

EXETER CITY COUNCIL

SCRUTINY COMMITTEE – COMMUNITY 3 JUNE 2008

**EXECUTIVE
17 JUNE 2008**

FOOD LAW ENFORCEMENT PLAN 2008/9

1. PURPOSE OF REPORT

- 1.1 To inform Members of the Council's performance against the previous years Food Law Enforcement Plan.
- 1.2 To seek approval for the adoption of the Food Law Enforcement Plan 2008/9, which sets out the Council's regulatory function in respect of food safety over the forthcoming year. A draft copy of this is available in the Members' Room, on the Council's website or available on request.

2. BACKGROUND

- 2.1 The Food Standards Agency Framework Agreement requires the Council to produce a Food Law Enforcement Plan (referred to as the Enforcement Plan), which has the key aim of demonstrating how the Council will fulfil its regulatory obligations in respect of its food safety service.
- 2.2 The Enforcement Plan incorporates:
 - the service aims and objectives;
 - information about the food safety enforcement and related services provided by the Council;
 - details of the service's performance management systems;
 - comprehensive information to compare the current and past performance of the food safety service;
 - the Food Service Delivery Plan 2008/9 detailing the actions and improvements for the service over the forthcoming year; and
 - the annual food sampling programme which outlines the actions to fulfil the aims of the Council's Food Sampling Policy which is also posted on the Council's website and subject to periodic review.

3. KEY OUTCOMES OF THE FOOD SAFETY SERVICE 2007/8

3.1 Programmed Inspections

The service inspected 455 out of a targeted of 461 food businesses, and used Self Inspection Questionnaires (SIQ's) as an alternative enforcement strategy for 20 low risk businesses and to ensure resources are directed towards high-risk activities. SIQ's have proved to be a cost effective means of maintaining contact with this group as well as providing the business with a useful means of keeping up to date with changes in law and other related issues affecting their business.

3.2 Service Requests

The food safety team dealt with 324 service requests during the year, representing 51% of the 635 service requests handled by the Commercial Section, which also includes health and safety regulation, infectious disease control, and provision of health promotion and training activities for businesses.

3.3 Food Sampling

The authority participates in national and local food-sampling initiatives to monitor the quality of food on sale in the City. Additional samples are taken in response to food complaints and where it is alleged a premises or foodstuff is implicated in a food poisoning incident. Our annual target is 250 samples. During the last year, 255 food samples were analysed, and investigations followed in respect of 43 unsatisfactory and 2 unacceptable results. In one case, a national alert followed, when a sample of dried seaweed was found to be contaminated with Salmonella.

3.4 Control and Investigation of Outbreaks and Food Related Infectious Diseases

A total of 126 cases of food related infectious diseases were officially notified to the service. On investigation, no cases were found to be linked to food establishments in the city or elsewhere.

3.5 Enforcement Action

A total of 93 formal written warnings and 293 informal written warnings were issued to secure satisfactory standards in food businesses in the city. These figures are comparable to the number of warnings issued in recent years.

One business was served a Hygiene Emergency Prohibition Notice which temporarily closed the business until the proprietor had removed the health risk whilst another business was successfully prosecuted following a history of non-compliance, and was fined £3,700, with £1,097 costs.

3.6 Food Safety Training

A key component of the Government's drive on better regulation is assisting business compliance through advice, information and training. In total, 525 staff from local food businesses gained a nationally recognised food safety qualification last year, through courses organised by the Council.

4. BETTER REGULATION

4.1 Regulatory Services have been the subject of considerable review in recent years. The conclusions of influential reports are now being interpreted and applied to regulatory services by their respective governing bodies overseen by the newly appointed Local Better Regulation Office (LBRO). An outline of the key issues affecting local authority regulatory enforcement in the context of better regulation was reported to this committee in September 2007.

4.2 In respect of food safety, the Food Standards Agency will reflect these changes through amendments to the Food Law (Code of Practice) England and Food Law (Practice Guidance) England which is expected at the end of April 2008.

- 4.3 The Enforcement Plan embraces the principles of better regulation and will continue to safeguard the health of the local population and contribute to the economic vitality of the city by targeting resources effectively and innovatively to assist food businesses in compliance.

5. PROPOSED KEY ACTIVITIES FOR 2008/9

- 5.1 In addition to the traditional intervention methods the following key activities will shape the food service for the forthcoming year:

Intervention Strategy

The strategy to improve compliance with food law and maintain a high level of compliance will be further developed following release of the Food Law (Code of Practice) England, and include:

- programmed inspections of 551 food premises, based upon risk;
- targeting non-compliant business with effective use of appropriate enforcement tools;
- trialling the web based facility “Scores on the Doors”, which allows consumers to access information on the standards of hygiene in any food business in the City, with the hygiene rated as a visual score such as a series of star;
- setting up forums/focus groups to target specific businesses to enable an exchange of information and gain an understanding of the obstacles some businesses face in complying with food law;
- running management of food safety workshops as a recognised intervention tool to support compliance in non-compliant, and smaller businesses.

Partnership working

As part of a Devon-wide pilot to work with Devon Primary Care Trust to help develop a Healthy Workplace Toolkit. The proposed trial would potentially work with one medium/large employer in the city as a means of accessing a large number of “at risk” consumers to address issues around obesity and diet. The pilot will be evaluated to measure the positive health outcomes, and potential for extending to other businesses.

Sustainability

To gather information on the extent of sustainable food use in the City during a sample of programmed inspections. The evidence gathered may be used to establish appropriate interventions to promote sustainability in the future, (e.g. to add this as a component of any Scores on the Doors scheme).

6. RESOURCE IMPLICATIONS

- 6.1 The Food Law Enforcement Plan will be carried out within existing resource allocations for 2008/9.

6. RECOMMENDED

That Scrutiny Committee - Community supports and Executive approves:

- 1) the Food Law Enforcement Plan 2008/9;

- 2) the Head of Environmental Health to authorise changes to the Enforcement Plan in the light of centrally issued guidance and /or to meet operational needs.

HEAD OF ENVIRONMENTAL HEALTH SERVICES

S:LP/Committee/608SCC4 v2
20.5.08

COMMUNITY AND ENVIRONMENT DIRECTORATE

Local Government (Access to Information) Act 1985 (as amended) Background papers used in compiling this report:-

- 1) Service Plan for Food Law Enforcement 2007/8