Monitoring has been established. (See Policy/Procedure Note No 1.2).
- 7.1.3 The Council will participate in appropriate inter-authority peer review exercises against the Food Standards Agency standard.
- 7.1.4 The Council will continue to monitor and report on Customer Satisfaction with the Food Enforcement Service.

SECTION 8: REVIEW

- 8.1.1 Quarterly Performance Indicators on progress in implementing both this Service Plan and the Commercial Section Business Plan, will be made by the Business Manager to the Head of Environmental Health Services.
- 8.1.2 An annual review against the Service Plan will be made by the Scrutiny Committee (Community).
- 8.1.3 The annual review report will contain information on performance against the Service Plan and Performance Indicators. It will highlight any variances from the plan, reasons for these, and the likely impact that these may have.
- 8.1.4 The Scrutiny Committee (Community) will support and Executive will approve the Food Service Delivery Plan for the year. Improvements to the service identified as a result of the review, quality assessment, or benchmarking work will be incorporated in the Plan.
- 8.1.5 Information on our targets and progress towards meeting these will be published and publicised as part of the Council's Performance Plan.
- 8.2 **Areas of Improvement**
 - 8.2.1 A number of actions have been identified in the Commercial Section's Food Service Delivery Plan 2011/2012 (Appendix 1), which will be carried out during the forthcoming year. Achievement of these improvements will be monitored by the HoS and Business Manager and where there are significant performance issues, reports will be made to the appropriate Committee.

SECTION 9: FOOD SAFETY ENFORCEMENT POLICY

Introduction

- 9.1 As a regulator, the Council's primary purpose is to assist businesses in preventing food safety incidents and ill-health. This is generally achieved through inspections and a range of proactive measures including stakeholder engagement and the provision of information and advice.
- 9.2 Investigating complaints and reports food poisoning is important in improving standards and ensuring compliance; it also provides the basis for enforcement action to secure justice. Enforcement has three main objectives:
- to compel responsible parties to take immediate action to reduce risk;
 - to engender compliance with the law;
 - to ensure those who breach food safety requirements or fail in their responsibilities are held to account for their actions.

FOOD SAFETY ENFORCEMENT POLICY

GUIDANCE

To be read in conjunction with:
Food Law Code of Practice (England)
Food Law Practice Guidance (England)

1 STATEMENT OF OBJECTIVES

- 1.1 It is this Council's policy to strive to ensure that food and drink intended for sale for human consumption, which is produced, stored, distributed, handled or consumed within this City is without risk to the health or safety of the consumer.
- 1.2 Enforcement action, be it verbal warnings, the issue of written warnings or statutory notices, or prosecution, is primarily based upon an assessment of risk to public health. In the context of this policy, this risk is the probability of harm to health occurring due to non-compliance with food safety law. Enforcement action will not normally, therefore, constitute a punitive response to minor technical contraventions of legislation.
- 1.3 We support specific guidance on enforcement action contained in the Food Law Code of Practice and associated Practice Guidance.
- 1.4 All authorised officers when making enforcement decisions will abide by the policy. Any departure from the policy will be exceptional, capable of justification and be considered by management before the decision is taken, unless it is considered that there is significant risk to the public in delaying the decision.

2 DECISION MAKING - AUTHORISATIONS

- 2.1 Members have decided in general policy terms what attitude should be taken to flagrant breaches of Food Safety law. Members will not be involved in detailed consideration of individual cases (other than in very exceptional circumstances). The decision to prosecute, based on the available evidence and professional judgement, is left to the Head of Environmental Health Services.

- 2.2 The Council will ensure that officers who are authorised to initiate enforcement action are competent to do so, are suitably qualified and have relevant and adequate experience in food safety enforcement, and adhere to the Food Law Code of Practice.

3 ENFORCEMENT OPTIONS

- 3.1 The Council recognises and affirms the importance of achieving and maintaining consistency in our approach to making all decisions, which concern food safety enforcement action, including prosecution. To achieve and maintain consistency, the guidance in the Food Law Code of Practice (England), FSA and LACORS advice is always considered and followed where appropriate.
- 3.2 We will endeavour to ensure that enforcement decisions are always consistent, balanced, fair and relate to common standards that ensure the public is adequately protected. In coming to any decision we will consider many criteria including seriousness of offence, the enterprise's past history, confidence in management, the consequences of non-compliance and the likely effectiveness of the various enforcement options.
- 3.3 Having considered all relevant information and evidence, the choices for action are:-
- to take no action
 - to take informal action
 - to use statutory notices
 - to use simple cautions
 - to prosecute

This document provides detailed guidance applicable to the various options for enforcement action.

- 3.4 Where we consider taking enforcement action, which may be inconsistent with that adopted by other authorities or contrary to any advice issued by LACORS, we will endeavour to discuss these matters with the local food liaison/coordinating group. If a reasonable consensus group view cannot be achieved, or the issue appears to be of national significance, or it is felt existing guidance has not adequately taken account of the legal provisions, case law, relevant research or other evidence, the liaison/coordinating group will be urged to ask LACORS, through its national Food Safety Panel, to consider the issue to ensure consistent enforcement.
- 3.5 Where we consider taking enforcement action, which may be contrary to any advice issued by the relevant home (or primary) and/or originating authorities, we will discuss the matter with the relevant authorities before taking action. Where enforcement action impacts on aspects of an enterprise's policy, which has been agreed centrally by the decision-making base of the enterprise, then reference to the home/primary authority will take place.

4 INFORMAL ACTION

- 4.1 Informal action to secure compliance with legislation includes offering advice, verbal warnings and requests for action, the use of letters and the issue of food hygiene inspection reports, including those generated in-situ at a premises following an inspection.
- 4.2 We consider it is appropriate to use informal action when:
- the act or omission is not serious enough to warrant formal action;
 - from the individual's/enterprise's past history it can be reasonably expected that informal action will achieve compliance;
 - confidence in the individual/enterprise's management involved is good;
 - the consequences of non-compliance will not pose a significant risk to public health;

- even where some of the above criteria are not met, there may be circumstances in which informal action will be more effective than a formal approach. This may apply to food businesses associated with voluntary organisations using volunteers.

4.3 Inspection reports will be issued following all programmed inspections. This applies even in those circumstances where conditions at the time of inspection are satisfactory.

4.4 When an informal approach is used to secure compliance with food hygiene or processing regulations, any written documentation issued or sent to proprietors will:

- contain all the information necessary to understand what work is required and why it is necessary
- indicate the regulations contravened, measures which will enable compliance with the legal requirements and that other means of achieving the same effect may be chosen; and
- clearly indicate any recommendations of good hygiene practice, for example under an appropriate heading, to show that they are not a legal requirement.

5 STATUTORY NOTICES

Hygiene Improvement Notices

5.1 Where we believe that an informal approach will not be successful and/or where the business has failed to respond to an informal approach, formal action will be considered.

5.2 Consideration will be given to the issue of hygiene improvement notices where one or more of the criteria below apply:

- there are significant contraventions of legislation;
- there is a lack of confidence in the food business operator or enterprise to respond to an informal approach;
- there is a history of poor compliance with informal action;
- standards are generally poor with little management awareness of statutory requirements;
- the consequences of non-compliance could be potentially serious to public health;
- although it is intended to prosecute, effective action also needs to be taken as quickly as possible to remedy conditions that are serious or deteriorating.

5.3 The use of hygiene improvement notices will, in general, be related to risk to health.

5.4 Hygiene improvement notices may only be issued by officers who have been authorised by the Council to do so.

5.5 Hygiene improvement notices will not be signed by authorised officers on behalf of non-authorised technical officers unless the authorised officer has examined the evidence for any contravention and is satisfied that a contravention has been committed, is satisfied that it is significant and that any other appropriate criteria are satisfied.

5.6 We will ensure that authorised officers follow all relevant guidance in the Food Law Code of Practice (England) and Food Law Practice Guidance (England) and LACORS guidance on the use of statutory notices. Authorised officers will place realistic time limits on notices (preferably agreed with the food business operator as attainable and appropriate), discuss with the FBO the works that will be specified and why they are necessary and fully consider the availability of solutions.

We will endeavour to maintain good working relationships and will liaise while work is being undertaken.

- 5.7 Failure to comply with a hygiene improvement notice will in general result in Court proceedings.
- 5.8 Other bodies may be advised of formal action taken by the Council and its outcome. These bodies may include home/primary and originating authorities.

Hygiene Emergency Prohibition Notices

- 5.9 The use of an (HEPN) when an imminent risk of injury to health has been identified will be considered in one or more of the following circumstances:
- the consequences of not taking immediate and decisive action to protect public health would be unacceptable;
 - where a real risk of food contamination exists;
 - an imminent risk of injury to health can be demonstrated. This might include evidence from relevant experts, including a food analyst or food examiner. This may be where practices which are serious contraventions have been, or are involved with an outbreak of food poisoning;
 - the guidance criteria, specified in the Food Law Code of Practice (England) and Food Law Practice Guidance (England) concerning the conditions when prohibition may be appropriate, are fulfilled;
 - there is no confidence in the integrity of an unprompted offer made by a food business operator to voluntarily to close premises or cease the use of any equipment, process or treatment associated with the imminent risk;
 - a food business operator is unwilling to confirm in writing his/her unprompted offer of a voluntary prohibition.
- 5.10 Officers to be authorised to issue HEPNs will be competent, fulfil the qualification requirements referred to in the Food Law Code of Practice (England) and Food Law Practice Guidance (England), and also have experience in a variety of food safety enforcement situations.
- 5.11 Where emergency prohibition action involving chemical contamination is being considered, medical or other expert advice may be sought before a final enforcement decision is taken.
- 5.12 Once an HEPN has been issued, an application for a hygiene emergency prohibition order will be made to the Magistrates' Court within three days.
- 5.13 Other bodies may be advised of formal action taken by the Council and its outcome. These bodies may include home and originating authorities. Reference will be made to any detailed advice offered by LACORS, particularly guidance issued on the Home Authority Principle.

6 PROSECUTION

- 6.1 The decision to prosecute is a very significant one. Prosecution will, in general, be restricted to those persons who blatantly disregard the law, or refuse to achieve even the basic minimum legal requirements often following previous contact with the Council, and/or who put the public at serious risk.
- 6.2 The circumstances which are likely to warrant prosecution, may be characterised by one or more of the following:
- where the alleged offence involves a flagrant breach of the law such that public health, safety or well being is or has been put at risk;

- where the alleged offence involves a failure by the suspected offender to correct an identified serious potential risk to food safety having been given a reasonable opportunity to comply with the lawful requirements of an authorised officer;
- where the offence involves a failure to comply in full or in part with the requirements of a statutory notice;
- where there is a history of similar offences related to risk to public health.

- 6.3 When circumstances have been identified which may warrant a prosecution, all relevant evidence and information will be considered, to enable a consistent, fair and objective decision to be made.
- 6.4 Before a prosecution proceeds, the officer responsible for deciding on enforcement action will be satisfied that there is relevant, admissible, substantial and reliable evidence than an offence has been committed by an identifiable person or company.
- 6.5 In addition to being satisfied that there is sufficient evidence to provide a realistic prospect of conviction, a positive decision that it is in the public's interest to prosecute will be taken and guidance in the Code for Crown Prosecutors, issued by the Crown Prosecution Service will be considered including relevant public interest criteria.
- 6.6 When decisions are being taken on whether to prosecute, guidance contained in the relevant Code of Practice will be followed. Factors to be considered may include:
- (a) the seriousness of the alleged offence:
 - the risk or harm to public health
 - identifiable victims
 - failure to comply with a statutory notice served for a significant breach of legislation
 - disregard of public health for financial reward;
 - (b) the previous history of the party concerned:
 - offences following a history of similar offences
 - failure to respond positively to past warnings
 - failure to comply with statutory notices;
 - (c) the likelihood of the defendant being able to establish a due diligence defence:
 - local authorities may wish to refer to relevant guidance on due diligence;
 - (d) the ability of any important witnesses and their willingness to co-operate;
 - (e) the willingness of the party to prevent a recurrence of the problem;
 - (f) the probable public benefit of prosecution and the importance of the case - eg whether it might establish a legal precedent:
 - (g) whether other action, such as issuing a simple caution or a hygiene improvement notice or imposing a prohibition, would be more appropriate or effective. (It is possible in exceptional circumstances to prosecute as well as issue a notice; failure to comply with a notice would be an additional offence);
 - (h) any explanation offered by the company or the suspected offender.

6.7 We will not impose excessively rigid constraints with regard to prosecution because this would restrict the choice of a particular course of action. (For example, stating that first time offenders should never be prosecuted would remove the possibility of prosecuting for a serious breach of food safety legislation).

6.8 Once a decision to instigate prosecution has been taken, the matter will be referred, without undue delay, to the Council's solicitors to conduct legal proceedings.

N.B. A Court must impose a prohibition order following certain prosecutions if it is satisfied that there is a risk of injury to health.

6.9 Other bodies will be advised of prosecutions taken by the authority and their outcome (i.e. home and originating authorities and any others recommended by LACORS).

7 SIMPLE CAUTIONS

7.1 Where appropriate we will consider issuing a caution as an alternative to a prosecution.

7.2 The purpose of the simple caution is:

- to deal quickly and simply with less serious offences;
- to divert less serious offences away from the Courts;
- to reduce the chances of repeat offences.

To safeguard the suspected offender's interest, the following conditions will be fulfilled before a caution is administered:

- there must be evidence of the suspected offender's guilt sufficient to give a realistic prospect of conviction;
- the suspected offender must admit the offence;
- the suspected offender must understand the significance of a simple caution and give an informed consent to being cautioned.

N.B. There is no legal obligation for any person to accept the offer of a caution and no pressure will be applied to the person to accept a caution.

7.3 Simple cautions will be used in accordance with the Home Office Circular 016/2008 and relevant LG Regulation guidance. The Head of Environmental Health Services is authorised as the officer to issue simple cautions.

7.4 Where a person declines the offer of a simple caution, it will be necessary to consider taking alternative enforcement action. Whilst this will probably mean taking a prosecution, this is not inevitable.

7.5 Other bodies may be advised of simple cautions issued by the authority. These bodies may include home and originating authorities and any others specified in advice offered by LACORS.

8 SPECIFIC GUIDANCE ON THE ENFORCEMENT OF ARTICLE 5 EC REG 852/2004

GUIDANCE

To be read in conjunction with:

- Food Law Practice Guidance (England) Annex 13
- Food Law Code of Practice (England) Annex 2
- LACORS Guidance
- Procedure 2.1 Food Hygiene Interventions

8.1 BACKGROUND

- 8.1.1 On 1 January 2006, EC Regulation 853/2004 introduced the requirement for food businesses to have food safety management procedures based on HACCP principles. The legislation is flexible and allows for those procedures to be commensurate with the nature and size of the food business. Where a business is especially low-risk documentation and record keeping may not be necessary. This provision was and will be new to many food businesses. The FSA recommend that enforcers concentrate on significant hazards ensuring that the person responsible for food safety understands these hazards and knows how to control them, i.e. taking an educative approach. The expectation is that businesses improve their standards over time and where a business does not improve given reasonable time and guidance, a more formal approach to enforcement can be used, i.e. a graduated approach.
- 8.1.2 The Food Standards Agency has developed the Safer Food Better Business Tool designed to support smaller catering and retail businesses in complying with this requirement.
- 8.1.3 The aim of this section of the policy is to provide clear guidance on the use of enforcement powers to seek compliance with the requirements of Article 5.

8.2 POLICY FOR ENFORCEMENT

- 8.2.1 Enforcement of this legislation must always be based on the risk to food safety. With this in mind, the following processes should be followed:

- **New business**

On the first programmed inspection of a new business the officer needs to determine whether the principles of the requirements of Article 5 are understood and put into practice by the FBO. In addition the officer and shall consider whether any supporting information, records or documents provided by the FBO are adequate. If the officer considers that this requirement is not being fulfilled then appropriate information shall be provided to the FBO to enable him/her to comply. This may include the supply of an SFBB pack, the contact details of where a pack can be sourced, referral to workshops and/or the scheduling of a coaching session. Providing standards within the premises are fully compliant, informal action can be taken and the premises risk rated for the next programmed food hygiene intervention. If the premises scores 10 or greater for confidence in management, the officer shall provide such information/support to enable the business to achieve full compliance and shall schedule a revisit / partial inspection to assess compliance and re-score.

If on this first intervention, there are unsafe practices apparent which present a risk to food safety then appropriate formal action should be taken in line with the Enforcement Policy.

- **Existing businesses (who have received an SFBB intervention)**

Those businesses who were targeted for SFBB and/or offered/attended workshops and/or provided with coaching sessions and who have received an additional programmed intervention since should now be routinely following the format provided by SFBB. The officer's professional judgement should be exercised where such businesses have not fully implemented and maintained SFBB. Any action considered appropriate by the officer must be proportionate and related to the associated food safety risk, the risk score awarded, the requirements highlighted in the officers report and the need to progress the businesses towards being fully compliant. The officer should make a decision as to the progress with the Article 5 requirement. Enforcement using a Hygiene Improvement Notice may be the most appropriate form of action if non-compliance is found. Attached to this note is a suggested template for a HIP requiring compliance with Article 5.

- **Existing businesses (who have not previously received an SFBB intervention)**

Existing businesses who have not implemented SFBB or who have no other formal approach to managing food safety are likely to be low risk businesses. The officer's professional judgement should be exercised on the need to adopt SFBB or similar or relevant components of SFBB and whether documented procedures and record keeping is necessary. The officer's report to the business should reflect their opinion, the food hygiene intervention form – Assessment of Management of Food Safety Form – should record the officer's assessment and the premises risk scored appropriately.

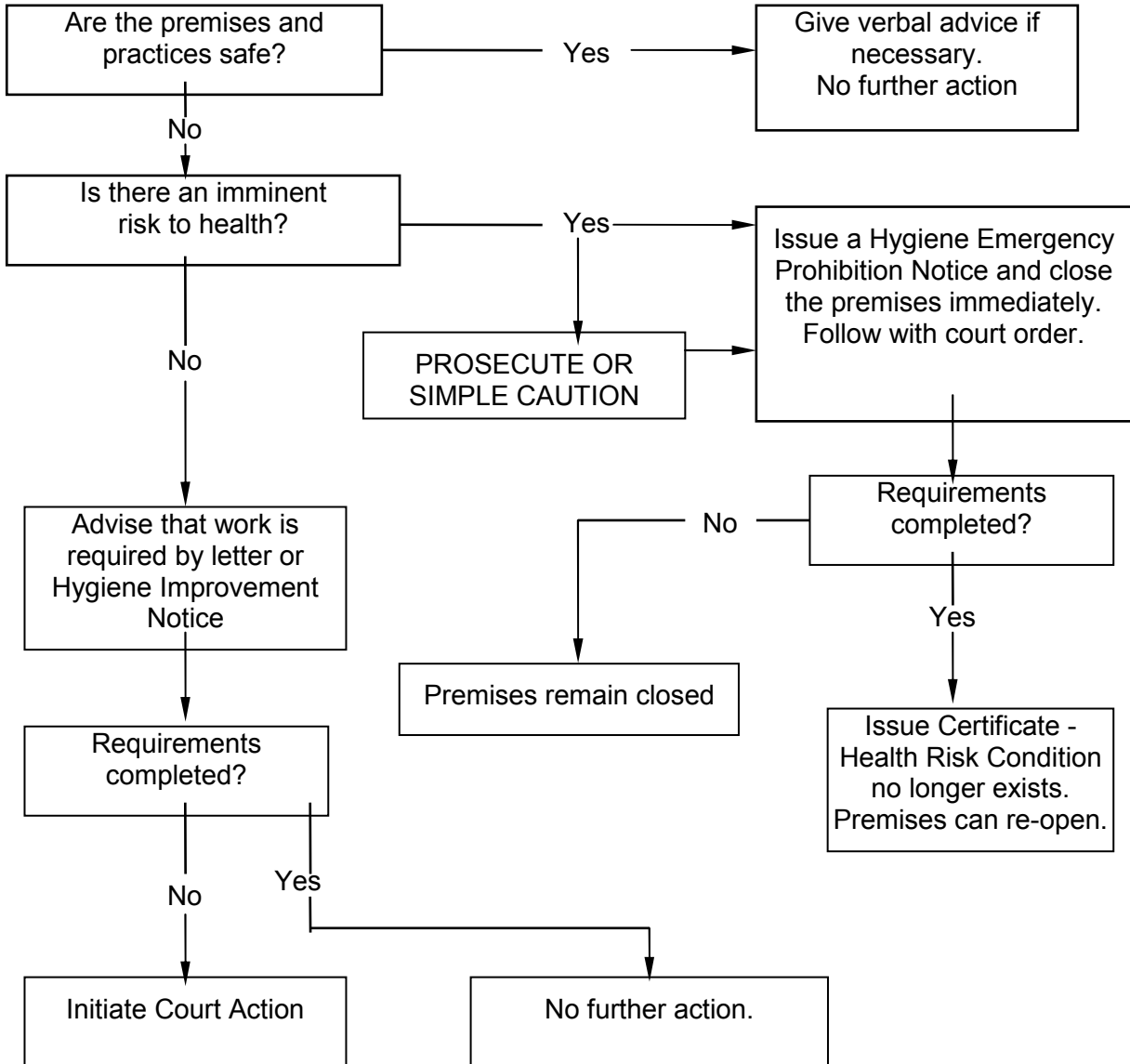
For existing high-risk businesses that do not satisfy the requirements of Article 5, the officer should determine the food safety risks. If there are unsafe practices being carried out which present a risk to food safety then appropriate formal action should be taken in line with the Enforcement Policy. Only in the context of the business being fully compliant could the officer justify not pursuing a more formal approach to requiring compliance with Article 5. In all other cases the service of a hygiene improvement notice would be the expectation.

The officer should identify any obstacles to the compliance with Article 5. These may include language barriers, lack of an appropriate SFBB pack, elements of fine dining not addressed by the existing safe methods, lack of appreciation and understanding of hazards and risk for example. Whilst an officer should address any food safety risks by the appropriate means, the identification of underlying reasons for non-compliance is also an essential process to acknowledge and seek to rectify. The approach to combat the effects of such issues and to ensure all business are given a reasonable opportunity to comply with food law will be highlighted in the Food Hygiene Intervention Programme.

- 8.2.2 It should be noted that any Hygiene Improvement Notices served must contain evidence that the Article 5 provision has been breached and risks are not being controlled. (This would be in the form of statements saying equipment is dirty, systems are a risk to food safety etc.)

FOOD SAFETY ENFORCEMENT POLICY - SUMMARY

The type of enforcement will depend on the conditions found following a Food Hygiene Inspection. The diagram below shows an outline of the enforcement procedure.



SECTION 10: CONCLUSION

- 10.1 The Service Plan for Food Law Enforcement 2011/2012 demonstrates that the Council has organised its food safety function in such a manner that it is capable of achieving a comprehensive food safety service capable of meeting the corporate aims of the authority, and the expectations of the FSA and legislation.

SECTION 11: GLOSSARY OF TERMS

GLOSSARY	
CIEH	Chartered Institute of Environmental Health
EHO	Environmental Health Officer
EHORB	Environmental Health Officers Registration Board
EHT	Environmental Health Technician
FSA	Food Standards Agency
FW&E	Food, Water and Environment Laboratory
HACCP	Hazard Analysis and Critical Control Points
HoS	Head of Services
HPA	Health Protection Agency
LGR	Local Government Regulation
PEHO	Principal Environmental Health Officer
PCT	Primary Care Trust
RSPH	Royal Society of Public Health
SWWS	South West Water Services plc

RECOMMENDATIONS FOR THE FOOD SERVICE DELIVERY PLAN 2011/12

The Food Safety Service provided by the City Council is a statutory service subject to annual review and periodic audit by the Food Standards Agency. The core elements of the service and their respective link documents detailing the expectation on the authority can be identified as follows:

- **Organisation / Officer Competency / Authorisations** – refer to officer appraisals and internal procedural guidance.
- **Food hygiene inspections** – refer to development of Intervention Strategy, see item 1.0 on attached plan
- **Complaints / Service Requests** – referral to internal procedural guidance.
- **Home Authority** – refer to internal procedural guidance
- **Advice to Businesses** – refer to development of Intervention Strategy, see item 1.0 on attached plan
- **Food Premises Database** – refer to internal procedural guidance.
- **Food Sampling** – Refer to Sampling Plan for 2011/12, appendix 9.0 in the Service Plan for Food Law Enforcement 2011/12
- **Control and investigation of Outbreaks of Food Related Infections/ Diseases** – refer to internal procedural guidance.
- **Food Safety Incidents** – refer to internal procedural guidance.
- **Enforcement** - refer to development of Intervention Strategy, see item 1.0 on attached plan.
- **Internal Monitoring and Peer Review** – refer to Work Plan for Devon CEHO's Food Liaison Group 2011/12.
- **Food Safety Promotion/Initiatives** - refer to development of Intervention Strategy, see item 1.0 on attached plan.
- **Facilities and Equipment** – refer to internal procedural guidance.
- **Scores on the Doors** – to implement the FSA National Scheme as an early adopter

The following recommendations are key activities to shape the service over the forthcoming year and bring about the necessary improvements to ensure it meets the requirements of regulatory reform / Better Regulation and contributes to the strategic objectives of the Council.

RECOMMENDATIONS FOR THE FOOD SERVICE DELIVERY PLAN 2011/12

KEY ACTIVITIES	RECOMMENDATION	OUTCOME	LINK	RESPONSIBLE OFFICER	DATE
1.0 Intervention Strategy	Following release of the Food Law Code of Practice (England) to develop the 2 year Intervention Strategy detailing the proposed use of official food controls and other food controls for food businesses in Exeter.	To improve compliance in food law	Strategic Objectives <ul style="list-style-type: none"> • A city where people are healthy and active • A prosperous city • A learning city Public Health Outcomes Framework <ul style="list-style-type: none"> • Domain 2 – tackling the wider determinants of ill health; addressing factors that affect health & wellbeing • Domain 3 – Health Improvement: positively promoting the adoption of 'healthy' lifestyles. Additional Links <ul style="list-style-type: none"> • Food Law (Code of Practice) England 	EHM	On-going
	1.1 Maintain the Food Hygiene Rating Scheme.	Evidenced method of improving compliance in food law.			On-going
	1.2 To establish targeted food business forums / focus groups. See also 2.2.	Evidence supports the delivery of targeted education/support as an effective intervention method in the compliance process.			On-going
	1.3 To run targeted training events for specific sectors identified.	To develop positive relationships with specific sectors of the food business community to facilitate compliance with food law.		On-going	

KEY ACTIVITIES	RECOMMENDATION		OUTCOME	LINK	RESPONSIBLE OFFICER	DATE
2.0 Partnership Working	2.1	To work in partnership with the Devon LA's, Devon PCT and local business organisations to promote food safety awareness training events.	To improve the understanding of businesses of the key elements of food safety.	<p>Strategic Objectives</p> <ul style="list-style-type: none"> • A city where people are healthy and active • A prosperous city <p>Public Health Outcomes Framework</p> <ul style="list-style-type: none"> • Domain 2 – tackling the wider determinants of ill health; addressing factors that affect health & wellbeing • Domain 3 – Health Improvement: positively promoting the adoption of 'healthy' lifestyles. • Domain 4 – Prevention of ill health: reducing the number of people living with preventable ill health. <p>Additional links</p> <ul style="list-style-type: none"> • FSA Strategy • HSE/Devon Sub Group health & safety priorities • Devon PCT Obesity Strategy 	EHM	On-going

KEY ACTIVITIES	RECOMMENDATION	OUTCOME	LINK	RESPONSIBLE OFFICER	DATE
3.0 Sustainability	To gather baseline data during programmed inspections upon which to develop appropriate interventions to promote the sustainable use of food.	To promote the sustainable use of food.	<p>Strategic Objectives</p> <ul style="list-style-type: none"> • A city where the environment is cared for • A prosperous city <p>Public Health Outcomes Framework</p> <ul style="list-style-type: none"> • Domain 2 – tackling the wider determinants of ill health; addressing factors that affect health & wellbeing • Domain 3 – Health Improvement: positively promoting the adoption of ‘healthy’ lifestyles. • Domain 5 – Healthy life expectancy and preventable mortality: preventing people from dying prematurely. <p>Additional links</p> <ul style="list-style-type: none"> • ECC Environmental Strategy • FSA Strategy 	EHM	<p>On going during routine inspection programme.</p> <p>– Evaluate data collected</p>

**SUMMARY OF ACTIVITIES IN TERMS OF
PERFORMANCE INDICATORS PER QUARTER**

Strategic Objective: Healthy and Active City

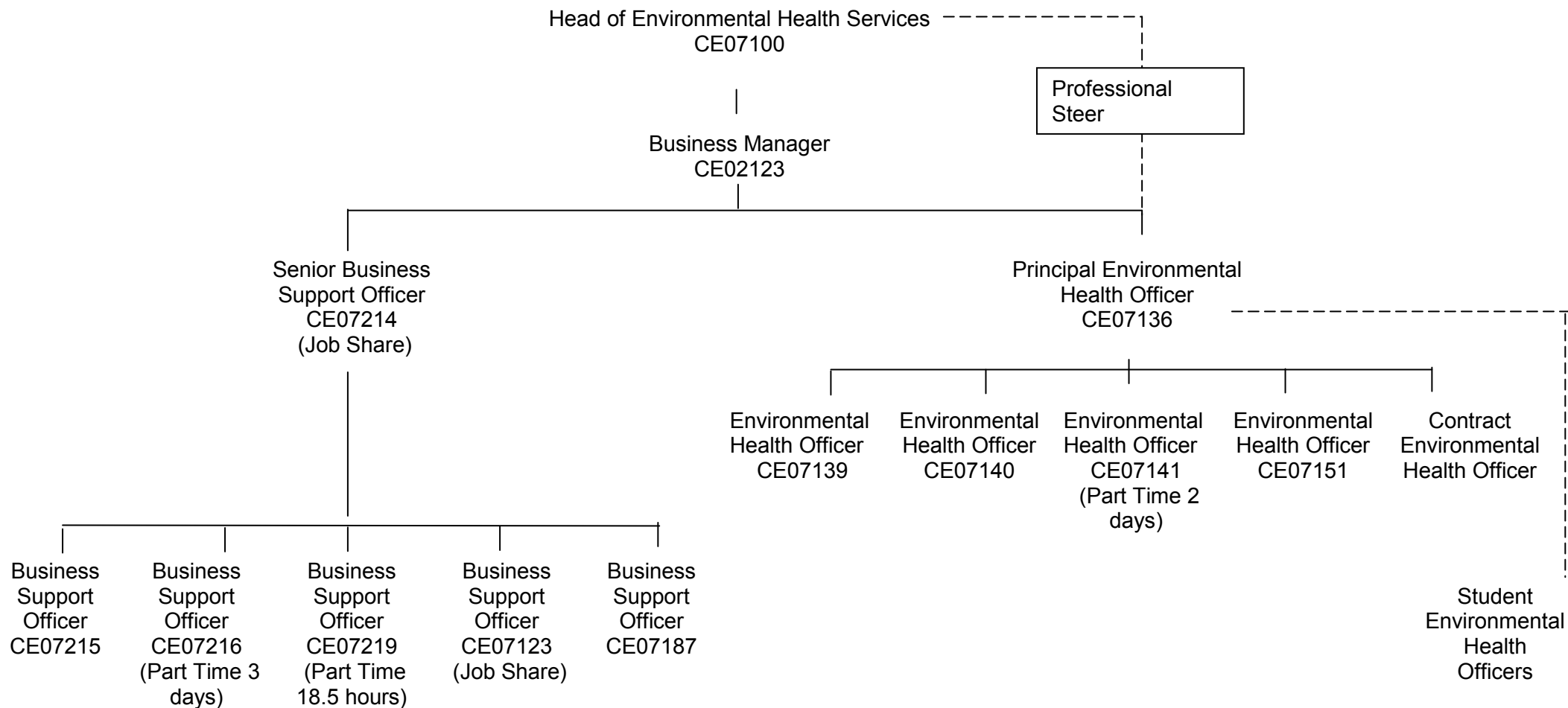
Performance Indicator

1. % of food premises inspections that should have been carried out that were carried out for High Risk Premises
2. Number of broadly compliant businesses.

Performance Indicators	Target	April – June	July – Sept	Oct – Dec	Jan – Mar	Annual
1. High Risk Premises	100%	86%	58%	65%	100%	100%
2. Number of broadly compliant businesses	93%	94.2%	96.1%	97.4%	98.2%	98.2%

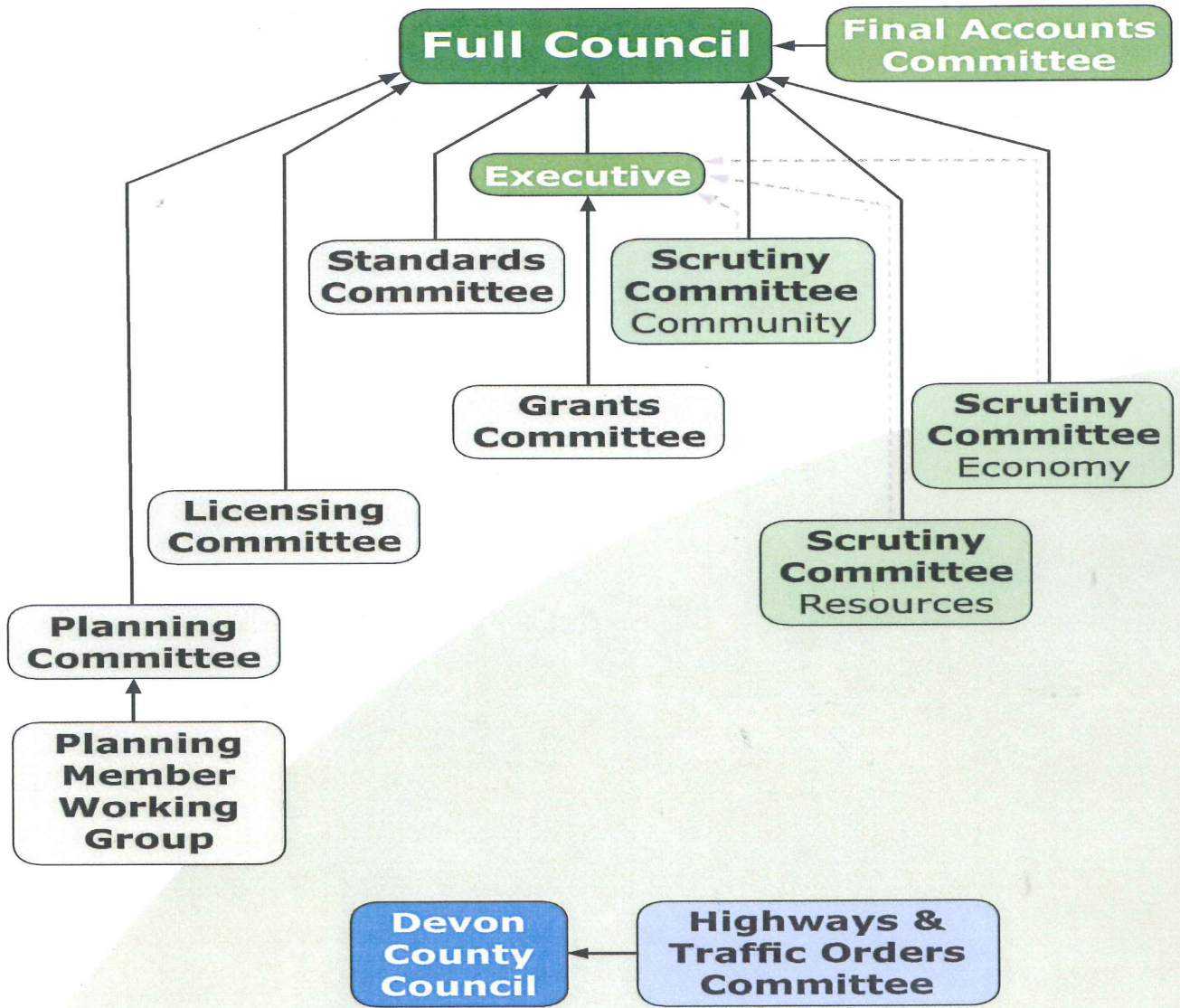
THE OFFICER STRUCTURE IN RESPECT OF THE FOOD SAFETY AND FOOD LAW ENFORCEMENT SERVICE

COMMERCIAL AND BUSINESS SUPPORT TEAM



FLOW DIAGRAM SHOWING THE COMMITTEE STRUCTURE FOR THE COUNCIL

The Council's Committee Structure

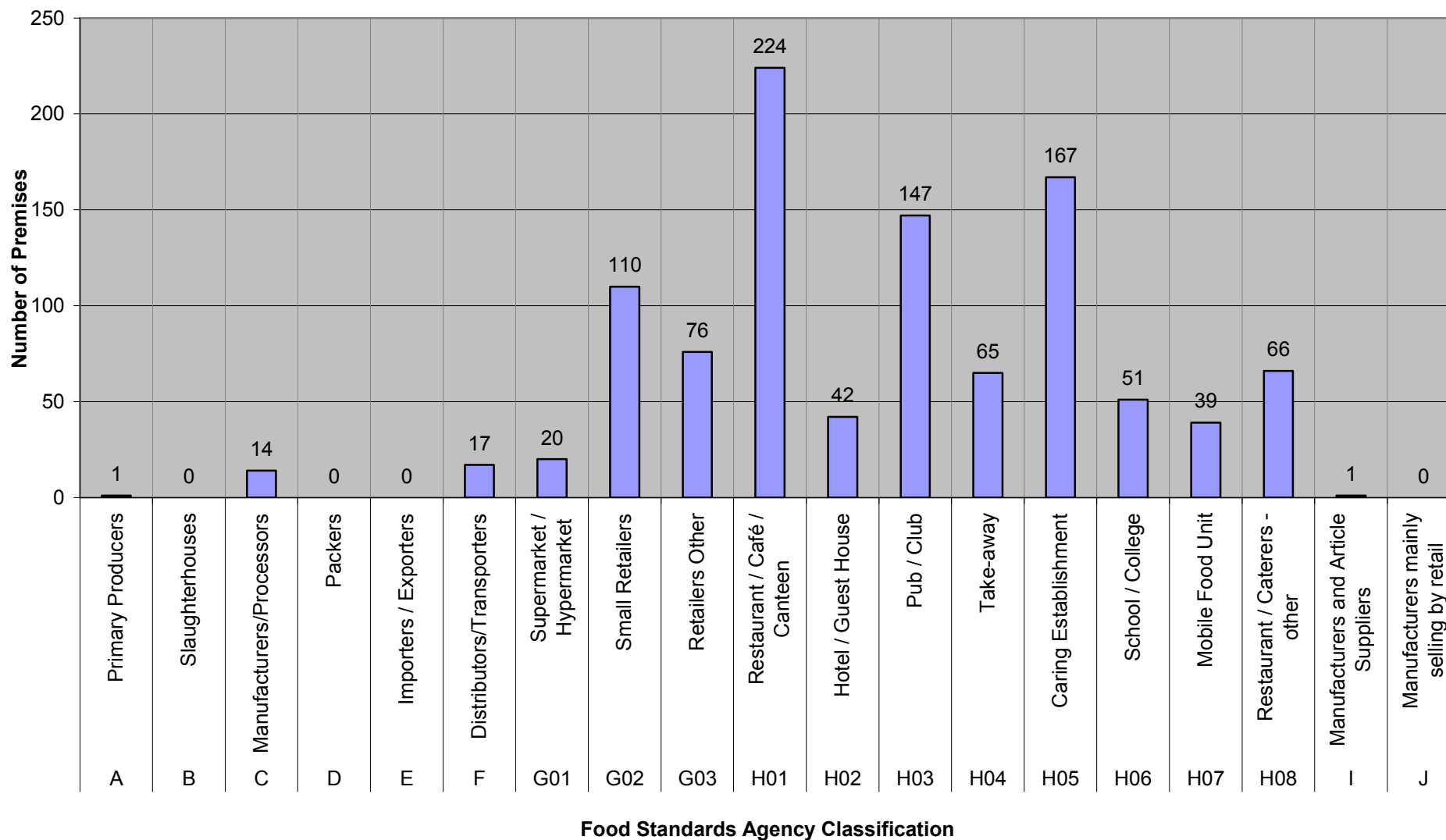


Exeter City Council

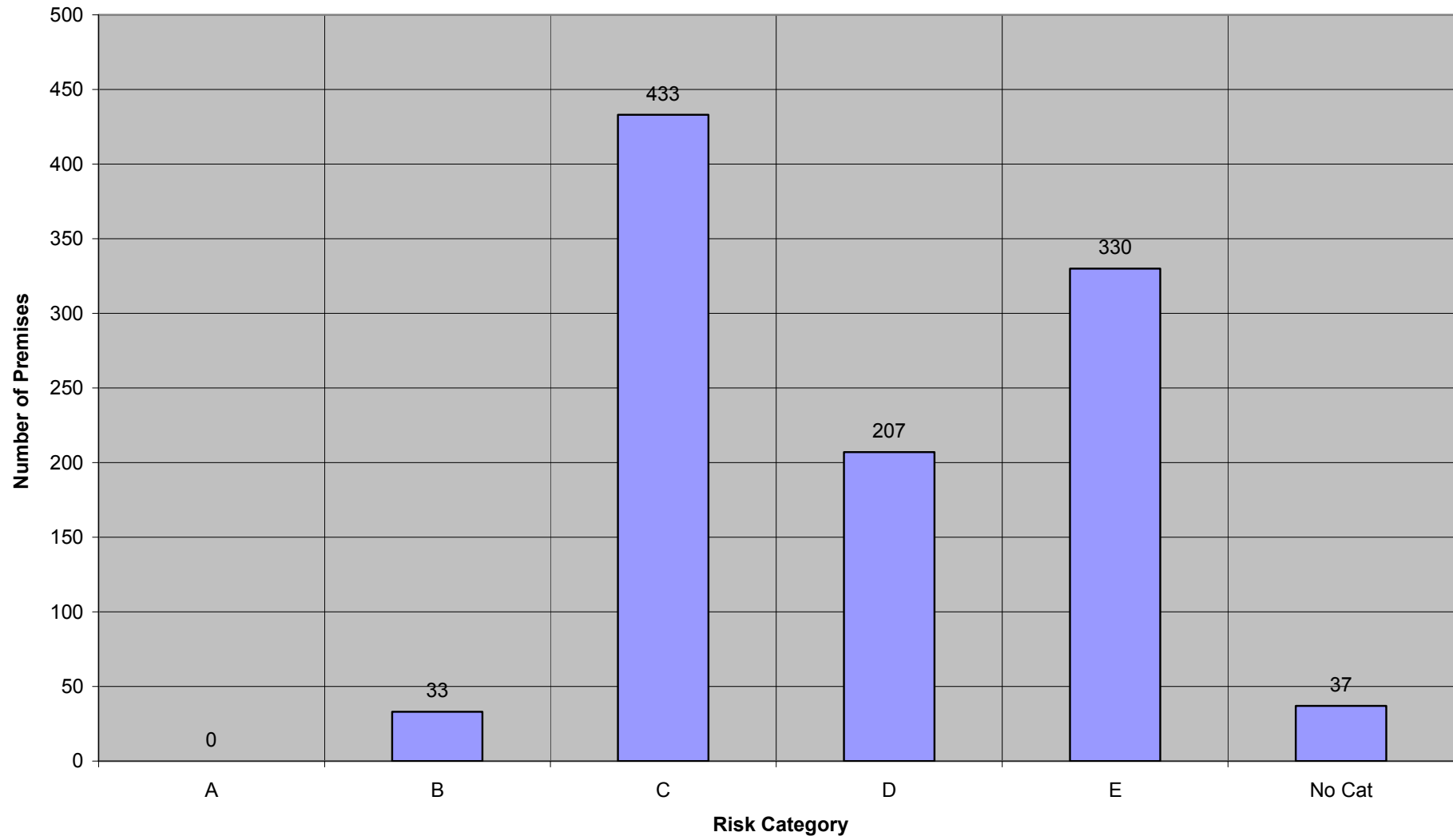
01392 265197

member.servs@exeter.gov.uk

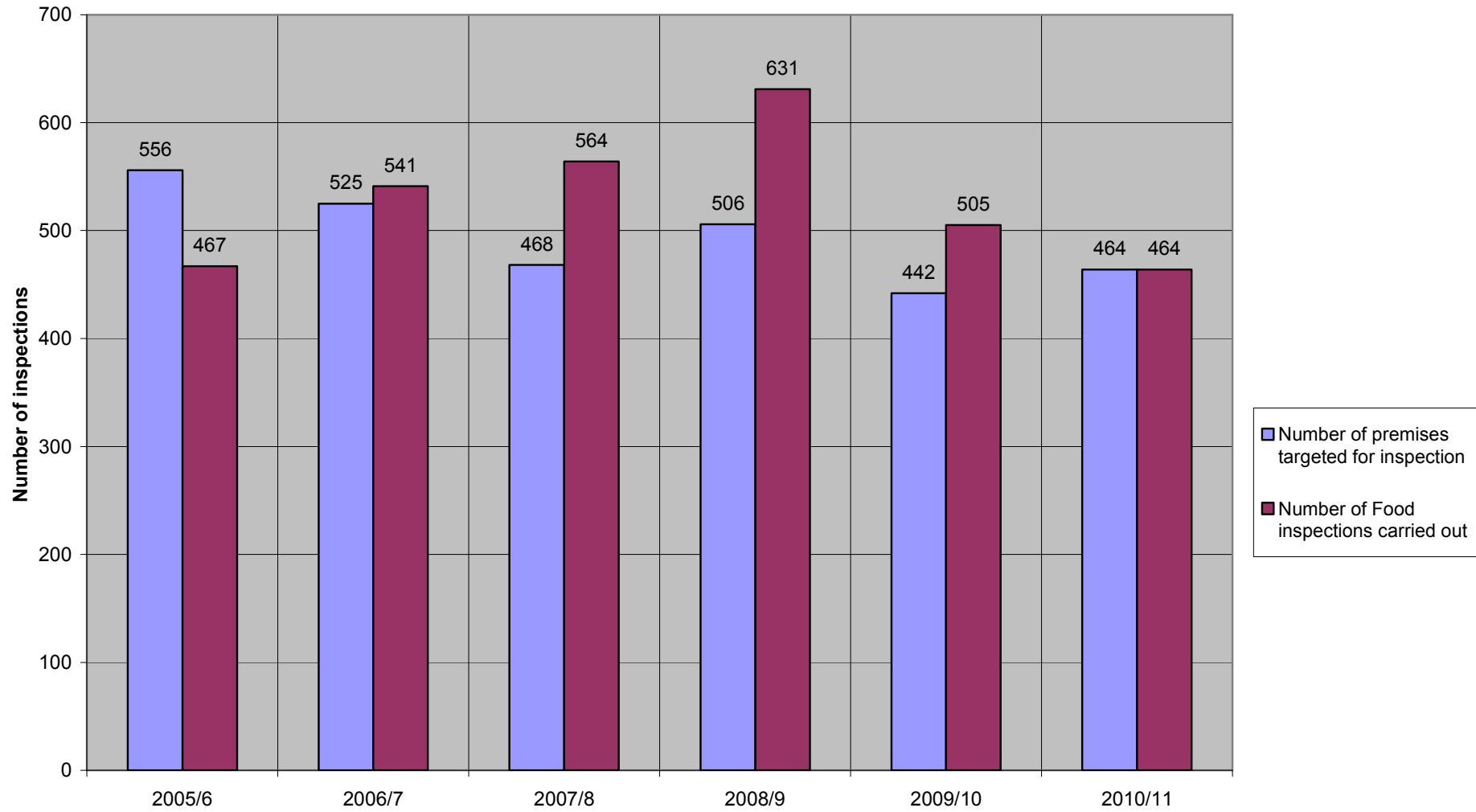
PROFILE OF FOOD PREMISES IN THE CITY AS PER FOOD STANDARDS AGENCY CLASSIFICATION



PROFILE OF FOOD PREMISES BY RISK CATEGORY FOR 2011/2012



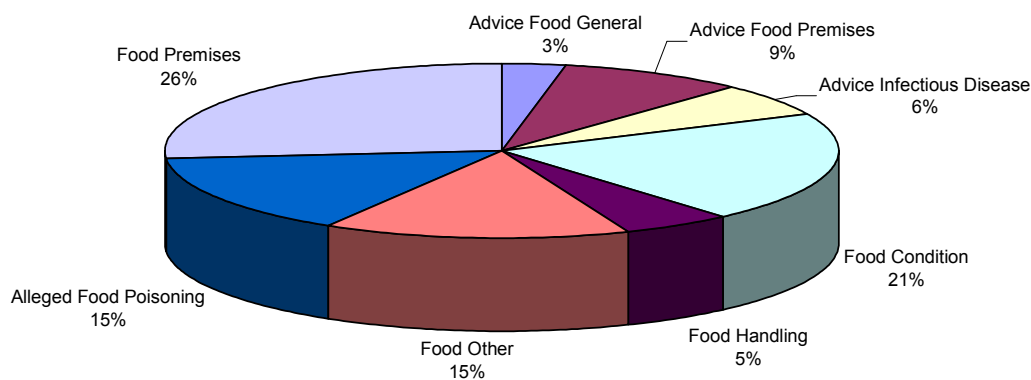
NUMBER OF FOOD INSPECTIONS TARGETED COMPARED WITH THOSE ACHIEVED



BREAKDOWN OF FOOD COMPLAINTS/SERVICE REQUESTS RECEIVED

Complaint/Service Request	2005/6	2006/7	2007/8	2008/9	2009/10	2010/11
Advice Food General	119	40	37	33	34	8
Advice Food Premises	67	92	61	51	41	24
Advice Infectious Disease	13	12	17	7	14	16
Food Condition	40	72	62	68	43	55
Food Handling	8	11	18	20	11	14
Food Other	97	54	27	48	48	39
Food Poisoning	40	32	49	43	32	40
Food Premises	32	44	53	61	57	70
TOTAL:	416	357	324	331	280	256

Number of Food Service Requests received from 1 April 2010 to 31 March 2011



**LIST OF BUSINESSES FOR WHICH EXETER CITY COUNCIL ACTS AS
HOME AUTHORITY**

Home Authority agreements currently exist with:

1. Devon Catering and Cleaning Services (DCCS)
2. RD+E Foundation Health Services Trust
3. Shaul Bakery Ltd
4. University of Exeter
5. Lloyd Maunder

FOOD SAMPLING PROGRAMME 2011/12

1. Introduction

Attached is the informal sampling programme formulated for year 2011/2012. The programme is devised to ensure effective use of resources and fulfil the requirements of the Food Sampling Policy (revised April 2009) as posted on the Exeter City Councils website.

2. Requirement to Sample

- 2.1 The food-sampling programme operates on a total sampling allocation of 15 samples per 10,000 population. This will require approximately 165 samples per year to be taken. The authority is required to provide a statistical return to the Food Standards Agency (FSA) on its annual sampling activity.
- 2.2 All local authorities have an arrangement with the Health Protection Agency Laboratory, which provides a credit allocation to facilitate this work.

3. Routine Sampling

- 3.1 Home Authority role: There is only a very limited role for the Council to play in this respect as we are without any large national companies producing high-risk products. There are however a few small producers whose products are distributed locally and sampling will provide a means of surveillance of their goods and services.
- 3.2 Vulnerable Foodstuffs: High-risk foodstuffs, which give cause for concern or suspicion, may need to be sampled on an ad hoc basis. **This will include sampling verification of controls at a critical step in a food operation and monitoring of imported food from third world countries, for example.**
- 3.3 Complaints: Food samples may be taken when investigating consumer complaints, either to confirm suspected contamination or in undertaking enquiries resulting from complaints.
- 3.4 Statutory Samples: We have a statutory obligation to monitor water distributed by SWWS Ltd and to a limited extent premises with private water supplies.
- 3.5 Survey Work: The number of samples taken as a result of Food Alerts, locally/nationally agreed surveys and food poisoning investigations is subject to annual variation, but provision will be made for these items.
- 3.6 Environmental Swabs: The swabbing of key food contact and hand contact surfaces is seen as an effective means of contributing to the assessment of hygiene standards during routine food hygiene inspections. Officers will use a combination of swabs sent to the HPA lab and ones analysed at the time of visit using an ATP meter.

4. Budget Provision

In addition to the credit allocation provided by the Health Protection Agency laboratory, sums of £260 (analyst's fees) and £300 (samples) are included within the budget. These sums are intended to cover all sampling and a proportion of this will be reserved for Health and Safety sampling (e.g. asbestos, COSHH etc.).

5. Conclusions

There is adequate provision within the present budget to undertake the proposed sampling programme. Allowing for some flexibility between the two budget entries ensures that problems in financing the purchase and analysis of samples for the Food and Health and Safety enforcement functions of the section will be minimised. The programme assumes the current staffing level as outlined in appendix 3 will be maintained throughout the year.

To be re-drafted

A SUMMARY OF THE SAMPLING ACTIVITY PROVIDED BY COMMERCIAL SERVICES

FSA Code	Product Group	2005/6	2006/7	2007/8	2008/9	2009/10	2010/11
02	Cereals	11	2	9	7	1	15
04	Flour / Flour Products	3	0	2	0	0	0
08	Beverages Other	0	0	1	0	0	0
10	Cakes/Confectionery	13	9	1	0	0	0
11	Milk - Liquid	0	1	0	0	0	0
12	Cheese	12	16	2	0	13	3
13	Butter	0	4	0	0	0	0
14	Other Milk Products	3	5	7	0	2	0
18	Non Alcoholic Drinks	0	0	5	0	0	0
19	Of Which- Pack Water	0	0	0	0	0	0
20	Fruit Juices	0	0	0	0	1	0
23	Eggs/Egg Products	4	9	4	4	3	2
24	Fish/Shell-Fresh/Fro	1	4	6	2	3	0
25	Fish/Shell Prod/Proc	0	8	10	3	2	0
28	Foodstuffs - Others	0	0	3	0	0	0
31	Fruit Fresh/Frozen	0	0	0	0	0	1
32	Fruit Prod/Processed	0	0	1	0	0	1
34	Veg Fresh/Frozen	0	2	5	1	0	9
35	Veg - Canned/Process	10	1	4	0	4	1
36	Veg - Protein Foods	0	0	1	0	1	0
38	Herbs and Spices	0	0	35	2	3	0
39	Ice Cream	0	0	1	0	6	0
40	Desserts	1	1	0	0	0	0
42	Materials/Articles	0	0	0	0	0	6
44	Meat - Fresh/Frozen	0	6	2	0	1	1
45	Meat-Products/Proces	40	16	27	12	26	22
48	Poultry - Fresh/Frozen	0	0	4	1	3	0
49	Poultry-Prod/Process	0	9	19	8	2	16
51	Nuts/Nut Prods/Snack	0	0	1	0	0	0
52	Restaurant/Takeaway	2	10	8	7	0	12
53	Prepared-Ready Made	79	29	35	29	14	4
55	Soups/Broths	0	0	0	0	0	0
56	Sauces/Condiments	2	0	0	0	0	1
59	Others-Food Supps	0	0	0	0	0	0
64	Water used as ingredient in fd	10	0	7	0	0	0
65	Others-Miscellaneous	0	40	57	92	89	87
	Total	191	172	257	168	174	175

**OFFICIALLY NOTIFIED CASES OF FOOD RELATED DISEASE
IN THE CITY OVER THE PAST SIX YEARS**

Communicable Disease	2005/6	2006/7	2007/8	2008/9	2009/10	2010/11
Salmonella	20	12	20	24	21	9
Campylobacter	88	28	87	128	140	149
Dystenty	1	0	0	0	1	0
Hepatitis A	3	1	0	0	1	0
E.Coli 0157	2	3	0	2	1	5
Shigella	3	2	2	7	4	1
Food Poisoning	0	5	3	2	2	7
Giardia	6	3	9	4	4	8
Cryposporidium	3	7	6	22	16	8
Cholera	0	1	0	0	0	0
TOTAL:	126	62	127	189	190	187

Note:

1. It is estimated that 190 cases will be reported in the forthcoming year.

APPENDIX 13

NUMBER OF LEARNERS ATTENDING FOOD SAFETY IN CATERING COURSES

Course	2005 / 06	2006 / 07	2007 / 08	2008/9	2009/10	2010/11
Level 2 Award	481	541	511	368	338	342
Level 3 Award	26	25	9	14	12	12
Level 4 Award	6	0	12	3	3	16

APPENDIX 14

PROSECUTIONS TAKEN

- 14.1 Maharajah –
- 14.2 Tandoori Nights –

On 16th December 2010 Gulam Choudhury, owner of Tandoori Nights on South Street, pleaded guilty at Exeter Crown Court after admitting failing to comply with a hygiene improvement notice. The notice required Mr Choudhury to implement and maintain a food hygiene management system. He was fined £2500, with full costs awarded to the Council of £4892.

HHJ Cotter commented that Exeter City Council 'had acted with a reasonableness and degree of latitude that was not always shown by other authorities', and that he

had been 'assisted considerably by the professional proceedings presented by the prosecution'.

Officer Lee Staples visited Tandoori Nights on 9th December 2009, where he found no evidence of any food safety management system being maintained. Following this visit a hygiene improvement notice was served on 11th December, requiring Mr Choudhury to implement a food safety management system by 11th February 2010. Following a further inspection on 12th February 2010, Mr Staples was unable to find any evidence of the notice being complied with and as a result of this legal proceeding were initiated.

Mr Choudhury had previously been given considerable assistance with this requirement through provision of a free management system (Safer Food Better Business), and coaching in how to use it.

14.3 Oriental Buffet –

On 25th October 2010, Zhong 'Aka Tony' Jiang, Manager of Oriental Buffet on Palace Gate pleaded guilty at Exeter Magistrates court after admitting two offences of breaching food hygiene regulations. He was fined £165 for each offence, and costs of £200 were awarded.

Following an extensive investigation by Environmental Health Officers, the case was reopened on 9th February 2011 after Officers found evidence that Mr Jiang had given the court a false impression of his finances. Mr Jiang told the Magistrates at his earlier hearing that he earned just £600 a month, but evidence outlined by the prosecution revealed that he owned several restaurants and other properties, and had a monthly income of over £8000. Magistrates ordered Mr Jiang to pay £1500 per offence, with full costs awarded to the Council.

Officers Lee Staples and Simon Ruddy visited Oriental Buffet on 29th March 2010, where they found that the premises were in a filthy condition, with significant accumulations of dirt, grease and food debris noted throughout the kitchen and food preparation rooms, as well as numerous dirty pieces of equipment. Mr Jiang had previously been warned on a number of occasions that the standard of cleaning required improvement, and had been given specific advice and coaching, but he failed to take account of this.

INTERVENTION / ACTIVITIES

15.1 LAUNCH OF THE FOOD HYGIENE RATING SCHEME IN EXETER

Lead Officers: Simon Ruddy and Lee Staples

What is the national food hygiene rating scheme?

- The scheme, which is for England, Wales and Northern Ireland, is a local authority/Food Standards Agency partnership initiative.
- It is designed to provide consumers with information about hygiene standards in food premises at the time they are inspected to check compliance with legal requirements – the rating given reflects the inspection findings.
- Its purpose is to allow consumers to make informed choices about the places where they eat out or from which they purchase food thereby encouraging businesses to improve their hygiene standards.
- The National Food Hygiene Rating Scheme works by converting the results of a food hygiene inspection, completed by the Environmental Health Officer, into a visual rating for consumers.
- Restaurants, takeaways, cafés, sandwich shops, pubs, hotels, supermarkets and other retail food outlets, as well as any other business where consumers can eat or buy food, will be given a hygiene rating as part of the scheme.
- There are six different hygiene ratings - the top one represents a very good level of compliance with legal requirements so that all businesses can achieve this - and ratings for all businesses included in the scheme will be published on a national website and businesses will be encouraged to display stickers and certificates showing their ratings at their premises.

A business can be given one of these hygiene ratings:



- Since the committee report in March 2008 which sought approval for the launch of the scheme, staff from the Commercial Section and Business Support Team under the co-ordination of an appointed lead Environmental Health Officer, have conducted scoping exercises to identify establishments which will be part of the scheme and those 'exempted' from it and undertaken file and database checks and database cleansing to ensure that ratings of food businesses have been recorded correctly. The Acting Principal Environmental Health Officer has also conducted consistency training with inspecting staff and has observed staff conducting inspections in line with food safety procedures.

What are the benefits to local consumers and businesses?

- For consumers, the scheme will help them make informed choices about where to eat or buy food and they will be able to easily compare one business with another within their own area and more widely.
- For businesses, the scheme will provide an incentive to improve standards and do better than their competitors – good food hygiene ratings will be good for business whilst poor food hygiene ratings may make their customers think twice – any improvements they need to make to get a higher rating are no more than is already required of them by law.
- Since the committee report in March 2008, officers have been discussing the launch of the scheme with businesses. These discussions regarding the launch of the scheme has brought about a 10% improvement in the number of businesses that are broadly compliant with food hygiene law, which now means that 95% of businesses are broadly compliant with food hygiene law.

Where can the scheme be viewed?

- Ratings for premises are displayed on the Food Standards Agency website at www.food.gov.uk/rating.

15.2 FOOD STANDARDS AGENCY SANDWICH SHOP INITIATIVE

Lead Officer: Joanne Hare

Introduction

The Sandwich Shop Initiative (SSI) was a unique policy experiment to: “attempt to influence food choices towards healthier options at independent sandwich shops without impacting on bottom line” developed by the Food Standards Agency (FSA)’s South West regional team.

The project used social marketing techniques to influence behaviour change in line with the Change4Life approach. An initial pilot was carried out in Bristol which showed that not only could a sandwich shop make healthier changes without impacting on bottom line but in so doing could boost profits too.

Most of the changes made relate to reducing the amount of saturated fat and salt in the sandwiches. Eating a diet that is high in saturated fat and salt can raise the cholesterol in your blood over time, which increases your chance of developing heart disease.

Fifteen local authorities, including Exeter City Council, accepted the invitation to participate in the initiative.

The Method

The lead officer for the project attended a social marketing training day where she was given some materials to guide the recruitment of sandwich shops and she received informal training from a nutritionist contracted for the SSI who accompanied her on shop visits.

After contacting a few of the city’s independent sandwich shops we identified two shops that were keen to be involved in the project. They were ‘Relish Sandwich Bar’ of 30 Southernhay East and ‘Coach’s’ of Paris Street.

For each intervention shop the lead officer and the nutritionist made an initial pre-visit to capture baseline data using a 'pre-questionnaire'. The nutritionist then introduced the FSA's guidance document, 'sandwich tips' and attempted to negotiate healthier changes that the shop would trial over the following month. A list of agreed actions was subsequently sent to each shop.

The second shop (Coach's) was asked to be a control shop during the month of the intervention at the first shop (Relish). They were asked to keep an eye on sales to make sure that economic trends could be separated out from any impact of the SSI.

The Intervention periods were June to July 2010 at Relish and July to August 2010 at Coach's. At the end of the intervention period the officer and the nutritionist again visited the intervention businesses and administered a 'post-questionnaire' to capture any healthier changes implemented as a result of the intervention.

Findings

Both shops were very enthusiastic about the project and they successfully implemented healthier changes to their sandwiches. These included things such as:

- Switching to a spread lower in saturated fat
- Switching to a mayonnaise lower in saturated fat
- Reducing the portion sizes of fillings
- Offering healthy meal deals at a reduced price

In addition both shops reported a financial gain during the intervention period and predicted a future saving.

The proprietor from Relish told us she has found the changes easy to manage, not only has she increased her profits and reduced her food waste but she now has a better knowledge of nutrition.

15.3 FOOD SAFETY SEMINAR SERIES FOR BUTCHERS

Lead Officer: Lee Staples

Background

In September 2005 an outbreak of E.Coli O157 occurred in South Wales. A total of 157 cases were identified, the majority of which were children. Thirty one people were hospitalised and tragically five year old Mason Jones died.

As a result of the outbreak, the renowned Microbiologist Professor Hugh Pennington was asked to head up a public inquiry, the results of which were published in March 2009. Microbiological testing conclusively linked the outbreak to contaminated cooked meat served in school dinners in the area. The cooked meat was purchased from a well respected local Butcher John Tudor & Sons. Environmental Health Officers investigating the outbreak found evidence of very poor levels of cleanliness at the premises, and evidence of serious and reported breaches of Food Safety Regulations. The owner of John Tudor & Sons pleaded guilty to seven food hygiene offences, and he was sentenced to 12 months imprisonment as well as being banned from managing a food business again.

The inquiry report included a number of far reaching recommendations, including:

- All food businesses must ensure that their systems and procedures are capable of preventing the contamination or cross-contamination of food with *E.coli* O157.

- Additional resources should be made available to ensure that all food businesses understand and use the HACCP approach and have in place an effective, documented, food safety management system which is embedded in working culture and practice.
- Effective separation of raw and cooked meat must be ensured at all stages of production and service (separate equipment should be provided for raw and cooked foods wherever possible).

Previous work conducted

Following publication of the inquiry report, local authorities across England took part in a national survey of butcher's shops, taking samples of cooked products, and swabs of equipment which were sent for microbiological testing. In Exeter, this study uncovered evidence of poor practice, and highlighted a lack of understanding amongst butcher's on how best to prevent cross contamination. Similar problems were identified across the rest of Devon, and as a result of this Exeter City Council joined up with Mid Devon District Council and Torridge District Council to put on a food safety seminar for butcher's in each of the areas.

The Seminar

The seminars were held throughout May and June on weekday evenings. Each event was attended by between 15 and 20 butchers and consisted of the following:

- A presentation on the 2005 E.Coli 0157 outbreak, including a video featuring an interview with Sharon Jones (Mason's mum), and details of the inquiry report;
- A practical demonstration on the correct technique for hand washing (including the use of a UV light box to show areas missed during hand washing);
- Refresher training on hazard analysis (HACCP), including a group discussion on the hazards relevant to cooking a ham joint;
- A presentation on the use of Vacuum packing, including details of the benefits, as well as the potential hazards.

The events were deliberately held in less formal venues (the Exeter event was held at The Imperial Inn, who kindly let us hire the room for free) to make the delegates feel relaxed, and were put on in the evening so that more butchers would be able to attend.

Outcomes

Feedback for all of the events was very positive with all delegates reporting that they felt their knowledge on food safety had increased. Delegates also appreciated that the event was put on in the evening, meaning that they did not have to shut their shops to attend. The seminar series was also an excellent example of inter-authority working, and the materials used during the seminars has now been circulated to the rest of the Devon authorities for use in their own seminars.

15.4 PENNINGTON STUDY FOLLOW UP OF BUTCHERS

Lead Officers: Martin Westcott and Katy Sexton

Background

In 2009 Professor Hugh Pennington published his findings from the Public Inquiry into the 2005 *E.coli* 0157 outbreak in South Wales. It highlighted the need to carry out investigations into *E.coli* 0157 and other food-borne pathogens within food businesses, specifically Butchers shops. It identified the issue of cross-contamination within businesses that deal with both raw and cooked foods.

This study will focus on the microbiological quality of food and also via the use of swabbing show whether the behaviours and practices of food handlers are adequate or not. This intervention follows on from a previous project in Exeter carried out in 2009, which highlighted some short-falls in management systems and cleaning procedures (reflected by the poor sample results). In response to these findings a training day/ workshop took place to teach the butchers how to manage the risks within their day to day processes.

Aim of study

This study aims were to gather information about the standards of cleanliness in all eight of the butchers' premises within Exeter, all of which handle both raw meat and Ready-to-Eat (RTE) foods. In addition to the environmental swabs taken, cooked meat samples will be taken and analysed.

Swabs of various surfaces that come into contact with RTE foods will be analysed for Enterobacteriaceae, Campylobacter, E.Coli 0157 Staphylococcus aureus & aerobic colony count (ACC). Foods will be examined for a range of pathogenic bacteria in addition to the aerobic colony count.

Whilst carrying out the sampling visit the officers will undertake examination of the food safety management systems for each process carried out on the premises including ensuring that the supporting documentation such as the temperature, cooking and cleaning records are satisfactory and being kept up to date. Officers also provided advice to the relevant proprietors both at the time of the visit and following any unsatisfactory results to prevent a re-occurrence.

Method

For each visit the same or similar protocol was followed to ensure consistency. As far as possible swabs were obtained from the same equipment and the same cooked meats in each premises so to ensure that the results were comparable. Vacuum packing machines and meat slicers were the main areas that were swabbed, however on two occasions chopping boards were swabbed.

Care was taken to ensure that all swabs and food samples were taken aseptically. Disposable gloves were worn and replaced prior to sampling or swabbing. For all samples gathered a data logger was used in the cool box to ensure that the transportation of the samples were monitored at all times and did not exceed 8°C.

On arrival at each premises it was explained to the proprietor what the aims of the intervention were and what we do during the visit.

- We then ascertained what surfaces/equipment were used for both cooked and/or ready-to-eat foods. Prior to swabbing we ensured that all the vacuum packing machines were cleaned as they would be normally clean them prior to being used for to vacuum pack cooked meats or ready to eat foods. All meat slicers were used for cooked meats only and had either just been cleaned or were in use.
- The 'SpongeSicle' method of swabbing (square swabs on plastic handles) was used along with a template to ensure that exactly the same area was swabbed at all times.
- We identified which cooked meats (up to three types) they had available; they were then asked to weigh out a minimum of 100g which were placed in a labelled bag for sampling. The following information was gained, the use by date, when the joint of meat was cooked, where it was stored and checked it was processed on the premises.

- Once all samples/swabs were taken and labelled these were put in the cool box and transported immediately to the pick –up point at Exeter (R,D& E) Hospital prior to being sent by courier to the Health Protection Agency Laboratory in Bristol.
- The Food Safety Management System (e.g. HACCP) and supporting documentation were thoroughly examined at each of the premises. The proprietors were present at the time of the visit so we were able to query any issues. The informal conversation with them enabled us to gain a good understanding of the procedures that they undertake, for example what the equipment is used for, how it is cleaned, what disinfectants/sanitiser they use etc. Any contraventions were discussed at the time of visit and these were noted on the 'report of inspection form' which was left at the premises.

Study Outcomes

It is clear that there has been an improvement from the previous results gained in 2009. Although there are some unsatisfactory results the majority are related to the Aerobic Colony Count which represent the quality of the product rather than the safety and no serious pathogens were discovered in either the swabs taken or foods sampled, apart from borderline levels of *Listeria Monocytogenes* found in cooked ham from one premises (which had been bought in ready-cooked). Although no immediate action is required in relation to the unsatisfactory ACC results there is still some improvement that could be made in relation to personnel and equipment hygiene to reduce levels to the recommended figures. All proprietors have been notified of the results and have been contacted to discuss and explain the findings. Re-visits to two premises have been conducted, with further food and environmental samples taken and appropriate action taken as necessary.

15.5 - FOOD & SAFETY AWARENESS EVENING FOR CHILDMINDERS

Lead Officers: Lee Staples, Katy Sexton and Simon Lane

Background

On the 8th September 2010 Environmental Health Officers held a Food & Safety Awareness Seminar for Childminders in the city.

A shift in policy at the Food Standards Agency several years ago meant that childminders were required to register as food business with their local authority (on the basis that they serve food to the children in their care), and as such receive an inspection by an Environmental Health Officer.

Inspections of Childminders kitchens have usually identified excellent standards of hygiene, and childminders are generally categorized by Environmental Health Officers as presenting a very low risk (the inspection frequency of food businesses is determined by the risk rating awarded by the officer). However, such inspections are relatively time consuming, and often require prior appointment. It was therefore considered that a more worthwhile and cost effective means of engaging with Childminders may be to offer them the chance to attend a food & safety awareness seminar rather than receive an inspection.

Aim

The aim of the evening was to give the childminders information on a range of food safety topics, as well as information on infection control, and advice on nutritional standards. The nutritional advice focused on a study by Trading Standards into the nutritional standards in nursery school meals, and was presented by Ros Cummings from Devon County Council. Delegates were then given a presentation on food safety which focused on the "4 C's" of cross contamination, chilling, cooking, and cleaning. The presentation included a video on

food safety, and a practical demonstration of the correct technique for hand washing using a UV light box. The evening concluded with a presentation on how the 'Safer Food Better Business Pack for Childminders' could be used to improve food safety, and demonstrate compliance with food hygiene legislation. Each delegate was provided with a free 'Safer Food Better Business' pack (produced by the Food Standards Agency), and a delegate pack containing information on all of the evenings presentations.

Outcome

In total, 15 Childminders attended the event, and the feedback received was exceptionally positive. Many of the delegates expressed the view that they much preferred attending a training event to having an inspection. The officers involved also enjoyed being able to pass on more information than if they had conducted a routine inspection, and it was seen as a good opportunity to work with our colleagues in Trading Standards.

COMMERCIAL SECTION AND BUSINESS SUPPORT TEAM INTERVENTION / WORK PLAN 2011 / 12

Month	Project	Description	Strategic Objectives	Lead Officer
Quarter 1				
District Officer Inspection Programme – A, B1 and B2 HSW as well as compliant B and C Category Food premises (total 40 interventions per officer). All non compliant Food premises to receive a joint visit with PEHO to determine next course of action (5 non compliant premises per officer).				
Contractor – 66 inspections comprising of broadly compliant C, D and E food premises. Jane Carr – 36 inspections and 3 non compliant premises.				
Q1	Training Courses:	<p>The following dates have been scheduled for each course: -</p> <ul style="list-style-type: none"> • Level 2 Award in Food Safety in Catering <ul style="list-style-type: none"> ❖ Thursday 7 April ❖ Monday 18 April – Sandy Park ❖ Tuesday 26 April ❖ Thursday 12 May ❖ Tuesday 31 May ❖ Thursday 16 June ❖ Thursday 30 June • Level 3 Award in Food Safety in Catering <ul style="list-style-type: none"> ❖ Day 1 – Friday 18 March ❖ Day 2 – Friday 25 March ❖ Day 3 – Friday 1 April ❖ Exam – Friday 8 April 	<ul style="list-style-type: none"> • Healthy and Active City • Excellence in Public Services • A Prosperous City 	BST
Q1	Auditing of Staff	Principal Environmental Health Officer to conduct audits of staff during routine food inspections	<ul style="list-style-type: none"> • Excellence in Public Services 	SR
April 2011	Launch of the Food Hygiene Rating Scheme	<ul style="list-style-type: none"> • 1 April will see the launch of the scheme in Exeter. • Look to publicise the scheme and work with the local media to raise awareness amongst consumers. Refer to Food Hygiene Rating Scheme Action Plan. 	<ul style="list-style-type: none"> • Healthy and Active City • Cultural and Fun Place to Be • Excellence in Public Services • An Electronic City • A Prosperous City 	All

Month	Project	Description	Strategic Objectives	Lead Officer
April 2011	Exeter Festival of Food and Drink	<ul style="list-style-type: none"> The festival runs from Friday 29 April to Sunday 1 May 2011 at Northernhay Park. An appointed officer to be involved in the planning of this event from a Food Safety and Health and Safety viewpoint. Food Safety control information to be handed out prior to the event. Inspection / visits to be conducted on the first day of the festival. 	<ul style="list-style-type: none"> Healthy and Active City Cultural and Fun Place to Be A Prosperous City 	PB to take main lead on Health and Safety as the venue is a council park.
May 2011	Cantonese Level 2 Award in Food Safety in Catering	To run a Level 2 Award in Food Safety in Catering delivered in Cantonese. Target: To run a course with a minimum of 15 delegates	<ul style="list-style-type: none"> Healthy and Active City Excellence in Public Services A Prosperous City 	BST
May 2011	Sampling Programme	<ul style="list-style-type: none"> LGR Study 43 - Lightly cooked food such as sous vide foods cooked by water bath, rare duck meat (pink duck), parfait and pâté made with flash fried liver premises to be sampled – 3 to 4 samples from each establishment 	<ul style="list-style-type: none"> Healthy and Active City A Prosperous City 	MPW
May 2011	Sampling Programme	Restaurants – to be determined by District Officers	<ul style="list-style-type: none"> Healthy and Active City A Prosperous City 	JC/LS
June 2011	Food Safety Week 2011	<ul style="list-style-type: none"> Food Safety Week 2011- What Goes On Behind Closed Doors? Food Safety Week will be held from 6-12 June 2011. As a theme, we will be looking at what goes on behind closed doors to see what people really do in their own home when preparing and cooking food and debunk some of those common food hygiene myths like: why you really shouldn't wash poultry and why you shouldn't eat food past its use by date. We will be encouraging people to talk about their own food hygiene habits and practices. To assist with this the Food Standard's Agency will be developing a cost effective package of support resources to aid with planning and delivery. The week will also be used to publicise the Food Hygiene Rating Scheme. 	<ul style="list-style-type: none"> Healthy and Active City Excellence in Public Services A Prosperous City An Electronic City 	KT / BST with input from all officers
June 2011	Training Course Promotion	Working to improve the advertising of our training courses to increase the number and diversity of delegates on all our courses and to identify training needs.	<ul style="list-style-type: none"> Excellence in Public Services Healthy and Active City 	BST

Month	Project	Description	Strategic Objectives	Lead Officer
			<ul style="list-style-type: none"> • A Prosperous City 	
June 2011	Food Service Plan	Seek Scrutiny Community approval for the 2011/12 Food Service Plan and performance figures. Target: Scrutiny Committee 7 June 2011	<ul style="list-style-type: none"> • Healthy and Active City • Excellence in Public Services • A Prosperous City • A Safe City 	SL / SR
June 2011	Restructure	Restructure of Commercial, Licensing and Business Support Team. Target: Scrutiny Committee 7 June 2011 Executive Committee June 2011	<ul style="list-style-type: none"> • Excellence in Public Services 	SL
June 2011	Sampling Programme	Takeaways – to be determined by District Officers	<ul style="list-style-type: none"> • Healthy and Active City • A Prosperous City 	LS/ JC
June 2011	Sandwich and Fish and Chip shop awareness		<ul style="list-style-type: none"> • Healthy and Active City • A Prosperous City 	KS / BST
Quarter 2				
District Officer Inspection Programme – A, B1 and B2 HSW as well as compliant B and C Category Food premises (total 40 inspection per officer). All non compliant Food premises to receive a follow up visit following intervention in Q1.				
Contractor – 66 inspections comprising of broadly compliant C, D and E food premises. Jane Carr – 36 inspections.				
Q2	Training Courses	<p>The following dates have been scheduled for each course: -</p> <ul style="list-style-type: none"> • Level 2 Award in Food Safety in Catering <ul style="list-style-type: none"> ❖ Thursday 14 July ❖ Wednesday 27 July ❖ Tuesday 9 August ❖ Wednesday 31 August ❖ Tuesday 13 September ❖ Thursday 29 September • Level 3 Award in Food Safety in Catering <ul style="list-style-type: none"> ❖ Day 1 – Friday 9 September ❖ Day 2 – Friday 16 September ❖ Day 3 – Friday 23 September 	<ul style="list-style-type: none"> • Healthy and Active City • Excellence in Public Services • A Prosperous City 	BST

Month	Project	Description	Strategic Objectives	Lead Officer
		❖ Exam – Friday 30 September		
July 2011	Sampling Programme	LGR Study 44 – Reactive Response Study	<ul style="list-style-type: none"> • Healthy and Active City • A Prosperous City 	MPW / RS
September 2011	Childminders	To arrange a Safety and Health Awareness Day with childminders and pre-schools to educate on the basic principles of food safety and infectious diseases. Target: All registered premises that have not had an intervention during 2010/11 to be invited to attend. Those premises that do not attend and require an inspection will need to be inspected.	<ul style="list-style-type: none"> • Healthy and Active City • Excellence in Public Services • A Prosperous City 	
September 2011	Swimming / Spa pools	<ul style="list-style-type: none"> • Sampling programme looking at water quality management. • Following Sampling results, organise a Safety and Health Awareness Day for swimming pool operators looking at key elements. • By September all 17 premises to be initially sampled by Richard Shears. 	<ul style="list-style-type: none"> • Healthy and Active City • A Prosperous City 	RS
September 2011	Sampling Programme	Restaurants – to be determined by District Officers	<ul style="list-style-type: none"> • Healthy and Active City • A Prosperous City 	
September 2011	Environmental Health Website Review	A yearly review of the Environmental Health website pages concentrating on areas for expansion.	<ul style="list-style-type: none"> • Healthy and Active City • Excellence in Public Services • A Prosperous City • A Safe City • An Electronic City 	BST

Quarter 3				
District Officer Inspection Programme – A, B1 and B2 HSW as well as compliant B and C Category Food premises (total 40 inspections per officer). All non compliant Food premises to receive a follow up or compliance visit.				
Contractor – 66 inspections comprising of broadly compliant C, D and E food premises.				
Jane Carr – 36 inspections.				
Q3	Training Courses:	<p>The following dates have been scheduled for each course: -</p> <ul style="list-style-type: none"> • Level 2 Award in Food Safety in Catering <ul style="list-style-type: none"> ❖ Tuesday 11 October ❖ Wednesday 26 October ❖ Wednesday 9 November ❖ Thursday 24 November ❖ Tuesday 13 December • Level 4 Award in Food Safety in Catering <ul style="list-style-type: none"> ❖ Day 1 - Friday 14 October ❖ Day 2 – Friday 21 October ❖ Day 3 – Friday 28 October ❖ Day 4 – Friday 4 November ❖ Day 5 – Friday 11 November ❖ Day 6 – Friday 18 November ❖ Exam – Friday 2 December 	<ul style="list-style-type: none"> • Healthy and Active City • Excellence in Public Services • A Prosperous City 	SL / BST
Q3	Auditing of Staff	Principal Environmental Health Officer to conduct audits of staff during routine food and health and safety inspections	<ul style="list-style-type: none"> • Excellence in Public Services 	SR
Q3	Student Awareness Campaign	<ul style="list-style-type: none"> • 75% of our food poisoning notifications are campylobacter. Of these, a high percentage of notifications are where students at the university have contracted campylobacter. • Staff will work with the University, University Medical Centre and Guild of students in a number of ways to raise better hygiene awareness and also raise awareness of the food hygiene rating scheme. 	<ul style="list-style-type: none"> • Healthy and Active City • A Prosperous City 	All
October 2011	Sampling Programme	<p>LGR Study 45: Pennington Response Study 3. All premises using slicing and vacuum packing machines</p>	<ul style="list-style-type: none"> • Healthy and Active City • A Prosperous City 	MPW

October 2011	Cantonese Level 3 Award in Food Safety in Catering	To run a Level 3 Award in Food Safety in Catering delivered in Cantonese. Target: To run a course with a minimum of 7 delegates	<ul style="list-style-type: none"> • Healthy and Active City • Excellence in Public Services • A Prosperous City 	BST
October 2011	Chef Competition	<ul style="list-style-type: none"> • To promote and run a successful chef competition for Chinese chefs. • Following the launch of the Food Hygiene Rating Scheme, a large percentage of the non compliant businesses are Chinese Restaurants. It is hope that a chef competition will improve compliance as was the case when a similar scheme was run for Indian Restaurants and Takeaways. • Outcome Target: To improve 40% of Food Hygiene Ratings with businesses. 	<ul style="list-style-type: none"> • Healthy and Active City • Excellence in Public Services • A Prosperous City 	BST / LS
November 2011	Bengali Level 2 Award in Food Safety in Catering	To run a Level 2 Award in Food Safety in Catering delivered in Bengali. Target: To run a course with a minimum of 15 delegates	<ul style="list-style-type: none"> • Healthy and Active City • Excellence in Public Services • A Prosperous City 	BST
November / December 2011	Sampling Programme	Christmas Market sampling – to be determined by District Officers	<ul style="list-style-type: none"> • Healthy and Active City • A Prosperous City 	
December 2011	Christmas Markets / Christmas Catering Safety Awareness	<ul style="list-style-type: none"> • Inspection of Christmas markets around the city. • Also look at food safety messages that around festive cooking. 	<ul style="list-style-type: none"> • Healthy and Active City • A Prosperous City 	

Quarter 4

District Officer Inspection Programme – A, B1 and B2 HSW as well as compliant B and C Category Food premises (total XX inspection per officer). All non compliant Food premises to receive a follow up or compliance visit.

Jane Carr – 36 inspections.

Month	Project	Description	Strategic Objectives	Lead Officer
Q4	Training Courses:	<p>The following dates have been scheduled for each course: -</p> <ul style="list-style-type: none"> • Level 2 Award in Food Safety in Catering <ul style="list-style-type: none"> ❖ Wednesday 18 January ❖ Thursday 9 February ❖ Tuesday 21 February ❖ Thursday 1 March ❖ Monday 26 March • Level 3 Award in Food Safety in Catering <ul style="list-style-type: none"> ❖ Day 1 – Thursday 15 March ❖ Day 2 – Thursday 22 March ❖ Day 3 – Thursday 29 March ❖ Exam – Thursday 5 April • Level 2 Award in Health and Safety <ul style="list-style-type: none"> ❖ Wednesday 15 February • Level 2 Award in Principles of Manual Handling <ul style="list-style-type: none"> ❖ Tuesday 28 February 	<ul style="list-style-type: none"> • Healthy and Active City • Excellence in Public Services • A Prosperous City 	BST
January 2012	Food for Thought Newsletter	<p>Publication of the annual service newsletter highlighting food and health and safety issues in the catering industry.</p> <p>Target: To circulate to all 1000 food establishments</p> <ul style="list-style-type: none"> • Need to consider cost benefit analysis regarding distribution. • Would a bi-annual smaller publication be better than an annual one? • Could this be electronic? 	<ul style="list-style-type: none"> • Healthy and Active City • A Prosperous City • A Safe City • An Electronic City 	SR/All
January 2012	Sampling Programme	LGR Study 46 – Reactive Response Study	<ul style="list-style-type: none"> • Healthy and Active City • A Prosperous City 	

APPENDIX 16

February 2012	Cantonese Level 2 Award in Food Safety in Catering	To run a Level 2 Award in Food Safety in Catering delivered in Cantonese. Target: To run a course with a minimum of 15 delegates	<ul style="list-style-type: none"> • Healthy and Active City • Excellence in Public Services • A Prosperous City 	BST
February 2012	Sampling Programme	Takeaways – To be Determined by District Officers	<ul style="list-style-type: none"> • Healthy and Active City • A Prosperous City 	
March 2012	Sampling Programme	Restaurants – To be Determined by District Officers	<ul style="list-style-type: none"> • Healthy and Active City • A Prosperous City 	
March 2011	Review of the Food Safety Policies and Procedures	To complete the review exercise to ensure the authority's full compliance with legal requirements. Target: To be completed by 31 March 2012	<ul style="list-style-type: none"> • Healthy and Active City • A Prosperous City 	SR / SL
March 2012	Business Improvement District	Engage with the developing Business Improvement District in examining improved partnership working and service delivery.	<ul style="list-style-type: none"> • Healthy and Active City • A Prosperous City 	All