

**ENVIRONMENTAL HEALTH COMMERCIAL SERVICES
ENFORCEMENT SERVICE DELIVERY PLAN 2013/14**

**REPORT OF DEPUTY CHIEF EXECUTIVE (COMMUNITY
DIRECTION)**

WARDS AFFECTED: ALL WARDS



Hinckley & Bosworth
Borough Council

A Borough to be proud of

1. **PURPOSE OF REPORT**

To seek Executive approval of the Environmental Health Commercial Services Enforcement Service Delivery Plan for 2013/14 as required by the Food Standards Agency pursuant to the Food Standards Act 1999, and the Health & Safety Executive pursuant to the Health & Safety at Work etc Act 1974.

Copies of the Plan have been placed in the Members Room, on the internet and intranet.

2. **RECOMMENDATION**

- i) That the Executive approve the Environmental Health Commercial Services Enforcement Service Delivery Plan 2013/14 (Appendix 1 to this report).
- ii) That the Executive note and endorse the achievements of the Environmental Health Commercial Service in 2012/13.

3. **BACKGROUND TO THE REPORT**

The Food Standards Agency's Framework Agreement with Local Authorities on food law enforcement activities requires Councils to produce an annual Food Service Delivery Plan, requiring approval by the appropriate member forum, which for this Authority is the Executive.

The Health & Safety Executive, as part of Local Authorities' legal requirements under Section 18 of the Health & Safety at Work etc Act 1974, require Councils to produce an annual Health & Safety Service Delivery Plan.

Whilst each of the Central Government agencies prescribe the layout of the document required, several requirements are duplicated in both. Hence the Food Safety Enforcement Delivery Plan and Health & Safety Service Delivery Plan have been incorporated into one document.

The Enforcement Service Delivery Plan expands upon the Service Improvement Plan already produced for the service. It details all the tasks for the service, outlines the workload, the resources devoted to that work area and how the work will be undertaken. A section is also included reviewing performance against the previous year's service plan and sets out areas for improvement.

4. ACHIEVEMENTS

Members may wish to note that in 2012/13:-

- 671 interventions were carried out during the year, representing 91.5% of the target of 733 for the year.
- 448 food, water and environmental samples were taken from food businesses, achieving in full the sampling programme.
- An increase in `broadly compliant` food businesses from 87% to 90%.
- The completion of the roll out of the national Food Hygiene Rating Scheme with all 761 food premises in the borough within scope of the scheme now listed on the national web site.
- Contributed to the national authenticity and testing regime relating to horse meat being found in some processed foods.
- Conducted health and safety campaigns on the duty to manage asbestos, beauty treatments, event safety and transport in the warehousing sector.
- Continued support given to the Leicester and Leicestershire Local Enterprise Partnership (LLEP) Better Business for All campaign to build a new relationship between businesses and regulators.
- A 62% rise in food related complaints due to a large increase in the number of requests, 29, from prospective businesses for advice.

The Service targets for 2013/14 for food safety interventions will be 460 inspections and 80 alternative interventions by self assessment questionnaires or inspection for low risk food businesses resulting in 540 interventions. This will lead to a 100% intervention rate for all premises due an inspection in 2013/14.

For health and safety the Service will continue to adhere to guidance issued by central government to perform fewer proactive inspections on businesses but to target activity to campaigns at specific high risk activities and businesses. The service therefore in 2013/14 will carry out 3 inspections to 'A' (top risk rated) premises, carry out 133 alternative interventions by way of self assessment questionnaires to all medium rated businesses and carry out 119 advisory visits to unrated new businesses, resulting in 255 interventions. In addition projects to target specific health and safety issues include:

- Legionella controls, to raise awareness and ensure local businesses have adequate controls in place to prevent infection outbreaks.
- Beauty Sector, to follow up work conducted in 2012/13 in identifying businesses that are carrying out high risk procedures and raising public awareness to the risks in using unregistered businesses.
- E. coli 0157 Cryptosporidium infection, to raise awareness and ensure adequate controls in place to prevent infection of children at farm parks.

- Transport and warehousing sector, to raise awareness and ensure adequate controls in place to the major hazards in the transport sector.
- Care Homes, to raise awareness and ensure adequate controls in place to the major hazards in the Care Home sector.
- Hotel and Leisure Sector, to raise awareness and ensure adequate controls in place to prevent falls and violence at work.

During 2013/14 two key areas have also been identified for attention including:

- Revise existing food and health and safety procedure notes.
- Continued development and promotion of the 'Better Business for All' project within the borough to improve the confidence of business in approaching the Council for advice and guidance on regulation.

Should approval be given by the Executive for the plan, a copy will be posted on the Council's website in order that businesses and residents are able to view the activities of the service.

5. FINANCIAL IMPLICATIONS [AB]

There are no financial implications arising directly from this report as the activities set out in the plan can be completed within existing budgets.

6. LEGAL IMPLICATIONS [AB]

Contained within the body of the report.

7. CORPORATE PLAN IMPLICATIONS

Will help maintain and improve food safety and health and safety standards within the Borough and thereby contribute towards the Council aims of providing a Thriving Economy and a Safer and Healthier Borough.

8. CONSULTATION

None, however Service Plan to be put on Council's website for comments.

9. RISK IMPLICATIONS

It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

The following significant risks associated with this report / decisions were identified from this assessment:

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
Reputation with partners if do not work with them	Ensure partnerships entered into and resourced effectively	Steven Merry
Reputation from negative press coverage of local campaigns	Ensure positive messages emphasised in campaigns	Steven Merry
Reputation from negative press coverage from enforcement	Ensure enforcement carried out competently and proportionately and in accordance with Enforcement Policies	Steven Merry
Knowledge and skills of staff	Ensure adequate training given to enforcement staff	Steven Merry
Adequate staff to deal with enquiries/enforcement activities	Ensure appropriate staff resources available to deal with demands of service	Steven Merry
Legal compliance	Ensure actions in compliance with Central Government Policy	Steven Merry

10. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS (RP)

No implications as enforcement work in respect of food safety and health and safety is carried out consistently on the basis of a risk based inspection regime for all premises across the whole Borough. Literature is provided to those with “English not as a first language” to assist understanding and compliance with legislation. Training has also been provided in a relevant language again to aid understanding and compliance.

11. CORPORATE IMPLICATIONS

By submitting this report, the report author has taken the following into account:

- Community Safety implications
- Environmental implications
- ICT implications
- Asset Management implications
- Human Resources implications
- Planning Implications
- Voluntary Sector

Background papers: Food Standards Agency's Framework Agreement with Local Authorities.

HSE - National Local Authority Enforcement Code

Section 18, Health & Safety Executive Guidance to Local Authorities

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