

<b>Subject:</b>	<b>Official Feed and Food Controls Service Plan 2017/18</b>		
<b>Date of Meeting:</b>	<b>14<sup>th</sup> March 2017</b>		
<b>Report of:</b>	<b>Executive Director Neighbourhoods Communities &amp; Housing</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Nick Wilmot</b>	<b>Tel: 29-2157</b>
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<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE****1. PURPOSE OF REPORT AND POLICY CONTEXT:**

- 1.1 To agree the Official Feed and Food Controls Service Plan previously known as Food Law Enforcement Service Plan required by the Food Standards Agency.

**2. RECOMMENDATIONS:**

- 2.1 That the committee agrees the Official Feed and Food Controls Service Plan 2017/2018 set out in the appendix to the report.

**3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 The Food Standards Agency's Framework Agreement on Local Authority Food Law Enforcement requires the production and publication of a service plan. Every local authority is required to develop an annual food enforcement service plan, which provides the basis on which local authorities are monitored and audited by the Food Standards Agency.
- 3.2 To ensure local transparency and accountability, it is a requirement that the Official Feed and Food Controls Service Plan is submitted to the relevant member forum for approval.
- 3.3 The attached plan (Appendix A) is an integral part of the organisation of Regulatory Services within Public Health.
- 3.4 In accordance with the Standard outlined in the Framework Agreement the food service is a mix of enforcement, intelligence based work, investigation and education. Key performance targets are completion of 98% of programmed food safety interventions and 90% of service requests responded to within 5 days.
- 3.5 In addition, areas of current good practice, and opportunities for further improvement, have been identified, both in Food Safety and Food Standards, in section 6.3 of the Service Plan. The targeting of resources to these areas of

work aims to provide a balanced mix of services, which is most likely to benefit the business sector, consumers and other stakeholders. The service will continue to focus enforcement action on the poorer performing businesses.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 The plan and activities detailed within it are legally required to comply with the Food Law Code of Practice.

#### **5. COMMUNITY ENGAGEMENT AND CONSULTATION**

- 5.1 The planning process is governed by the national Food Safety Framework Agreement and so follows the same format each year. In past years draft plans have been circulated to the Brighton & Hove Food Partnership, the Brighton & Hove Citizens panel and Regulatory Services Peer Review.

#### **6. CONCLUSION**

- 6.1 That the committee agrees the Official Feed and Food Controls Service Plan 2017/2018 set out in the appendix to this report.

#### **7. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

- 7.1 The costs associated with implementing and enforcing the proposed Official Feed and Food Control Service Plan 2017/18 will be met from the Food Safety revenue budget within Regulatory Services. The proposed 2017/18 budget for the Food Safety service is £526,350, as agreed by Budget Council on 23<sup>rd</sup> February 2017.

*Finance Officer Consulted: Monica Brooks*

##### Legal Implications:

- 7.2 The Food Standards Agency places a requirement on local authorities to develop and submit a service plan. Local authorities are audited and assessed by the Food Standards Agency on the basis of their food law enforcement service as provided for in their Service Plans. The Food Safety Act 1990 (Code of Practice) places a requirement on local authorities to operate an inspection rating scheme, which determines frequency of intervention of food premises. The Official Feed and Food Controls Service Plan 2017/18 identifies the planned number of interventions for that period.

*Lawyer consulted: Elizabeth Culbert*

*Date 27/01/17*

##### Equalities Implications:

- 7.3 An Equalities Impact Assessment has been undertaken. See 2.4.5 of appendix 1 for profile of the ethnicity of food business proprietors where notified during

the year 2015/2016. The service is mindful of the greater assistance food business operators require where their first language is not English. Written information, translation and interpreting services are employed where necessary to assist businesses to comply with regulatory requirements.

Any Other Significant Implications:

Public Health Implications:

- 7.4 The Food and Feed Service Plan is seen as key to protecting public health in the City. It is in line with the stated outcome to 'reduce health inequalities and long standing public health issues' as part of the priority of tackling inequalities which states that 'we will continue with high profile enforcement of food and health and safety rules, maintaining our excellent record of environmental health improvements.'

**SUPPORTING DOCUMENTATION**

**Appendices:**

1. Draft Official Feed and Food Controls Service Plan 2017/2018

**Documents in Members' Rooms**

1. None

**Background Documents**

1. None

**Brighton & Hove City Council Official Feed and Food Controls Service Plan**  
**2017/2018**

**1. Service Aims and Objectives**

**1.1 Aims and Objectives**

- 1.1.1 The food service function of Brighton & Hove City Council is enforced by Environmental Health and Trading Standards staff within Regulatory Services. Following the retirement of the Head of Regulatory Services in 2015 temporary acting-up management arrangements were in place through 2016/17. The lead officers for Food Safety and Food Standards were part of these joint acting up arrangements. Permanent arrangements for overall management responsibilities will be confirmed during 2017/18.
- 1.1.2 Regulatory Services comes within the new Directorate of Neighbourhoods, Community & Housing.
- 1.1.3 Environmental Health & Licensing staff are primarily concerned with protecting and improving public health across the city. Within this service food safety officers work to ensure that food prepared and sold from local establishments is safe. This is achieved by carrying out a programme of interventions at food businesses, sampling and responding to service requests. Wherever practicable links are formed with the business community and all relevant professional groups with the objective of increasing and promoting food safety awareness.
- 1.1.4 The overall objective of the service is to provide a comprehensive food safety service to benefit consumers and the business community, with a considered balance between enforcement, investigation, advice and education.
- 1.1.5 Trading Standards officers aim to provide a comprehensive range of enforcement and advisory services to the community within a statutory framework. It's goal is to contribute, in conjunction with other agencies, to the development of a safe, fair and equitable trading environment for all consumers and businesses, by means of advice, information, education and enforcement.

The core aims being to ensure: -

- Accurate food information for consumers.
  - That compositional standard of food is maintained.
  - That food and feed are free from unsafe contaminants

The objectives being: -

- To carry out risk-based and intelligence led activities;
- To undertake screen testing and food sampling to reflect identified areas of concern;

- To respond appropriately to food complaints and initiate proportionate action;
- Respond to trader requests in a timely manner; and
- To educate the public on compositional and labelling issues to improve eating habits.

## 1.2 Links to Corporate Objectives and Plans

1.2.1 Brighton & Hove City Council's Corporate Plan for 2015-19 is to provide strong civic leadership for the wellbeing and aspiration of Brighton and Hove. The Council will be successful if it is judged to have delivered:

- **A good life** – ensuring a city for all ages, inclusive of everyone and protecting the most vulnerable
- **A well run city** – keeping the city safe, clean, moving and connected
- **A vibrant economy** – promoting a world class economy with a local workforce to match
- **A modern council** – providing open civic leadership and effective public services

1.2.2 The Official Feed and Food Control Service Plan has strong links with all of these aims.

1.2.3 The service has a published Enforcement Policy. This policy is a cornerstone for fair and open enforcement.

1.2.4 The service continually monitors business opinion through satisfaction surveys. The findings help to ensure that the service meets the requirements of local businesses, residents and visitors and provides a service the city deserves.

## 2. Background

### 2.1 Profile of the Local Authority

2.1.1 Brighton & Hove is a unitary authority on the south coast of England. It is approximately 50 miles from London. Bounded by the English Channel to the south and the South Downs to the north, it covers an eight-mile stretch of seafront and extends inland for approximately five miles.

2.1.2 Demographic information is available from online Brighton & Hove Connected <http://www.bhconnected.org.uk/>. The total estimated resident population in 2015 being 278,120.

#### **Resident Population by Ethnic Group 2011 Census**

White British, Irish, mixed and other	243,512
Asian or Asian British	11,278
Black or Black British	4,188

Oxford Consultants for Social Inclusion's (OCSI) Community Insight report of November 2015 reports that 4.9% of households have no member of the family with English as the main language.

- 2.1.3 Tourism plays a major part in the local economy. The Economic Impact of Tourism Brighton & Hove 2013 produced by Tourism South East estimated that £830M worth of direct sales were generated for local businesses by visitors to the city in that year.

## **2.2 Organisational Structure**

- 2.2.1 Brighton & Hove City Council is a unitary authority that operates a committee system model. Responsibility for the food safety and standards services is delegates to the Environment Transport & Sustainability Committee.

## **2.3 Scope of the Feed and Food Service**

- 2.3.1 A specialist Food Safety Team within Environmental Health carries out the food safety function. The work of the team includes:-
- Inspecting food premises:-
  - The investigation of food safety complaints;
  - Food poisoning investigations when linked to a premises;
  - Investigating infectious disease notifications;
  - Microbiological food sampling;
  - Food safety training;
  - Responding to requests for advice;
  - Initiatives relating to working with the community and businesses;
  - Taking appropriate steps to publicise and act upon national food alerts;
  - Publicising the food hygiene standards of local businesses;
  - Promoting healthy catering initiatives within local food businesses.
- 2.3.2 The food standards function is carried out by Trading Standards Officers. The work of the team includes the following: -
- Risk based enforcement activity – including inspections
  - Complaint investigation;
  - Food analysis and investigation;
  - Service Requests from businesses;
  - Education programmes;
  - Reacting to Food Alerts.
- 2.3.3 Food Standards work is undertaken in conjunction with work on other areas of Trading Standards law. For instance, a programmed food visit will also include giving advice about other matters such as prices, business names and weights and measures. In this way, a comprehensive visit is under taken so as to minimise any inconvenience caused to the general day-to-day running of the business.
- 2.3.4 Both Trading Standards and Environmental Heath officers have responsibility for enforcing relevant legislation in respect of imported products of animal origin and non animal origin. The food safety team deal with microbiological issues

and Trading Standards, compositional standards and also contaminants which includes mycotoxins and chemicals. Trading Standards have responsibility for the enforcement of regulations pertaining to allergen information relating to food

## **2.4 Demands on the Feed and Food Service**

### **Food Safety**

2.4.1 As at December 2016 there were 3300 food businesses registered. These premises are broken down into the following profile:-

8	Primary Producers
52	Manufacturers/Processors
3	Packers
4	Importers/Exporters
31	Distributors/Transporters
609	Retailers
2591	Restaurants and other Caterers
2	Manufacturers Selling Mainly by Retail
3300	TOTAL

2.4.2 Five food businesses are approved under Regulation (EC) 853/2004 for specific dairy, fish and meat products processing.

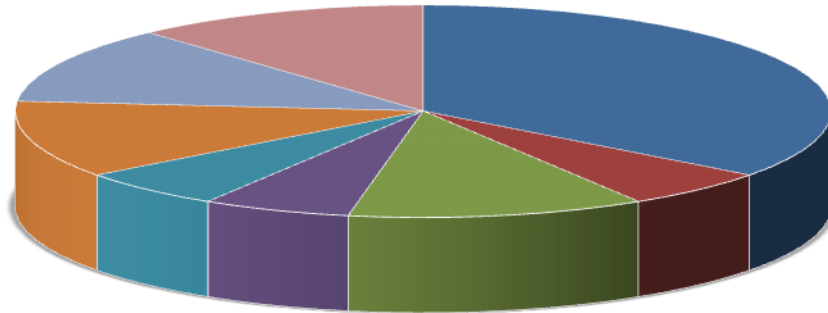
2.4.3 The nature of the city causes a considerable seasonal variation in the department's workload. Some businesses only open during spring, summer or school holidays, the intervention programme has to be tailored to meet these service needs. There is a dramatic increase in the number of visitors in the spring and summer and this increases the volume of requests for service, enquiries and other reactive work. Outdoor events such as music events, festivals, specialist markets, farmers' markets, open-air concerts and funfairs also add to the seasonality of the workload.

2.4.4 Premises data is captured on Uniform and therefore the premises profile is the same but as the risk assessment is based on the LGR scheme the individual premises have a different inspection frequency for Food Standards. As of the January 2017, 2811 premises were considered to have an 'inspectable risk' for Food Standards work. It has been noted that there is a high turnover of new premises requiring food standards advice.

### **Access to services**

2.4.5 As part of the drive for continued improvement and dialogue with businesses, all establishments are requested to complete feedback questionnaires following inspections. The questionnaires request information on the ethnic origins of the business owners, 67% of those who gave an answer between April 2015 and February 2016 identified themselves as White British. The ethnicity of the remaining businesses identified as below.

## Ethnicity of Food Businesses Where Notified 2015/2016



- 35.1% White Other
- 5.9% Asian or Asian British - Pakistani
- 11.8% Asian British-Other
- 5.9% Mixed Asian & White
- 5.9% Mixed - Black African & White
- 11.8% Any other mixed background
- 11.8% Arab
- 11.8% Any other ethnic group

2.4.6 In addition to having a number of key food safety advice leaflets in a variety of languages, the service has the capacity to have any leaflet, letter or other document translated as required. Wherever possible, opportunities are taken to provide information about services to ethnic communities. Where necessary, interpreters accompany officers on planned interventions.

2.4.7 Access to the service is provided by:

- Visiting either Bartholomew House Customer Services Centre, open hours 8:45am to 4:30pm weekdays or Hove Town Hall, opening hours 10:00am to 4:30pm;
- Self-help points across the city including all the main council offices, libraries, leisure centres and some schools;
- General telephone calls to the Call Contact Centre on (01273) 292161;
- Advice can also be accessed via the council's website, [www.brighton-hove.gov.uk](http://www.brighton-hove.gov.uk);
- Email to [ehl.food@brighton-hove.gov.uk](mailto:ehl.food@brighton-hove.gov.uk).

2.4.8 Food Standards complaints are usually received by Citizens Advice Consumer Service. There is a referral protocol regarding food issues requiring enquiries to be sent to Trading Standards within 24 hours.

2.4.9 The food safety team operates a hotline where businesses and consumers can obtain immediate advice from a food safety officer, during office hours. Senior food competent staff provide cover for an out of hour's service to respond to food safety emergencies and incidents.



2.4.10 New food businesses registering with the service are provided with access to a wide range of online documents, hard copies can be provided on request to assist compliance with food legislation.

## 2.5 Regulation Policy

2.5.1 The Council has a Corporate Enforcement Policy in line with the national Regulators Compliance Code for Enforcers. The enforcement policy is grounded in better regulation principles of proportionality, accountability, consistency, transparency and targeting.

2.5.2 Any breaches of food law noted in businesses where Brighton & Hove City Council has an interest, either as proprietor or responsibility for structural repair, are brought to the attention of the Chief Executive without delay.

## 3 Service Delivery

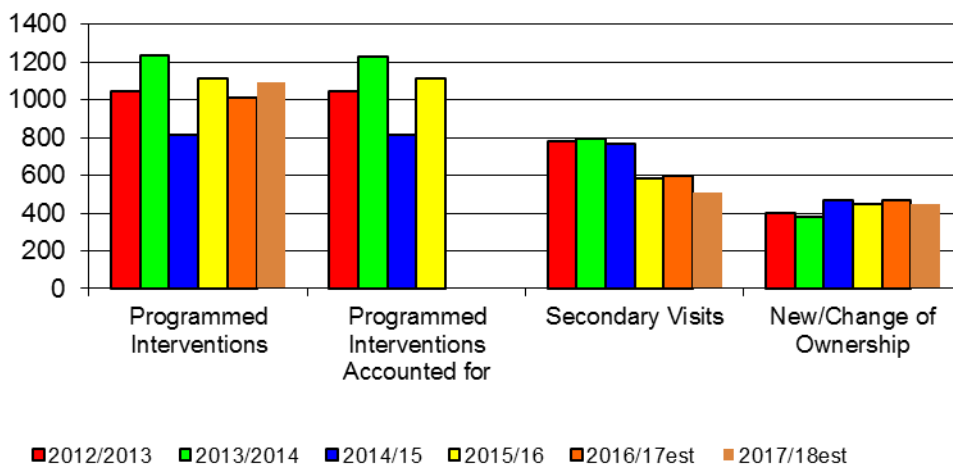
### 3.1 Interventions at Food and Feedingstuffs Establishments

#### Food Safety

3.1.1 This section details the planned risk based food safety intervention programme for 2017/2018. The level of achievement in food safety intervention based activity over the past four years is shown in the chart below and Table 3.1.1 along with estimates for completion of the current year and 2017/2018.

3.1.2 Inspection intervals are calculated on a risk-based approach. The service sets a target of 98% compliance with the annual programme. The target takes account of possible service or operational problems such as a turnover of staff at the end of the year, emergencies or difficulties contacting seasonal businesses or home caterers.

**Chart of Intervention-Based Activity 2012-2018**



tables 3.1.1 and 3.1.3 for further details.

See

<b>Year</b>	<b>12/13</b>	<b>13/14</b>	<b>14/15</b>	<b>15/16</b>	<b>16/17est</b>	<b>17/18est</b>
Programmed Interventions	1043	1232	815	1116	1008	1090
Accounted for	1043	1230	811	1113		
Target %	98 A-D	98 A-D	98 A-D	98 A-D	98 A-D	98 A-D
Achieved%	100 A-D	99.8 A-D	99.5 A-D	99.7%		

Table 3.1.1 Achievement of Planned Food Safety Inspection/Intervention Programme 2012-18.

- 3.1.3 The Food Safety Code of Practice contains a mechanism for risk rating each businesses based on factors such as:- if unwrapped high risk-food is handled, prepared or cooked; size of the business; any high-risk operations undertaken; number of customers; vulnerability of the customers to food-borne illness; standards of hygiene; condition of the structure and confidence in management. By scoring all of these factors an overall risk rating of A to E is arrived at. Category A premises are the highest risk and E the lowest.
- 3.1.4 Category E businesses present a minimal risk due to the limited types of food they handle and/or they cater for a limited number of people. The service operates an alternative enforcement strategy to maintain surveillance of these low risk businesses. This strategy enables the service to provide greater focus on higher risk category A to D establishments. Data on the number of interventions undertaken since 2012 and estimates for 2016/17 and 2017/18 can be seen in table 3.1.2.
- 3.1.5 The alternative surveillance of low-risk businesses follows a structured documented procedure: postal questionnaires, sample inspections to check the validity of the information gained and follow up inspections.

Year	12/13	13/14	14/15	15/16	16/17est	17/18est
Questionnaires	66	191	201	255	229	170
Visit	77	20	37	40	60	188

Table 3.1.2.Premises dealt with under alternative strategy or inspected.

3.1.6 Planned food safety interventions programme for the year 2017/2018 as estimated at 1<sup>st</sup> January 2017 being:-

Risk Category of Premises	Number of Interventions Due
A	7
B	84
C	348
D	651
Total	1090

Low-risk premises due for intervention 358

3.1.7 A further target is to ensure that at least 95% of food establishments are 'broadly compliant', with a Food Hygiene Rating Score (FHRS) of three or more.

3.1.8 As at January 2017 the level of broadly compliant establishments rated in the FHRS scheme stood at 96%. This level of compliance protects public health, the local economy and reputation of the council as a responsible regulator.

3.1.9 **Secondary Interventions** - The main purpose of secondary interventions is to monitor food businesses that fail to comply with significant statutory food safety requirements, or where directly required by Regulation. Failure could include:-

- Failure to comply with a single requirement that compromises food safety, public health or prejudices consumers;
- Failure to comply with a number of requirements that, taken together, indicate ineffective management; or
- Service of a Hygiene Emergency Prohibition Notice or Order.

3.3.10 When considering both the need for and timing of a secondary intervention, consideration is given to the seriousness of any failing, history of the business, confidence in management and the likely effectiveness of this action when compared to any other enforcement option.

3.1.13 Safeguard measures associated with the FHRS permits any food business that does not attain the top rating to request a rescore once any necessary issues have been resolved. Any revisit is unannounced.

3.1.14 In late 2016 the service took part in a pilot project co-ordinated by the Food Standards Agency which permitted local authorities to charge for such revisits. During the period of the pilot the number of requests made for such visits remain at a similar level. Subsequently the

Environment Transport & Sustainability Committee decided to introduce a charge of £145 per visit.

3.1.15 Other secondary interventions are categorised as those that are not primary interventions but include:-

- Additional interventions of establishments that are subject to product-specific food hygiene regulations;
- Sampling visits;
- Visits to check on the progress of measures required after a previous intervention;
- Visits to investigate food and food premises complaints;
- Visits to discuss implementation of Hazard Analysis of Critical Control Points based system;
- Visits involving training of food handlers;
- Inspections of premises to assess a licence.

3.1.16 **Interventions at New Businesses/Change of Ownership** - Where the service becomes aware that ownership of a food business has changed or a new business has commenced, it aims to undertake an intervention within 28 days of the business starting trading.

3.1.17 The purpose of the intervention is to establish the scope of the business, gather and record information, determine if food sampling or swabbing is necessary, identify food safety breaches, determine relevant enforcement action to be taken by the food service, communicate this to the business and determine a risk rating score. Based on the last five years' data, it is predicted that there will be 450 new businesses or changes of ownership in 2017/2018.

3.1.18 **Monitoring of Vacant Premises** – The service aims to inspect all new food businesses within 28 days of opening. Food safety law does not require prior approval.

Year	12/13	13/14	14/15	15/16	16/17est	17/18est
Secondary inspections	777	797	766	647	600	510
New Premises or Change in Ownership	389	383	470	450	470	450

Table 3.1.3 Estimate for 2016/2017 and 2017/18 based on data since 2012.

3.1.19 It is estimated that the number of staff required to carry out the programme of inspections plus other visits is 7.25 full time equivalents. Resources required to undertake secondary visits generated by complaints, enquiries or to undertake sampling are included in the appropriate part of this plan.

### **Food Standards and Feed Hygiene**

3.1.20 The LGR system requires high-risk premises to be visited each year, medium risk every two years and the low risk every five years. This means that all 153 high risk, 50% of the 950 medium risk and 20% of

the 1700 low risk premises should be visited each year. The service is proposing to move to the FSA risk rating scheme in 2017/18 which may result in a variation of figures going forward. This scheme will align us with Food safety colleagues and allow us to have an accurate risk rating for feed premises.

- 3.1.21 The target for 2016-17 was to visit 153 high-risk and 475 medium risk premises liable to inspection. Similar targets will remain in place for 2017/18.
- 3.1.22 There is no commitment to visit low risk premises but in 2016-17, 205 low risk premises were visited up to 10th Jan 2017 as a result of project work, complaints and other routine inspections.
- 3.1.23 Approximately 5% of inspections require a follow-up visit. Officers do not work exclusively on the food function. Follow up visits will be made to all premises when a non-compliance is detected and formal action is contemplated.
- 3.1.24 One full time and one part time posts make up the Food Standards Team. This equates to 1.6 FTE. About 95% of their time is spent on the food and feed function.
- 3.1.25 **New Businesses** – Trading Standards Officers aim to assess new food businesses within 56 days.
- 3.1.26 **High Risk Premises** - Premises with good management control, no history of contraventions or complaints will be subject to a minimum intervention approach and will only be inspected if they change their product range or complaints are received.
- 3.1.27 **Poorer performing High Risk Premises** -These premises will be inspected every year but may be the subject of additional interventions depending on their compliance. Nationally and locally most food fraud has concerned misdescribed alcoholic drink of unknown provenance.
- 3.1.28 **Medium Risk Premises** -These premises will receive an intervention at two yearly intervals. These interventions will alternate between comprehensive inspections, and a mix of sampling visits, complaint visits or other monitoring or surveillance. At least 50% of the premises liable to an inspection will be subject to a comprehensive visit. Where medium risk rated premises have a Primary authority relationship with a local TS service, or if they are part of a national chain, these premises will be re rated to low risk. This will allow officers more time to support independent and new businesses.
- 3.1.29 **Low Risk Premises** - A programme of interventions will be based on the intelligence received about the individual premises or where the business requests support/advice.

3.1.30 **Feed Hygiene** – The service participates in the National Trading Standards feed programme. We will undertake inspections of premises identified by the national team as requiring a visit. This equates to approximately 12 visits per annum.

## 3.2 Feed and Food Complaints

### Food Safety

3.2.1 It is the policy of this authority to respond promptly to all requests for advice from business. It is the target of the service to respond to 90% of planning application consultations within 10 working days, and all other demand driven work within 5 days.

Year	11/12	12/13	13/14	14/15	15/16
Within target %	97.3	96.2	95.4	96.8	97.2

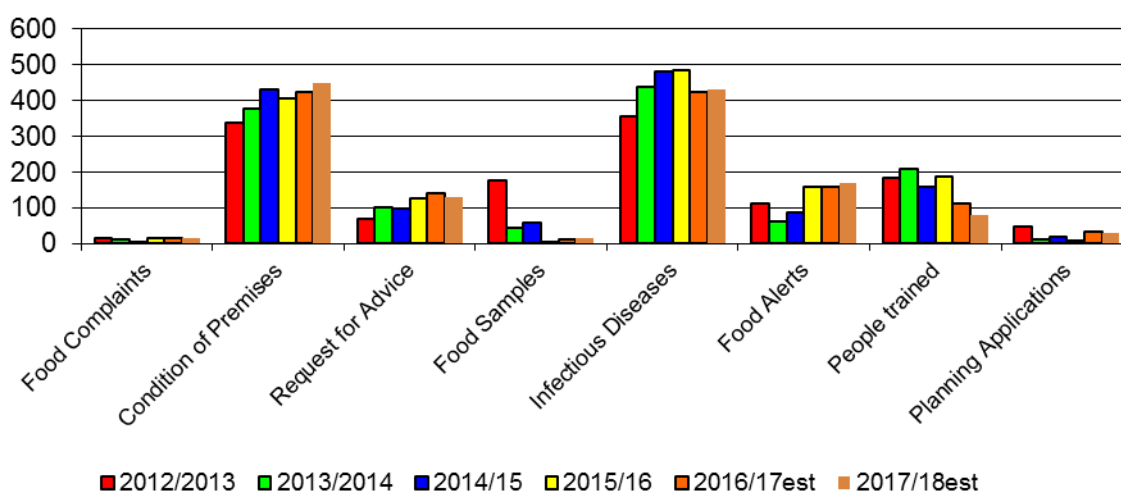
Table 3.2 Percentage of Demand Driven Work within Target Response Time

3.2.2 All food complaints received are investigated in accordance with the council's Enforcement Policy and documented procedures. See below for a chart showing the pattern of demand driven work since April 2012 and estimates for the current year and 2017/2018. The source figures for this chart are contained in tables within the relevant part of the plan.

Year	12/13	13/14	14/15	15/16	16/17est	17/18est
Food Complaints	15	12	2	20	15	15
Condition of Premises	338	377	430	406	425	450

Table 3.2.1 Estimate of complaints for current year and 2017/2018 based on data from 2012 onwards.

### Chart of Demand Driven Work 2012-2018



See tables 3.2.1, 3.4.1, 3.4.3, 3.5.1, 3.6 and 3.8 for the source of data.

3.2.3 It is estimated that 1.65 Full Time Equivalent officers will be required to meet this level of service requests.

### **Food Standards**

3.2.4 It is the policy of this authority to respond promptly to all food complaints and to carry out enquiries in accordance with the complaints procedure. The following figures show a final estimate for 2016/17 as the report is generated before the end of the calculated year.

Year	12/13	13/14	14/15	15/16 est	16/17est
Number of Complaints	130	100	106	133	125

### **3.3 Home Authority Principle and Primary Authority Principle**

3.3.1 Brighton & Hove City Council fully supports the Home Authority principle, and has entered into 10 informal arrangements with businesses whose operational activity extends outside of the city. Currently there are no primary authority food businesses in the city.

### **3.4 Advice to Businesses**

#### **Food Safety**

3.4.1 Advice is given during inspections, by hotline, website, newsletter and as part of the planning application process. During 2016 the service introduced an e-data base enabling group emails to be sent to over 1200 food businesses in the city. A newsletter is now sent electronically to this group twice a year.

3.4.2 Table 3.4.1 gives the number of planning applications viewed by food safety officers and the number of requests for advice from businesses. Such focussed guidance includes advice on the construction, development and structural alterations to food establishments.

Year	12/13	13/14	14/15	15/16	16/17est	17/18est
No of Requests	68	101	98	125	140	130
Planning Applications	48	12	19	7	32	30

Table3.4.1 Requests received since 2011 and estimates for the current year and 2016/2017

3.4.3 It is estimated that 0.5 Full Time Equivalent Officer is required to meet this estimated demand.

#### **Food Standards**

3.4.4 The level of requests for advice has remained reasonably consistent over several years. The following figures show an estimate for 2016/17 as the report is generated before the end of the calculated year.

Level of Service Requests					
Year	12/13	13/14	14/15	15/16	16/17 est

No of Requests	137	153	149	190	150
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### 3.5 Feed and Food Sampling

#### **Food Safety**

3.5.1 A formal arrangement is in place with Public Health England's (PHE) Food Water & Environment laboratory based at Porton Down for the analysis of samples that require microbiological examination.

3.5.2 The service participates in national microbiological sampling initiatives coordinated PHE and regional sampling programmes across Hampshire, Kent, Surrey and Sussex. Samples of food and swabs of food-contact surfaces may also taken as part of routine work and when investigating specific issues at food premises.

3.5.3 The two national food sampling programmes for 2016/2017 were:-

- Study 58 – Swabbing contact surfaces in catering premises.
- Study 59 – Sauces at Catering Premises

As at the time of drafting this plan the subjects for study 58 had yet to be agreed.

Year	12/13	13/14	14/15	15/16	16/17est	17/18est
No. of samples	175	44	57	6	20	20

Table 3.4.3 Food Safety Samples Submitted 2012-2016 & estimate for the current year and 2017/2018.

3.5.4 Arrangements are in place with the PHE laboratory at Porton Down for the analysis of samples that require microbiological examination.

#### **Food standards**

3.5.5 The Public Analyst contract was awarded to Public Analyst Scientific Services (PASS) in 2013. The current allocation of budget for sampling analysis is £4,900. The focus of the contract remains composition, labelling and chemical contamination. Officers are currently reviewing this contract which is due to expire in April 2017.

3.5.6 Inspections, investigations and advice for 2016/17 equated to approximately 1.6FTE.

3.5.7 A budget of £ 4,900 was allocated in 16/17 to facilitate the contract with the appointed Public Analyst for the purposes of food analysis. Sampling programmes are informed by FSA initiatives, TSSE regional and local intelligence however there has been a significant reduction in available funding from the FSA for sampling work in2016/17 and going forward in 2017/18.



## Food Sampling Work undertaken in 2016/17

	PROJECT
	Wine and Spirit sampling
	Mono sodium Glutamate
	Dioxins
	Complaints/Officer Initiatives

3.5.8 National initiatives are fully funded and take account of potential problems requiring further investigation. The cost for the regional and local projects will be set to allow for contingencies, such as complaints and reacting to food alerts.

3.5.9 During 2016/17 Trading standards have also carried out work funded by the FSA on animal feed which ties in to the Official Feed and Food Controls. The FSA following the lead of the European Food Standards Agency and the Food and Veterinary Office are also pushing controls on imported food and are asking coastal Local authorities to check what is coming in through marinas and small ports. This work will be funded again in 2017-18 but funding is likely to be reduced.

3.5.10 New regulations governing the labelling of food and whether they contain allergens, came into force in 2014. Officers have undertaken work to inform businesses of their obligations under these regulations, by holding business surgeries and providing guidance in the twice yearly Food Safety newsletter as well as during routine visits and via mail shots. This will continue in 2017/18 prioritising advice to small independent traders.

3.5.11 **Control and Investigation of Outbreaks and Food-related Infectious Disease** - Specific infectious diseases are notifiable to the local authority. The department investigates these cases in an attempt to identify the cause of illness and any practical measures to control potential outbreaks. See below for the number of cases investigated from 2012 to 2016 and an estimate of the numbers expected for the current year and 2017/2018. Investigations of outbreaks must commence as soon as practical. In individual notifications, the investigation has to commence within 5 days. It is estimated that 0.6 FTE officer will be required to meet this level of complaints.

Year	12/13	13/14	14/15	15/16	16/17est	17/18est
No. of reports	357	439	480	485	425	430

Table 3.5.1 Notifications for 2016/2017 & 2017/2018 based on data from 2012 onwards.

3.5.12 The number of notifications included in table 3.5.1 has been corrected to discount those illnesses not associated with food such as mumps, measles and hepatitis.

Year	12/13	13/14	14/15	15/16	16/17est	17/18est
Campylobacter	174	226	293	267	275	250
Salmonella	29	42	11	20	35	25

Table 3.5.2 Estimate of Number of specific notifications for 2016/2017 & 2017/2018

3.5.13 Food-borne illness can be contracted as a result of a number of reasons including poor food handling in the home or foreign travel. Usually it is therefore difficult to attribute any increase or reduction to one source.

3.5.14 However, in June 2016 a local nursing home was affected by a national E.Coli 0157PT34 food poisoning outbreak linked to salad leaves. The outbreak affected 158 nationally including 18 staff and residents at the local nursing home. This added to an increase of confirmed E.Coli cases to 63 so far in 2016/17.

### 3.6 Feed/Food Safety Incidents

3.6.1 An out of hours emergency service is staffed by senior staff who are suitably authorised to carry out the full range of food safety functions including responding to emergency food safety incidents.

3.6.2 Information regarding national food safety alerts, such as product recalls from the FSA, is received during office hours via the national alert system.

3.6.3 The Environmental Health Manager (Food Safety) and senior staff within the Food Safety Team are registered on the rapid alert system to receive food alerts through a text message scheme direct to their mobile phones. The information contained in the food incidents is distributed and acted on as deemed necessary.

Year	12/13	13/14	14/15	15/16	16/17est	17/18est
Food Alerts	113	60	86	158	160	170

Table 3.6 Food Alerts for the current year and 2017/18 based on data from 2012 onwards.

### 3.7 Liaison with Other Organisations

#### Food Safety

3.7.1 There are a number of arrangements in place with other professions and local authorities to promote consistency, provide joint projects and develop services: -

- The Food Safety team sends a representative to Sussex Food Liaison Group which develops common approaches to regulation across Sussex.
- An Environmental Health Officer attends the Chartered Institute of Environmental Health's Sussex Food Study Group which develops joint procedures and practices.

- An officer attends the regular liaison meetings with Children's Services and school caterers.
- District Control of Infection Committee, Community Consultant in Disease Control reviews procedures and agrees communicable disease outbreak and food poisoning control measures.
- The authority is a member of the Brighton & Hove Food Partnership. The partnership includes representatives from local businesses and community groups, community workers and members of the Sustainability Commission. The Partnership raises awareness of food producers in supporting health, the economy and the environment increasing access to nutritious, safe, affordable food and providing a network for information exchange.
- A liaison arrangement is in place with Sussex Career Services and local schools to enable teachers and students from Brighton & Hove to gain work experience.

This work is accounted for in the reactive work estimate of resources required.

### **Food Standards**

3.7.2 The team works closely with 18 other Trading Standards Services in the southeast that together make up Trading Standards South East (TSSE). Activities include liaison on all trading standards issues, co-ordinated activities, sampling and advice projects and sharing of information via the TSSE intranet. As well as this officers use the national knowledge hub which allows access to trading standards services nationally. The team also work directly with the FSA and receive food alerts which identify problem products which we can move quickly to remove from the food chain at a local level. Officers also use this forum to receive advice and intelligence regarding the feed function.

### **3.8 Feed and Food Safety and Standards Promotional Work, and Other Non-Official Controls Interventions**

3.8.1 The city Health and Wellbeing Board's strategy focuses on priority areas where it can make the greatest impact. The strategy includes healthy weight and good nutrition. The Food Safety Team work with Brighton & Hove Food partnership promoting healthy menu options via the Healthy Choice Award in a diverse range of settings targeting health inequality: nurseries, breakfast clubs and after-school clubs and care homes. This was relaunched in 2015 with the introduction of the Healthy Choice Award GOLD for settings that also work towards sustainability criteria.

3.8.2 A Project Officer works within the Food Safety Team to develop and co-ordinate the Healthy Choice Award. The award prioritises the preparation of meals using fresh ingredients, the use of healthier

ingredients and cooking methods and adequate opportunities for customers to make healthier choices if they wish.

3.8.3 The programme also supports the Public Health Sugar Smart City campaign. Sugar Smart City aims to motivate settings such as schools, food outlets and retailers to take action and help residents reduce their sugar intake. Food outlets are being asked to make ‘Sugar Smart Commitments’ such as to promote free tap water for customers, offer a range of low and no sugar soft drinks, or to develop lower sugar dessert or children’s menu options. Outlets are also being asked to volunteer to put a 10p levy on non-alcoholic soft drinks they sell which contain added sugar. This money will be paid into the Children’s Health Fund to support projects that aim to improve children’s health and food education.

3.8.4 The food safety training activity by number of people trained on the CIEH Level 2 Award Food Safety in Catering course is given below in table 3.8. This is a full day course aimed at food handlers.

3.8.5 The service aim is to organise 12 food hygiene training courses per year. However, as can be seen in table 3.8 below the current estimate is that there will be a 40% fall in the numbers trained in 2016/17 compared to the previous year. Although there could be a number of reasons for this it is thought that the greater use of online courses is the main impact. It is envisaged that the numbers trained will continue to fall in 2017/18.

Year	2012/13	2013/14	2014/15	2015/16	2016/17est	2017/18est
Trained	184	208	160	187	110	80

**Table3.8 Total Training Undertaken since 2012**

3.8.6 The service took part in Food Safety Week during June 2016 by organising displays in Customer Service Centres at Bartholomew House, Hove Town Hall, Brighton Town Hall and Hove Library.

## **4. Resources**

### **4.1 Financial Allocation**

#### **Food Safety**

4.1.1 The net 2016/17 budget for the Food Safety Service for was £589,750. The budget for 2017/18 has yet to be set. As with all other services provided by Brighton & Hove City Council Regulatory Services is subject to a four year savings plan ending in 2019/20. This plan currently has no savings allocated against the Food Safety service budget for 2017/18.

#### **Food Standards**

4.1.2 It is difficult to detail the time spent on the food standards function as it is carried out during a comprehensive inspection. Time monitoring is not currently used to apportion time to the food function. Cost of the food standards function in 2015/16 was as follows based on the percentage of time officers spend on the food function outlined above and below:

Staffing Inspection, complaints and advice	
Management/Support	£ 3,200
Food Team	£42,170
<b>Total</b>	<b>£45,370</b>
Purchases	£ 500
Analysis	£ 4,500
Total	£ 5,000
<b>Total</b>	<b>£ 54,370</b>

The budget has not yet been set for 2017/18 but similar funding levels are envisaged.

## 4.2 Staffing Allocation

### Food Safety

4.2.1 Establishment of the Food Safety Team for the year 2017/2018 is 11.04 full time equivalent field officers plus two full time equivalent administrative support staff and management, broken down as follows:-  
 2 x Senior Environmental Health Officers  
 3.8 x Environmental Health Officers  
 4.24 x Senior Technical Officers  
 1 x Food Nutrition Project Officer

4.2.2 As detailed in 3.1.18, 3.2.3, 3.4.3, 3.5.11 and 3.8.2 of this plan it is estimated that 11 full time equivalents are required to fulfil the given objectives. This is inline with the allocated resources.

4.2.3 Also see 4.1.1 and 6.2 for staffing allocation beyond 2018.

### Food Standards

4.2.4 The Inspection and Sampling Team is responsible for Food Standards Inspection. The proportion of time allocated to this function in 2016/17 was estimated as follows:-

Support	0.05
Management	0.05
Food Staff	1.6
Total	1.7 FTE

### **4.3 Staff Development Plan**

4.3.1 The Authority has a structured appraisal and development system. During staff appraisals, individual training needs and any gaps in competence are identified. The information is used to produce individual training and development plans for each officer for the coming year.

4.3.2 All food safety field officers hold relevant qualifications to comply with the requirements of the Food Safety Code of Practice. In addition to the annual appraisal system ongoing professional development is monitored and managed through officer self assessment, management monitoring, regular 1-2-1's and the quality assurance system detailed in 5.1.1 below.

### **5.0 Quality Assessment**

#### **5.1 Quality Assessment and Internal Monitoring**

##### **Food Safety**

5.1.1 The service has a documented procedure relating to food safety duties. Internal audits are carried out to ensure compliance with these procedures. The service is accredited to ISO 9001 and externally audited by the British Standards Institute. Staff performance is reviewed, monitored and managed through the appraisal system, monthly 1-2-1 and review by the departmental management team.

5.1.2 The service actively seeks the views of businesses by giving out post-inspection questionnaires to traders inspected. From February to November 2016, 122 questionnaires were returned. The key findings of these returns were:-

- 99.2% of respondents either agreed or strongly agreed that their business had been treated fairly.
- 100% of respondents understood the purpose of the visit to their premises.
- 99.2% found the information given to them by the visiting officer easy or very easy to understand.

##### **Food Standards**

5.1.3 We aim to continually improve the level of service provided. Procedures are implemented and reviewed where necessary to incorporate identified improvements.

## **6. Review**

### **6.1 Review Against the Service Plan.**

#### **Food Safety**

- 6.1.1 In addition to the quality checks detailed in 5.1, performance is reviewed against the Service Plan by comparing the number of interventions achieved against the number programmed. Monthly statistical reports are produced so that performance can be closely monitored and managed through the year. Any problems are promptly identified and resolved through management reviews, team meetings and monthly one to ones between field staff and their line manager.
- 6.1.2 Official Feed and Food Controls Service Plans are produced and reviewed on an annual basis by management review and consideration by elected members through the committee structure and Full Council.
- 6.1.3 In the year 2015/2016, 99.7% of the due food safety interventions were accounted for. This included interventions carried out and businesses that ceased trading before they could receive their planned intervention. 450 interventions were undertaken of new businesses or premises that had changed ownership.
- 6.1.4 At January 2017, 96% of the food businesses in the city were deemed to be 'broadly compliant', or better ie a FHRS of three or better.
- 6.1.5 From April 2015 to March 2016 23 Hygiene Improvement Notices were served and five successful prosecutions were undertaken.

#### **Food Standards**

- 6.1.6 Service reviews are carried out on a monthly basis to check that the inspection programme is on target and to ensure that projects are being completed in the agreed timescale.
- 6.1.7 The Service Reviews indicate that the service is on target to achieve the interventions programme.
- 6.1.8 During staff one-to-one's each officer's performance is monitored, to identify good performance and any areas of improvement.
- 6.1.9 Complaints are responded to within the stated timescales.

## **6.2 Identification of Any Variation from the Service Plan**

### **Food Safety**

6.2.1 Reviewing the final outcome of 2015/2016 against last year's plan shows two areas of variation:

- There was a significant rise in the number of food hazard alerts received. The 2015/16 plan predicted 75 would be received based on the previous five years. In fact 158 were received. This was due to a greater number of alerts regarding food allergies.
- The number of food samples taken fell due to greater prioritisation of inspection and complaint investigation work.

6.2.2 In addition to the variations noted during 2015/16 further issues and patterns arose during 2016/17 that should be noted:

- It is estimated that the service's involvement with the national E.Coli 0157 PT34 outbreak in June 2016 was equivalent to one full time officer for six weeks. Although this diverted resources away from enforcement activities there should be sufficient time left in the year to recover.
- Due to increased availability of online food safety training the numbers of people attending courses has dropped significantly. Last year's plan estimated that 175 individuals would be trained this estimate has now been revised to 110.
- Following a pilot project undertaken at the end of 2016 the food safety service is now charging £145 per rescore visit made under the Food Hygiene Rating Scheme. See 3.1.13 for further details.

### **Food Standards**

6.2.3 There was no significant variation from the plan.

## **6.3 Areas of Improvement**

### **Food Safety**

6.3.1 As a result of publishing the food safety standards through the Food Hygiene Rating Scheme standards generally are continuing to improve year on year. Table 6.1 demonstrates the improvement which has been built on the local Scores on the Doors scheme since migration to the national scheme in March 2012.



FHRS rating	Jan 2013	Jan 2014	Dec 2014	Jan 2016	Jan 2017
0	3	4	5	5	1
1	113	95	74	85	72
2	92	83	89	51	36
3	265	266	226	202	239
4	589	638	660	617	603
5	1377	1469	1604	1736	1765
<b>Total</b>	<b>2624</b>	<b>2555</b>	<b>2851</b>	<b>2696</b>	<b>2716</b>

**Table 6.1. Number of food businesses in each FHRS Rating**

- 6.3.2 The number of Broadly Compliant businesses has continued to increase and currently stands at 96% of all food business.
- 6.3.3 In July 2015 the service underwent an external audit from by the Food Standards Agency. The audited identified a number of minor improvements in the overall arrangements and controls for incidents. An action plan has been agreed in relation to these points.
- 6.3.4 A database of food businesses emails enables the newsletter, advice and guidance to be sent simultaneously to 1200 businesses.
- 6.3.5 In January 2016 the food service underwent an audit as part of a Sussex wide Inter Authority Audit. The audit report concluded:

*“Brighton & Hove City Council’s implementation of the Food Hygiene Rating Scheme appears to be very good throughout, following all the major principles detailed in the Brand Standard. In particular, the Service should be congratulated for its vigorous ongoing consistency and monitoring procedures related to the scheme, which has been enthusiastic adopted by all staff.”*

### **Food Standards**

- 6.3.6 Advancements have been made in the delivery of food law enforcement. There are many examples of joined up working and co-operation where co-ordinated sampling programmes and officer training feature highly. However, there are still areas for improvement. They are as follows:
- Targeting beer, wines and spirits misdiscription and traceability, this work links in with the Licensing Authority function and Alcohol Project Board.
  - Developing the access to on-line business advice.
  - Better publicity for the healthy eating education message.
  - Developing links with schools

- Increasing and maintaining the competency and professional development of food officers.
- Establishing consumer concerns and reflecting this in local activity.