



Hinckley & Bosworth
Borough Council

A Borough to be proud of

DOCUMENT No 1

**ENVIRONMENTAL HEALTH COMMERCIAL
SERVICES**

**ENFORCEMENT
SERVICE DELIVERY PLAN
2013 / 2014**

May 2013

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GLOSSARY

Idox	-	Idox Plc - Data Software Supplies to Environmental Health
BDRO	-	Better Regulation Delivery Office
CIEH	-	Chartered Institute of Environmental Health
COSHH	-	Control of Substances Hazardous to Health
DIY	-	Do-It-Yourself
FTE	-	Full time equivalent
FSA	-	Food Standards Agency
HELA	-	Health and Safety Executive/Local Authority Enforcement Liaison Committee
HSE	-	Health and Safety Executive
HSG	-	Health and Safety Guidance
IAA	-	Inter Authority Audit
LAC	-	Local Authority Circular
LAE1	-	Local Authority Enforcement Annual Report Form to Health and Safety Executive
LAEMS	-	Local Authority Enforcement Monitoring System
LSP	-	Local Strategic Partnership
PDA	-	Personal Development Appraisal
RIDDOR	-	Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995
WRMSD	-	Work Related Musculoskeletal Disorders

1. Introduction

This Service Delivery Plan outlines how Hinckley and Bosworth Borough Council, through its Environmental Health Services, intends to fulfil its statutory obligations to enforce food safety and health and safety legislation.

The plan brings together into one document a service plan for food safety enforcement and health and safety enforcement.

The formats of the Enforcement Service Delivery Plans are prescribed by each of the Central Government Agencies responsible for Policy in these areas. For food safety the Food Standards Agency prescribe the contents of a Service Delivery Plan in their "Framework Agreement on Local Authority Food Law Enforcement", the Health and Safety Executives' is prescribed in Section 18 Health and Safety at Work etc. Act 1974 Mandatory Guidance. Due to these Agencies' differing prescription, the layout of this document is occasionally inconsistent however the essential information is conveyed as required by them.

2. Equal Opportunities Statement

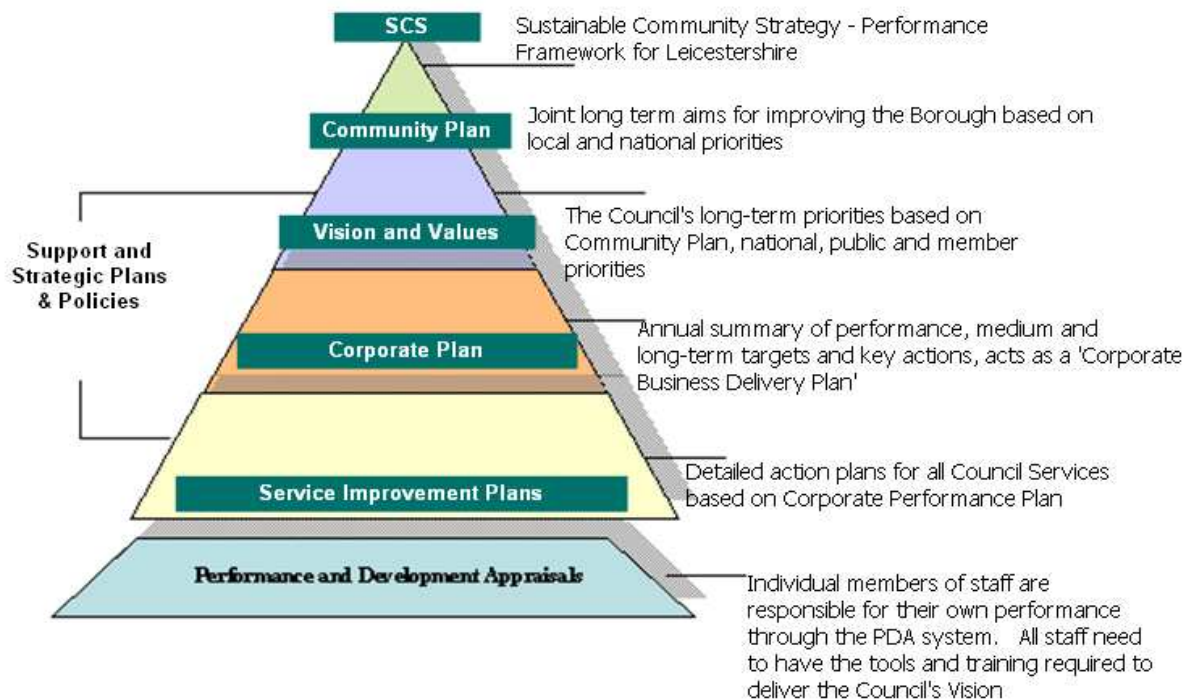
This service plan and its delivery shall take into account the aims of Hinckley and Bosworth Borough Council's Equal Opportunities Policy which is committed to achieving equality for all by removing direct and indirect discrimination on the grounds of:

- Age
- Gender or transgender identity
- Race, colour, nationality, national or ethnic origin, being a traveller or gypsy
- Disability, including people with a hearing impairment, people with a visual impairment, people with learning disability, people with a mental illness, and people living with HIV and AIDS
- Religious belief or non-belief, or other beliefs
- Marital status, family circumstances, or caring responsibilities
- Sexual orientation
- Income, employment status or housing circumstances
- Membership or non-membership of trade unions, or involvement in trade union activity
- Offending Status
- Any other ground that cannot be shown to be justified

3. Service Aims and Objectives

3.1 The Corporate Planning Framework

Hinckley and Bosworth Borough Council recognises it has to balance what it can do against the resources at its disposal in order to achieve good quality and good value. Therefore the Council has to focus its activities and resources on priority areas. In choosing its activity areas the Council uses different plans and strategies at all levels of the organisation. The framework for these plans and strategies is represented by the diagram set out below; a simple explanation is given to each element.



3.2 Sustainable Community Strategy - Leicestershire

The Leicestershire Sustainable Community Strategy 2008 is overseen by Leicestershire Together, representing all of the organisations and partnerships that deliver services in Leicestershire. The document sets out how to improve the quality of life and public services in Leicestershire, proposing priorities for improvement over five years. This strategy was refreshed during 2011/12, and sets out four overarching priorities, setting what the County level Commissioning Boards and cross cutting partnerships will be doing to achieve these strategic priorities. The outcome framework will be refreshed on an annual basis in order to ensure that it reflects the current pace of change.

3.3 The Community Plan – Hinckley and Bosworth

The Hinckley and Bosworth draft Community Plan 2013 - 2018 is a document setting out the key longer term challenges facing the Borough, and details priorities and arrangements for tackling them, its aim is to enhance the quality of life for the residents of the Borough through joint working.

The Community Plan is overseen by the Hinckley and Bosworth Local Strategic Partnership (LSP), which brings together all of the key public sector organisations providing local services including the private sector, the voluntary and community sector,

and local communities themselves, to enable more effective joint working and bringing together of resources. The LSP is supported by a range of key delivery partnerships/groups who deliver on the priorities within the Community Plan, and report regularly to LSP on progress.

3.4. Vision and Values

The Councils overall vision is to create 'A Borough to be proud of'; in achieving this, the authority works with a number of underpinning values:

- To continuously strive to improve
- To be customer focused by listening, caring and being respectful
- Deliver what we can and be clear about what we can't
- Be ambitious and maximise opportunities
- Equality and fair treatment for all
- To be a confident and capable council

3.5. The Corporate Plan

The draft Corporate Plan 2013 – 2016, sets out the aims and underpinning priorities through which the Council's overall vision will be achieved, enabling everyone to know what the Council will be focusing on to improve the quality of life for residents of the Borough

Aims:

- Creating a vibrant place to work and live
- Empowering communities
- Supporting individuals
- Providing value for money and pro active services

3.6 Service Improvement Plans

Service Improvement Plans set out how each service area in the Council contributes to the achievement of the aims set out in the Corporate Plan. They set out a series of actions with progress monitored against these actions throughout the year.

3.7 Environmental Health's Objectives

In working towards achieving the Council's Vision the Environmental Health Services has the objectives of:-

- a) Ensuring the food and drink intended for human consumption, which is produced, stored, distributed, handled or consumed within the borough is without risks to health and safety of the consumer and satisfies the requirements of the Food Safety Legislation.
- b) Identifying and investigating where necessary all infectious diseases and food poisoning to prevent the spread, where possible, of such infections in the community.
- c) Carrying out the necessary inspections to enable us to licence or register the various premises for which we are responsible and to ensure that they comply with all legal requirements for which we are the enforcing authority.
- d) Securing the workplace health, safety and welfare for both employees and the public in the Borough.

- e) Disseminating information to the public and commercial organisations in the district to promote a healthier life style.

Within Environmental Health Services, these objectives are the responsibility of officers employed in the Commercial Section. This Plan sets out how the Commercial Section intends to work towards achieving the objectives in 2013/14, through education, training and enforcement.

3.8 Links to Strategic Aims

This Service Plan supports the Community Plan, Corporate Plan and the Council's Vision and values by setting out in detail the actions the Council intends to take, in relation to food safety and health and safety.

This Plan also expands the Service Improvement Plan for the Commercial Section, already approved by Council. It includes clear objectives together with key tasks, targets and performance indicators against which progress can be measured in delivering the food safety and health and safety service.

The Council has been awarded the Investors in People accreditation and is well aware of the importance of involving staff, at all levels in the organisation, as part of Performance Management. Staff involved in the plans implementation have been consulted on its contents.

The Service Plan and supporting budgets form the basis of the Council's work programme on food safety and health and safety for the year.

3.9 Best Value and Continuous Improvement

The Council is committed to continually improving its services to the public. A number of improvement techniques within its Performance Management Framework are used to keep its services under review to ensure they reflect the right balance between quality and cost, and also that they show continuous improvement. The Commercial Section is committed to strive continually to improve service delivery in accordance with the principles of best value.

Within the framework of Best Value the Council has provided extensive training to staff on the principles of Continuous Improvement. The Commercial Section has used this concept and the advice given within the Framework Agreement on Local Authority Food Law Enforcement and Health and Safety Executive's Section 18 Guidance to look at the ways our work is carried out.

4. Background

4.1 Profile

The Borough of Hinckley and Bosworth is situated in the south west of Leicestershire, covering an area of 300 square kilometres. The 2011 census showed the population of the borough to be 105,000 occupying some 46,909 homes. The population is overwhelmingly white British (94.6%) with the largest group from the ethnic population (5.2%) being Indian Asians 1.3%. Almost 90% of the Borough is rural and 60% of the working population are employed within the manufacturing and hospitality industries.

Hinckley is the main administrative centre of the Borough and holds regular markets (including a Farmers Market). Market Bosworth is a small historic market town which contains a large number of popular tourist attractions and hosts a street market every Wednesday. Other major centres in the Borough include Barwell, Burbage and Earl Shilton. In addition there are 20 other parishes which contain villages and hamlets of different size and character.

The Council is part of a two tier arrangement for local government in Leicestershire. Food Standards and Animal Feeding Stuffs enforcement is therefore the responsibility of Leicestershire County Council's Regulatory Services Department.

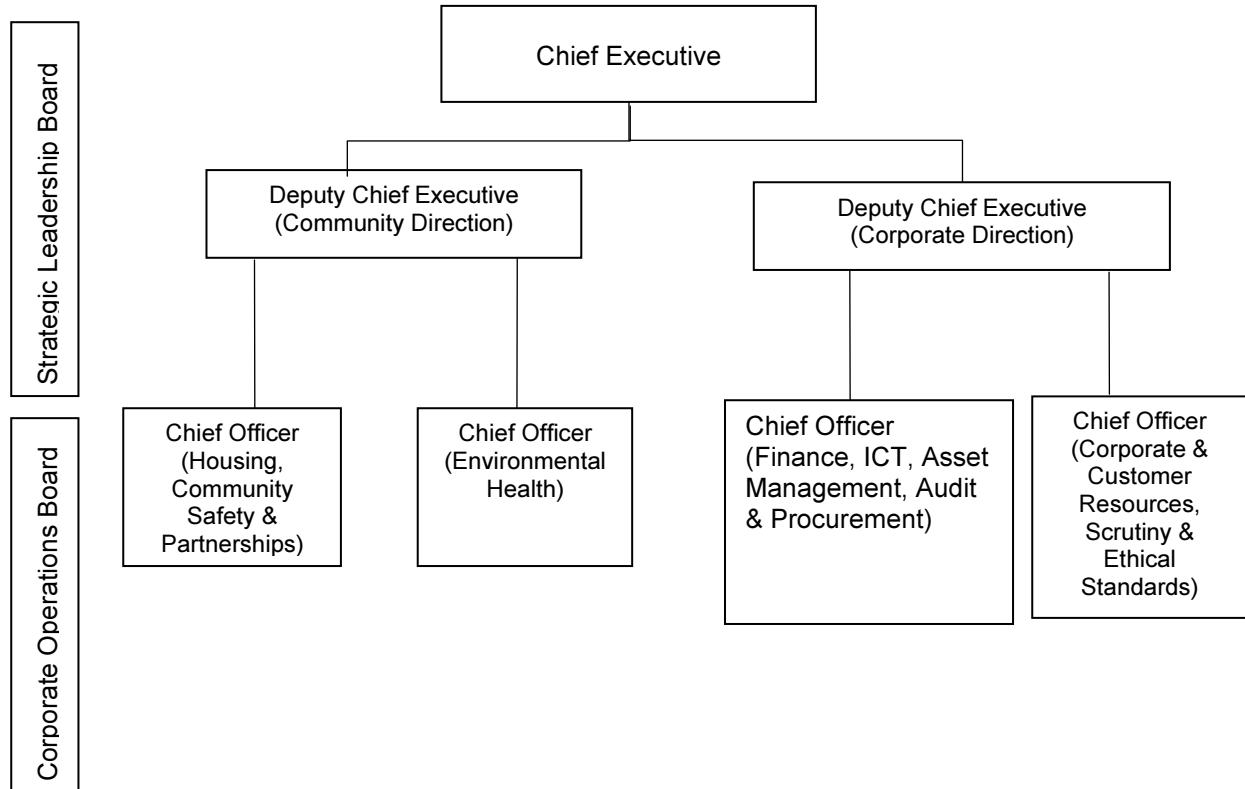
The Council is also part of the national two tier arrangement for enforcement of health and safety legislation along with the Health and Safety Executive. Health and Safety enforcement in factories, construction sites and utilities is administered by the Health and Safety Executive from their Northampton offices (Telephone 01604 738300).

4.2 Organisational Structure

The Council consists of 34 Councillors serving 24 parishes. The Council operates a Cabinet style structure, called The Executive. The Executive consists of 8 Councillors, each with an executive portfolio, one of which includes the Executive Member for Environment, Health and Climate Change. This member is responsible for ensuring the Environmental Health Service achieves the objectives and delivers the service demanded by the Council.

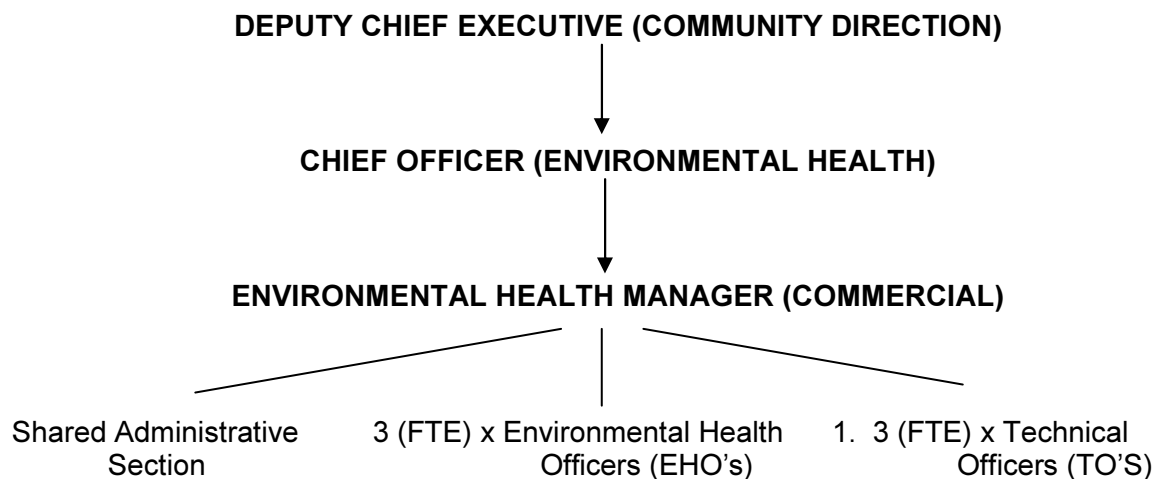
Officers headed by the Chief Executive carry out strategic and operational management of the Council Services. The Chief Executive and two Deputy Chief Executives form the Strategic Leadership Board, responsible for the strategic management, whilst 4 Chief Officers form the Corporate Operations Board, responsible for operational management of council services. The figure below shows the organisational structure for the delivery of council services:

OPERATIONAL MANAGEMENT STRUCTURE OF COUNCIL SERVICES



The Deputy Chief Executive (Community Direction) is responsible for the Environmental Health Services, which includes the Commercial Section that deals with Food Safety and Health and Safety Enforcement.

The Commercial Section of Environmental Health Services structure is described below:



Contact telephone numbers for the various people involved are shown in the table below:

	Name	Telephone number
Executive Member for Environment, Health and Climate Change	Mr David Gould	01455 844300
Chief Executive	Mr Steven Atkinson	01455 255606
Deputy Chief Executive (Community Direction)	Mr Bill Cullen	01455 255700
Chief Officer (Environmental Health)	Mr. Robert Parkinson	01455 255641
Environmental Health Manager (Commercial)	Mr Steven Merry	01455 255735
Lead Officer – Food Hygiene & Health & Safety	Mr Steven Merry	01455 255735

Specialist food safety services, i.e. a Food Analyst, and Examiner, are not employed directly by the Council. Staffordshire County Council's Public Analyst and Public Health England, through the Good Hope Hospital, Heart of England NHS Foundation Trust, Birmingham, provide these services respectively. Equally the services of Staffordshire County Council's Public Analyst are used for analysis of samples of a health and safety nature and specialist services for health and safety may be called upon from the Health and Safety Executive.

5. Food Safety Enforcement Service Delivery Plan 2013/2014

5.1 Scope of the Food Safety Service

Food safety enforcement is part of the service provided by the Commercial Section of Environmental Health Services. Besides food safety, the Section is also responsible for delivering the Council's obligations in relation to Occupational Health and Safety, Infectious Diseases, Health Improvement, Animal Welfare and Licensing. These activities in general are seen as complementary to food safety as they give a fuller picture of premises standards and therefore combined enforcement benefits both consumers and businesses alike.

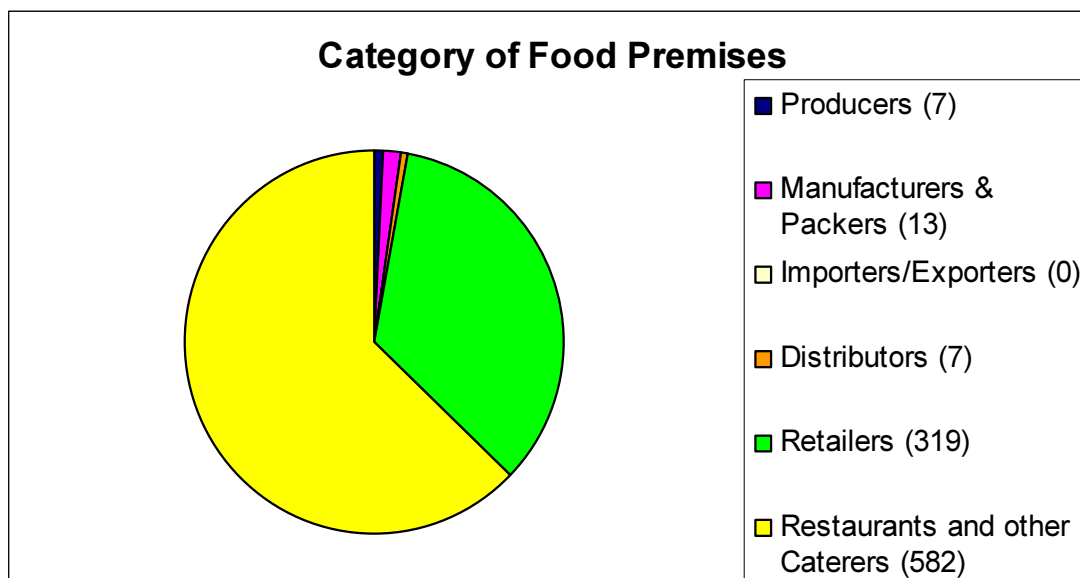
Food safety activities mainly revolve around inspection of commercial food establishments in the borough, but are complemented by a food sampling programme, investigation of food complaints and food poisoning incidents, and health promotional activities including the delivery of food hygiene talks, seminars and courses.

The Commercial section is managed by the Environmental Health Manager (Commercial) who also has lead responsibility for food matters. Apart from this post as at 1 April 2013 there are 4 other Environmental Health Officers, (representing 3 Full Time Equivalents) who undertake the full range of duties of the Commercial section. There is 1 Technical Officer who also carries out all the duties of the section but is only allowed, because of his qualification to inspect food premises in groups C-E (see below). There is also 1 part time Systems Administrator for the Idox computer system.

5.2 Demands on Food Safety Service (as at 1st April 2013)

In the borough there are 928 premises subject to food hygiene inspection in the following risk categories:

Risk Category	Number of Premises
A	2
B	40
C	418
D	209
E	235
Unrated	24
Total	928



The Borough has 2 approved Dairy Products premises one manufacturing Cheese the other Ice Cream. Additionally there is 1 premise which commenced processing chicken in April 2013 and is presently subject to Conditional Approval, with a review for full approval due in July. These premises receive inspections from Officers who have had specialist training in these fields. There are also 3 premises approved under European legislation as being Egg Grading establishments and one premises which package cold pickles and manufacture cooked sauces which are exported internationally. No other specialist or complex food processing is carried out in the borough.

Staff and facilities are located on the 1st Floor at The Hinckley Hub, which is located within Rugby Road, Hinckley. All personal callers are received at reception located on the ground floor, Monday to Thursday from 8:30 hrs to 17:00 hrs and on Friday's 8:30 hrs to 16: 30 hrs.

The service can also be accessed via an out of office hours number, which is used for all emergency environmental health issues, 01455 251137. A website, www.hinckley-bosworth.gov.uk is used to "post" information about the services that the Team provides for consumers and business and also provides a direct e-mail address for service requests, esadmin@hinckley-bosworth.gov.uk. Access can also be made through a community portal, www.hinckleyandbosworthonline.org.uk.

5.3 Enforcement Policy

The Council adopted the Central and Local Government Concordat on Good Enforcement in August 1999. A documented Food Safety Enforcement Policy was adopted by the Council in January 2002. The Councils enforcement policy towards food safety therefore consists of two parts. The first consisting of the generalised enforcement procedures of the Service whilst the second lays out more specific procedures in relation to food safety enforcement.

During 2008 the Environmental Health General Enforcement Policy, the first part of the Food Safety Enforcement Policy was revised to take account of the Regulators Compliance Code which came into force on 6 April 2008. This was approved by the Executive in October 2008 and Scrutiny Commission in November 2008. This policy was again reviewed in 2011 and an updated version approved by the Executive on 7 December 2011. The second part, detailing specific food safety enforcement procedures was refreshed and adopted in December 2008. The policy also underwent an Equality Impact Assessment in 2010.

The policy sets out what food business and others being regulated can expect. It lays down the generalised policy of the Council based on the principles of good enforcement contained in the Enforcement Concordat, produced by Central Government and the Statutory Code of Practice for Regulators (Compliance Code) produced by the Department for Business Enterprise and Regulatory Reform. The policy has also been formulated at the County Food Liaison Group to help ensure consistency of approach across Leicestershire.

The Regulators Compliance Code is currently under review and a consultation response on the initial draft was submitted. Further developments of the revised code will be kept under review in 2013/14.

5.4 **Service Delivery**

5.4.1 **Intervention Programme**

All food premises receiving a food hygiene intervention will be risk rated following the intervention. The rating scheme used by Hinckley and Bosworth Borough Council is that set out in Annex 5 to the Food Law Code of Practice (England) (April 2012), produced by the Food Standards Agency. This means that all premises will receive an intervention within a range of 6 months to 3 years, depending upon the risk associated with the premises.

The current premises profile with respect to risk rating is shown below with the category of premises due in 2013/14 shown in column 4.

Cate- gory	Minimum Frequency of Intervention	No. Premises	Interventions due 2013/14	Interventions Carried over from 2012/13	Total No. Interventions required in 2013/14
A	at least every 6 months	2	4	0	4
B	at least every year	40	39	1	40
C	at least every 18 months	418	249	16	265
D	at least every 2 years	209	99	28	127
E	at least every 3 years	235	77	3	80
	Unrated	24	24	0	24
		928	492	48	540

Since a reorganisation in 2009, 2.3 full time equivalent officers are presently engaged in food hygiene enforcement.

The issue of local authorities having insufficient resources to undertake their food safety inspections is known by the Food Standards Agency and consequently the Agency do allow local authorities to use other means of assessing the lowest risk rated premises compliance with food safety legislation other than by inspection. Therefore three year's

ago this Council introduced self assessment questionnaires for lower risk rated businesses.

In order to manage the inspections in 2013/14 emphasis will be placed on ensuring that all high risk rated food premises (Category A – C) and unrated premises (ie prospective new businesses or new registrations) will be inspected, totalling 333. In addition, those lower risk premises that have not returned a self assessment questionnaire in 2012/13, and other low risk premises outstanding from the 2012/13 programme (32 premises) will also be targeted. Lower risk premises due in the 2013/14 will be dealt with, by way of inspection for D rated premises and self assessment questionnaires for E rated premises, unless at their last intervention they completed a questionnaire, in which case they will receive an inspection.

The target therefore for food safety in 2013/14 is 540 interventions, resulting from 460 inspections and 80 self assessment questionnaires or inspection. This will mean that 100% of all premises due an intervention will receive an intervention in 2013/14.

It is estimated that each inspection of a Category A-C and unrated food premises takes 4 hours to complete, whilst Category D and E take on average 3 hours, whilst a questionnaire takes approximately 0.5 hour to administer. 1853 hours will therefore be required to complete the food hygiene inspection programme, based on a 50% issue of questionnaires to E rated premises. These resources do not include support officer and management time or the resources required for revisits.

The number of revisits required following a programmed inspection is dependant on the level of compliance found and the action taken by the officer. Re-visits to premises following a programmed inspection will be made where significant contraventions of food hygiene or processing regulations and / or poor hygiene practices are found. In addition revisits due to proprietors requesting a revisit to improve their Food Hygiene Rating (see 5.6), will also be undertaken, last year 12 requests were received for this service, up from 7 in 2011/12. In addition 46 revisits to check on progress of remedial works following an inspection were also undertaken, equating to 58 revisits in total being undertaken in 2012/13. It is likely that approximately 60 revisits will be required this year, at approximately 1.5 hours per re-visit, including any follow up administration, this will require approximately 90 hours of the Section's time.

In addition, other visits will be made to food premises; for instance to follow up poor sampling results, complaint investigations, special surveys etc.

The activities of the Section relating to Food Hygiene and Safety will be affected by the reactive workload as it arises and this may mean an adjustment to the routine inspection and sampling programmes in order to devote increased resources to higher priority areas of work.

No targeted inspection activity is envisaged in 2013/14 unless requested by the Food Standards Agency. Equally no priorities relating to nationally or locally driven issues are expected or known of for that period.

In 2012/13 the service however did contribute to the national authenticity and testing regime relating to horse meat being found in some processed foods. The issue with horsemeat in food is fundamentally a labelling mis-description issue rather than one of food safety, therefore the primary lead for investigations lay with Leicestershire County Council Trading Standards rather than District and Borough Councils Environmental Health Services. However there has been extensive activity and cooperation in the county between the two services to establish the degree of prominence of horse meat in food products in the county. On initial discovery of horsemeat DNA in certain processed foods the Food Standards Agency selected 28 local authorities as part of a countrywide authenticity sampling initiative. Leicestershire County Council was one of those areas

chosen. The service provided Trading Standards with a list of Approved Meat processing premises in the borough along with Cold Stores. Due to the volume of work being undertaken by Trading Standards we were requested to carry out a special monitoring visit to a large Cold Store in the borough in order to carry out documentary and physical checks on products to ensure their authenticity and traceability. No issues were identified at the cold store and these results have been reported back to the Food Standards Agency directly by us. Both the samples and checks on premises carried out across Leicestershire have also been reassuring with no horse meat DNA being discovered in tests performed so far.

In previous years a measure of the Councils performance with respect to Food Hygiene has been through a National Performance Indicator NI 184, 'The number of Broadly Compliant Food Premises'. At March 2013 the service had achieved its target of increasing this indicator from 87% in April 2012 to 90%. The service has now seen the indicator rise from 78% in April 2010 to 90% in March 2013. This significant increase in the overall standards of food hygiene in the Boroughs food premises has been brought about with a combination of Officers promoting Safer Food Better Business and the Councils introduction of its hygiene rating schemes. Whilst, the advent of the new Coalition Government has meant that this performance indicator is no longer required to be reported to national government, it is seen by the Food Standards Agency as a useful measurement as to the continuing performance of local authorities and also to this Council as to a useful guide as to the overall indicator of food hygiene levels in businesses in the Borough. As such it is intended to continually monitor this indicator with the aim of improving further the number of food businesses in the Borough who are broadly compliant with legislation. Clearly though as the indicator approaches its maximum value it will be harder to continue to achieve further improvement. This year therefore a new challenging target for March 2014 has therefore been set at 92%.

In order to help achieve a level of 92% of food businesses in the borough being broadly compliant, this year Officers will continue to make use of the interventions allowed by the Food Standards Agency for those businesses which have a high level of compliance and thereby using released resource to increase attention on non compliant businesses. Therefore all food businesses rated 5 in the Food Hygiene Rating Scheme (see 5.6) at their last inspection may be subjected to only a sampling and verification visit or partial inspection to establish that conditions found on the last inspection remain. A full inspection will be made at their next programmed inspection date.

In line with the Council's food safety training policy which implements in full the Food Standards Agency's Code of Practice in respect of the qualifications and experience of Authorised Officers, all officers in the Section are appropriately qualified and trained, and where necessary supervised, to carry out their respective duties in relation to food safety inspections.

5.4.2 Food Complaints

Complaints about food will be dealt with in accordance with procedures for the handling of complaints and enquiries to the service. In addition account will be taken of the requirements of Food Law Code of Practice (England) in respect of complaints which may be more appropriately dealt with by the County Council.

In 2012/2013 the Service received 16 complaints and enquiries about defective food and 86 other complaints concerning premises or practices, a 62% rise to the 63 similar complaints received the previous year. This rise in complaints seems to stem from a large increase in the number of requests, 29, from prospective businesses for advice. In 2013/14 it is anticipated that there will be, in total, approximately 100 complaints and enquiries to be dealt with by the Service. 1000 officer hours have been allocated to this area of work.

Any foods requiring analysis will generally be forwarded to the Public Analyst at Stafford and occasionally the Leicester Museum is used for identification of insects.

5.4.3 Home Authority and Primary Authority Principle

The Council and the service support and adheres to the principles of Home and Primary Authority and has in place documented procedures to ensure that staff comply with it when enforcing food hygiene legislation, for example when investigating a food complaint in respect of food manufactured outside of the Borough.

The service has no formal Home Authority relationship with any businesses in the Borough.

From the 6 April 2009 the Primary Authority scheme under guidance from the Local Better Regulation Office (LBRO), now known as Better Regulation Delivery Office (BRDO) came into effect. This scheme is similar to the Home Authority principles but places a legal duty upon Local Authorities to consult with a Primary Authority (a Local Authority which has a formal arrangements with a business to offer guidance on a companies policies and procedures) where they are considering taking formal enforcement action against a business with such an arrangement. The service adheres to the Primary Authority scheme but has no relationships with any business in the borough.

5.4.4 Advice to Business

The provision of advice to food businesses on food hygiene is an important part of the Team's documented enforcement policy and represents the first option when dealing with minor contraventions. Proactive advice is provided to businesses on a routine basis during inspections.

During the year it is also anticipated that a number of telephone calls for advice by businesses will be made and responded to. In March 2013 a fourth Food Safety newsletter, following on from an initial newsletter issued to all food business in the summer of 2009, was produced for all food businesses registered in the Borough. To save on publishing and postal costs our practise the past few years has been to send each registered Food Business a mail shot indicating the existence of the newsletter on the Councils website. However last year this method indicated that only 55 hits were made to the newsletter pages. This year whilst we have adopted a similar approach we have promoted the newsletter through the council's social media networks on Twitter, Facebook etc. and monitoring on the number of businesses accessing this years newsletter will be monitored to establish if in future there is interest in the newsletter or a more effective delivery method is required.

2012/13 also saw the service deliver 3 food hygiene courses for food handlers using the Chartered Institute of Environmental Health Level 2 Award in Food Safety in Catering. All but one of the candidates passed the examination at the end. The candidate that failed was known to have language and literacy difficulties and is being helped by his employer in order that in the future he may re take and pass the examination.

In addition April also saw the service facilitate a food hygiene training course aimed at Chinese and Cantonese restaurants and takeaways in Hinckley & Bosworth. The course was conducted in Cantonese and was led by an experienced food safety trainer, who taught the 10 candidates from local takeaways, the importance of food safety. Unfortunately one candidate failed the examination at the end of the course.



Two successful candidates receive their Level 2 Award in Food Safety in Catering from Rob Parkinson Chief Officer (Environmental Health)

5.4.5 Food Sampling and Inspection

The Service has in place a documented food hygiene sampling policy, procedure and programme which has been developed with the help of the food examiners from the Health Protection Agency at the Good Hope Hospital, Birmingham, where the samples are taken for examination, and the County Food Liaison Group. In order to achieve the programme 312 food samples, 6 water and 125 environmental samples were taken during 2012/2013.

The Health Protection Agency ceased to be on the 1st April and is now incorporated into a new national executive agency called Public Health England. Through their regional laboratory at Good Hope Hospital, Birmingham, Local Authorities are able to submit an allocation of samples to be analysed free of charge. During 2013/2014 it is anticipated that 270 food samples will be submitted for analysis. A resource of 135 officer hours has been allocated to this area of work.

5.4.6 Water Sampling

A programme of water samples is undertaken from large food businesses within the district. In 2012/13, with the closure of a meat processing plant only one businesses was sampled on a regular basis. In total 5 samples, all satisfactory, were taken in 2012/13 for bacteriological quality as the cheese manufacturer premises is on mains water.

In 2013/14 with the new chicken processing plant commencing production it is anticipated that 12 samples will be taken, 24 officer hours have been allocated to this area of work.

5.4.7 Imported Foods

Although we do not have any inland ports we do have one premise that imports food from other countries for ingredients in its sauces that it produces. Whilst inspecting food premises checks are occasionally carried out to ensure that there is no illegal imported food used within the premises. If any are found then they will be dealt with in accordance with legal procedures.

5.4.8 Control and Investigation of Outbreaks and Food Related Infectious Diseases

All formal and informal notifications of food poisoning and food borne illness, except *Campylobacter*, are investigated within 3 days of receipt in accordance with the appropriate policy. During 2012/2013, 120 notifications were received and of those 94 were *Campylobacter*, 1 *E. coli*, 5 *Salmonella*, 8 *Cryptosporidia*, 11 *Giardia* and 1 suspected case of *Scrombotoxin*. Due to the isolated occurrences of *Campylobacter* and therefore difficulties in tracing sources, *Campylobacter* cases are no longer routinely investigated, however all other cases were investigated. It is anticipated that a similar number of food poisoning and food borne illness will be notified in 2013/2014. Based on previous years figures 120 officer hours have been allocated to this area of work.

5.4.9 Food Safety Incidents

The service has a documented procedure which deals with the action to be taken following the receipt or initiation of Food Alerts. The procedure complies with the requirements of the Food Law Code of Practice (England). During 2012/13 there were 67 Food Alerts. A similar number of alerts are expected in 2013/14.

5.5 Liaison

The Commercial Section is represented on the Leicestershire CIEH Food Liaison Group which includes representatives from all food enforcement authorities across the County including Leicestershire County Council Trading Standards, Public Health England and the Public Food Examiner from Good Hope Hospital, Birmingham. On behalf of the Food Liaison Group, in September the service organised a series of 4 seminars for regulators across the county on the identification of illicit alcohol, and tobacco. Two of the seminars were hosted at the Atkins Building with attendees including officers from Environmental Health, Trading Standards, Licensing, Fire, Community Safety and Police. Whilst illicit alcohol and tobacco is not known to be a major issue in the borough the seminar raised the awareness of officers to the issue and gave them an insight as to how to identify such products when conducting their inspections.

Infectious disease investigations and enforcement issues in 2012/13 were co-ordinated through the Leicestershire and Northamptonshire Infectious Disease Group which was administered by the Health Protection Agency. However with the demise of the Health Protection Agency and reorganisation of regional boundaries within the new agency, Public Health England, one of the tasks for 2013/14 will be to establish liaison arrangements with the new Agency.

The Environmental Services Manager (Commercial) along with other representatives of the East Midlands Area attends a liaison meeting with Severn Trent Water Authority once per annum.

The section has internal liaison with all service areas within Hinckley and Bosworth Borough Council but especially the Planning Service as regards planning applications and the Licensing Service as regards matters which are being dealt with by the Licensing Committee set up to deal with Licensing legislation.

5.6 Food Hygiene Promotion

Since January 2008 the Council has operated a food hygiene rating scheme for all catering businesses, and in 2010 commenced roll out of a national Food Hygiene Rating Scheme operated by the Food Standards Agency. When inspected food businesses are scored against a set of criteria for hygiene compliance, structural compliance and food safety management/control systems. The subsequent rated results are then posted on a website to provide members of the public details of the premises' hygiene rating at the last inspection. Each business is also supplied with a certificate displaying their rating which they were encouraged (but not legally required to do) to display either on the entrance door to the premises or adjacent windows.

During 2012/13 the service continued to embed the scheme and expand the sectors of food businesses that are now included in the national scheme. At the end of March 2013, the hygiene rating of 761 food premises in the Borough are now available at www.food.gov.uk/ratings. This now includes all eligible premises included in the scheme.

During inspections of food premises Officers establish if there is in place a documented Food Safety Management System, in effect documented procedures and checks to ensure that the food safety risks in the business have been assessed and are being controlled. A national model called 'Safer Food, Better Business' has been developed by the Food Standards Agency and is promoted to food business proprietors in the Borough should they not have an alternative system in place during inspections, seminars, newsletters etc.

The theme for Food Safety Week last year, 11 - 17 June 2012, was 'Food Safety on a Budget'. The week was promoted by manning a stall on Hinckley Market and visiting 7 Sure Start Centres throughout the week giving out useful information on managing food safely on a budget. A quiz to test knowledge on storing food safely and using leftover food attracted over 100 entries and the two winners from the prize draw won a hamper of food kindly donated by Aldi Ltd in Hinckley.



The picture shows one of the lucky winners Lavanya Kudupudi who entered the quiz at Westfield Sure Start's Children's Centre being presented with her hamper by Councillor David Gould (Executive Member for Environment, Health and Climate Change) at Aldi Hinckley. Also pictured is Susan Simmons one of the borough's Environmental Health Officers and Sharon Gowridge (Manager of Aldi Hinckley).

E.coli food poisoning is fortunately a rare occurrence; however when it does occur it is particularly devastating as it takes very few E.coli organisms to cause illness and the effects are usually severe with often kidney failure and death seen in a high percentage. This was demonstrated by the tragic death in 2005 of a 5 year old boy in South Wales from an outbreak of E. Coli 0157 food poisoning that also infected 157 other persons, mostly school children with 31 being admitted to hospital. Since this time the service have made a concerted effort to improve standards of food hygiene practises in the butcher's premises supplying cooked and raw meats especially concentrating on the few premises in the Borough that use one Vacuum Packaging machine to pack cooked raw and cooked food and thought to have been a primary source for the spread of the organism in South Wales. Whilst concentrating on this high risk sector, Officers have also been highlighting the principles of preventing E. coli infection to the wider catering trade. To this end November saw Environmental Health Officers from across the county meet at the Atkins Building for a one day training session on revised E.coli guidance from the Food Standards Agency. The guidance has been issued to help businesses reduce the risk of cross contamination from essentially raw foods, to cooked foods from the bacteria.

Various articles on food matters are produced for the Borough Bulletin, a Council publication sent to all dwellings and businesses within the Borough. In 2012/13 five articles were published in the bulletins promoting the Food Safety Week, food hygiene training for Chinese take away proprietors, improvements in food hygiene standards across the borough, food hygiene training and food hygiene ratings by a mobile phone application. Additionally press releases on these topics were also issued resulting in several local publications publicising the topics.

Due to directing Environmental Health staff resources to core inspection work last year our hand washing campaign was continued to be delivered by the Health Improvement Officer with 5 hand hygiene sessions. Hand washing information has also been posted on the Councils internet pages and a teacher's pack available for all schools in the borough along with information on how they may loan our hand hygiene equipment to demonstrate the importance of hand hygiene.

Officers are asked by various groups to give talks on the work of the Environmental Health Section, in particular, as regards food matters. In 2012/13 Environmental Health attended The Barwell Customer Carnival designed to promote aspects of health, housing, welfare and community safety to the people of Barwell. The event was organised by Midland Heart Housing Association in partnership with the Council and Orbit Housing Association at the George Ward Centre at the end of June. The Commercial team manned a stand, promoting good food safety practices and healthy eating on a budget and ran a quiz throughout the day with the theme of 'Food Myths'. The stand was well received by the visitors to the main hall and a number of lively discussions were had on the various food, healthy eating and quiz question topics. Visitors left the stand armed with a number of leaflets to further assist safety and hygiene when household budgets may be stretched.

6. Health and Safety Enforcement Service Delivery Plan 2013/14

6.1 Description of Service

Health and Safety enforcement is part of the service provided by the Commercial Section of Environmental Health. The service:

- Inspects places of work and entertainment to ensure high standards of health, safety and welfare in accordance with current enforcement responsibilities.
- Carries out accident and complaint investigations.
- Provides advice and guidance to businesses, employees and the public.

6.2 Aim of Health and Safety Enforcement Service

The overall aim of the health and safety enforcement service is:

- To secure the workplace health, safety and welfare for both employees and the public in the Borough.

6.3 Priorities of Health and Safety Enforcement Service

In March 2011 the Coalition Governments announced its plans to reform the health and safety system in Britain with the publication of 'Good Health and Safety, Good for Everyone'. Under the reforms, protecting people in the workplace and in society as a whole remained a key priority; however the focus of the health and safety regime will be a move to a lighter touch approach concentrating on higher risk industries and on tackling serious breaches of the rules.

Consequently these reforms have required the HSE and local authorities to reduce the number of inspections carried out; to have greater targeting where proactive inspections continue; and to increase information provision to small businesses in a form that is both accessible and relevant to their needs.

Guidance produced by the HSE through their National Local Authority Enforcement Code launched in May 2013 and the Health and Safety Executive /Local Authorities Enforcement Liaison Committee revised Local Authority Circular 67/2 (rev3) 29 November 2011 'Advice/Guidance to Local Authorities On Targeting Interventions have therefore been used to determine this Councils' key priorities for 2013/14.

The HSE Code indicates that Local Authorities are expected to target proactive inspections on high risk activities in specified sectors or on workplaces where intelligence suggests that risks are not being effectively managed. A listing of the activities and sectors suitable for inspection is published along with the Code.

Based on the Code the key delivery priorities of the Health and Safety service of Hinckley and Bosworth Borough Council are:

- To target health and safety interventions on higher risk areas and dealing with serious breaches of health and safety legislation.
- Investigating major injury incidents and fatalities. This approach is in line with national justice agenda and used to assess and target poor management as part of the Better Regulation agenda.

The service will need in 2013/14 to continue to keep a watching brief on national developments in health and safety policy.

6.4 Delivery of the Health and Safety Service Priorities 2012/13

In 2012/13 four projects were identified as priority initiatives:

6.4.1 Asbestos Project

The asbestos projects aim was to raise awareness of the duty to manage asbestos in commercial premises, with the target group being landlords of commercial premises such as warehouses, workshops and premises on industrial estates. Other premises which would benefit from the information and advice were also targeted.

Ten Estate Agents who were thought to manage commercial properties were contacted with two of them agreeing to send out an information leaflet, produced in consultation with Better Business for All (See 8.2), to all the landlords of property that they were responsible for managing. Feedback from one estate agent confirmed that it had forwarded the leaflet on to a dozen commercial landlords whom they manage property for.

Asbestos management within commercial properties which are owned by Hinckley and Bosworth Council were also targeted with Officers responsible for Estate management sent the leaflet and information in connection with 7 business and industrial estates.

The leaflet was also distributed to 3 other private business centres and 2 businesses that were known to be undergoing a refurbishment with the aim of raising awareness with contractors/persons responsible to obtain the relevant information as to whether asbestos was present before work was undertaken.

6.4.2 Beauty Sector Project

The beauty sector projects aim was to increase public awareness of the risks of using unlicensed premises, the legal age restrictions and to survey businesses in the borough to identify the beauty treatments activity being offered.

To increase public awareness of the risks associated with tattooing and piercing an article is to be provided in the Summer 2013 edition of the Borough Bulletin. In addition a leaflet is to be provided to schools and colleges in June 2013 again containing information on the risks associated with tattoos, body piercing, ear piercing and to inform children and parents of the minimum age for tattoos.

A telephone survey of all businesses within Hinckley and Bosworth thought to be involved with beauty treatments has been carried out to identify the treatments offered and enabling the service to update its records in respect of the registered persons and business details.

No businesses were identified within the survey that were carrying out scarification, branding, beading, implants or tongue splitting, and only one business was identified with a fish pedicure, which will be visited to ensure there are no risks to the public.

During the survey additional questions were asked where the businesses were providing sun beds and laser treatment. No problems were identified with the businesses providing sun beds. In March 2012 a letter and information pack was sent to businesses with sun beds from which all of the businesses appear to be fully aware of the age restrictions, methods of verifying age and other safety requirements for skin.

The use of Lasers for hair removal is carried out by two businesses within Borough. One of the businesses was identified as needing an additional visit due to lack of awareness.

The survey also revealed three premises in the Borough also provide Botox which is carried out by a specialist practitioner within the business.

A considerable number of businesses were identified where registration was needed for skin piercing, electrolysis and hairdressing. New businesses were also identified, surveyed and where necessary informed of the need to register.

6.4.3 Event Safety Campaign

With the Queens Diamond Jubilee and Olympics to the fore in 2012 several projects involving events were targeted to ensure the safety of participants.

Web pages were set up on the council's web site giving event organiser's health and safety advice and resource links when organising street parties and similar events.

In addition three big music events, Lain Fest, Bos Fest and Triumph Live were planned for the summer of 2012 and required the Health and Safety Service liaising and providing information to the organisers on health and safety requirements. In the end only the Triumph Live event at Mallory Park occurred which incorporated a live music concert by the well known rock band Kaiser Chiefs for which up to 20,000 people were anticipated attending. Due to the projected size of the concert the service convened a Safety Advisory Group for the event. This group brought together the regulatory agencies involved, Environmental Health, Police, Ambulance, Fire and County Council, together in one room with the organisers and their agents to ensure a better planned and coordinated event. This planning proved invaluable with the event passing off relatively smoothly.

A project was also conducted throughout the year about bonfire and firework display safety. The aim of the project was to hold a register of all bonfire and firework displays to allow the public to see those which have been approved for safety by the Council. An information pack with guidance notes and a registration form were sent to 16 premises previously known to have had displays or were advertising a display. The pack contained a guidance sheet to help them in the planning stages and requested the return of a registration form with their display risk assessment and current liability insurance certificate. Once assessed as safe by Environmental Health, the register would be displayed on the Council's website, giving additional promotion for their event.

Unfortunately we only had one respondent and whilst they had completed the registration form, the business did not provide their risk assessment or insurance certificate. There was also no contact from any of the other businesses to discuss matters by telephone. That said the Jubilee celebrations, Olympics, Guy Fawkes Night and Christmas and New Year passed off without incident at Commercial premises.

6.4.4 Transport Initiative

In order to highlight the large proportion of accidents reported to the service from the warehouse sector it was decided to conduct a project in this sector on the high risk activities.

The aims of the project were to produce a first generation Questionnaire/Aide-memoir to assist Officers when undertaking a review of workplace transport associated activities; highlight the highest risk activities on a range of warehouse sites; raise awareness of duty holders regarding workplace transport on warehouse premises.

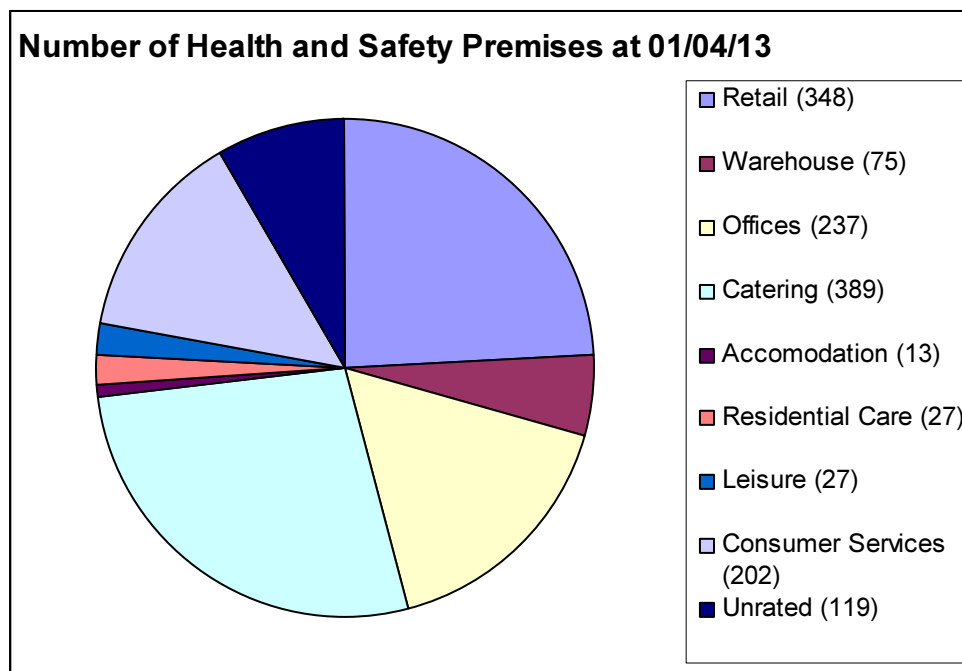
The trial questionnaire/Aide-memoir was developed for Officers to use to assess clients premises focussing on, workplace transport equipment, storage and racking systems, unloading, loading and load/pallet integrity and safety.

A total of 7 premises were visited by officers, representing a range of sites from relatively small to multi site local and multinational warehousing activity where it was found that the aide-memoir/ questionnaire worked well across the range of premises visited. No poor premises were identified by the visits with issues raised with duty holders as a result of the intervention being confined to control of access to workplace transport equipment, poor levels of understanding regarding importance of racking, maintenance and inspection, poor racking condition/damage, walkways and pedestrian separation and light levels.

Whilst generally the topics and general questionnaire worked well with business proprietors and officers the questionnaire has been revised to include manual handling and further work in this sector will be developed over the next 12 months.

6.5 **Delivery of the Health and Safety Service Priorities 2013/14**

The following chart illustrates the category profile of the 1437 Health and Safety premises within the borough for which the Council has enforcement responsibilities at the 1 April 2013: -



6.5.1 **Health and Safety Planned Inspections 2013/14**

Based on the risk rating scheme the risk profile of premises whose health and safety enforcement responsibility falls to this Council is shown in Table 1 below:

Table 1 – Risk Profile of Health and Safety Premises at 1 April 2013

Category	A Highest Risk	B1 Medium Risk 1	B2 Medium Risk 2	(C) Lowest Risk	Unrated
Summary of appropriate Intervention (LAC 67/2 (rev 3))	Proactive Inspection	Alternative Intervention other than Proactive Inspection		Reactive Intervention Only	
Total number of premises	3	92	308	915	119
Total number of inspections due 2013/14	3	33	100	172	119

In accordance with LAC 67/2 (rev 3) it is proposed in 2013/14 to target inspections at Category A businesses only, resulting in an inspection target of 3 premises. The medium risk categories 'B1' and 'B2' premises due an intervention in 2013/14 will receive an intervention initially by means of a questionnaire or should they not respond or require follow up action following receipt of a questionnaire, by an advisory visit should resource be available. It is therefore anticipated that an additional 133 premises may be dealt with by way of questionnaire. All unrated and new premises will receive an advisory visit and be risk rated following this visit. This is expected to result in a further 119 visits. There will be no proactive interventions to C rated premises in 2013/14, however these premises will receive a visit should a reactive visit be required for instance should a service request be made or a serious accident arise.

In summary therefore it is anticipated that the service will in 2013/14 conduct 3 inspections, 133 interventions by questionnaires and 119 advisory visits to unrated businesses. In total therefore the health and safety service aims to achieve 255 interventions in 2013/14.

6.5.2 Revisits

Revisits are carried out to confirm that employers and other duty holders have undertaken any necessary measures to comply with their legal obligations identified following an inspection or other intervention such as a complaint or accident investigation.

A revisit will be undertaken following all interventions at which significant contraventions have been identified.

Priority will be given to revisiting those premises where:

- Formal enforcement action such as the service of an improvement or prohibition notice has been necessary to secure compliance with the law.
- The premises are rated Category A.

6.5.3 Accident Investigation

In 2012/13 the council received 84 accidents / dangerous occurrences reported to it under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR).

It is not necessary to investigate all of these notifications. However, we will investigate all accidents, cases of disease and dangerous occurrences that meet the criteria set out in our policy document No7 - Procedures for the selection and investigation of accidents, diseases, dangerous occurrences and other statutory notifications. This policy is based upon HELA circular 22/13 "Incident Selection Criteria", which was reviewed and implemented in 2010. A high priority will be given to selecting for investigation slip, trips and fall accidents and incidents involving workplace transport.

In 2012/13 we investigated 29 (35%) of accident notifications received.

In 2013/14 it is anticipated that we will investigate approximately 30% of all the accidents reported to us.

From the 6th April 2012 the reporting requirements under RIDDOR have been relaxed so that any incident at work, (except those defined as major injuries) which results in an employee or self employed person being away from work or unable to perform their normal work duties for more seven consecutive days is now reportable, instead of previously three. This change will be communicated by officers to businesses in the normal course of their duties.

6.5.4 Service Requests

All service requests relating to standards of occupational health and safety will be investigated and appropriate enforcement action taken. We aim to respond to 100% of requests within 2 working days.

In 2012/13 we received 35 requests for service. In 2013/14 it is anticipated that a similar number (35) service requests will be received.

Additionally where we are notified of asbestos removal activities, we will investigate them to ensure removal of asbestos material is being carried out in accordance with the legislation and codes of practise.

6.5.5 Intervention Plan 2013/14

The service intends to be involved in several projects during 2013/14:

Activity	Evidence that identified the concern and set its priority	Planned intervention type	Rationale for intervention	Outcome / output measures
Proactive Interventions				
To continue to take an active role and promote the work of the LLEP Better Business For All Partnership	Research undertaken by LBRO has identified that Regulators are viewed by some businesses as being a barrier to growth	Partnerships	It is expected that by developing a new, positive, transparent relationship between businesses and regulatory services, regulators will be perceived by businesses as supportive and helpful resulting in legal compliance and business growth	Perception survey
Inspection and provision of advice and guidance at businesses identified as risk category A	Standards found at time of last intervention	Inspection (Cat A) – 3 Premises identified	Undertake an intensive programme of support for all Cat A premises until the risk at the premises is reduced and can be categorised as B1	Number of premises inspected Number of visits made Number of premises moving from A to B1
Legionella Infection	National Priority identified in National Local Authority Enforcement Code (May 2013)	Focused Inspections on Legionella controls in high risk premises and increasing awareness in medium risk businesses.	To raise awareness and ensure adequate controls are being taken by business to prevent a legionella outbreak.	Number of premises contacted / inspected, questionnaires returned and leaflets provided.
Follow up on work in 2012/13 which identified high risk activities in the Beauty Sector within the Borough and raise public awareness to these issues	Beauty sector – Recognised National Priority – LAC 67-2 rev 3 – Summary of National Planning priorities 2012/13	Advisory visits to premises carrying out high risk beauty activities and publicity to educate & raise awareness of the public.	(1) To raise awareness and ensure adequate controls in place in businesses where knowledge of new trends or novel technologies is identified. (2) Increase public awareness of the risks through press releases.	Number of visits and press releases issued
E. coli / Cryptosporidium infection especially in children	National Priority identified in National Local Authority Enforcement Code (May 2013)	Focused Inspections on 2 Farm Parks in the borough on infection control measures.	To raise awareness and ensure adequate controls in place to prevent infection of children.	Number of inspections carried out / level of compliance of businesses.

Health and safety campaign within the Transport and warehousing Sector	County RIDDOR statistics / reports of concern and National Priority identified in National Local Authority Enforcement Code (May 2013)	Questionnaires/focused inspections in sector premises relating to controls in place on vehicle movements and working at height.	To raise awareness and ensure adequate controls in place to the major hazards in the transport sector.	Number of premises visited Number of enforcement notices served.
Health and Safety campaign in Care Home Sector	County RIDDOR statistics / reports of concern and National Priority identified in National Local Authority Enforcement Code (May 2013)	Focused inspections in sector premises relating to legionella controls, scalding, falls, bedrails, moving and handling patients and violence at work.	To raise awareness and ensure adequate controls in place to the major hazards in the Care Home sector.	Number of inspections carried out / level of compliance of businesses.
Health and Safety campaign in Hotel and Leisure Sector	County RIDDOR statistics / reports of concern and National Priority identified in National Local Authority Enforcement Code (May 2013)	Focused audits /inspections on controls to prevent violence at work and falls.	To raise awareness and ensure adequate controls in place to falls and violence at work in the Hotel and Leisure sector.	Number of premises contacted / inspected, questionnaires returned.
Reactive Interventions				
Investigate reports of incidents and ill health using the Incident Selection Criteria	RIDDOR statistics	Incident and Ill Health Investigation.	To investigate to establish if there are any issues or poor management performance.	Number of incidents reported Number of incidents investigated Number of notices served Number of prosecutions / cautions.
Investigate reports of concern and complaint from employees or members of the public	Reports of complaint	Dealing with Issues of Complaint	To investigate to establish if there are any issues or poor management performance.	Number/Nature of complaints investigated Number of notices served.

Respond to professional Officers concerns on the performance of a business.	Reports of concern	Dealing with Issues of Concern	Respond to matters of evident concern / or significant breaches of health & safety law identified during a visit undertaken for another primary purpose e.g. a food hygiene inspection or licensing inspection or referred from another regulator e.g. Fire Service	Number of referrals from other regulators Number of matters of evident concern / significant breaches Number of notices served
Carry out checks on the maintenance regimes of premises with underground LPG pipe work which are notified to us by reports from the HSE	Recognised national priority identified in National Local Authority Enforcement Code (May 2013)	Dealing with Issues of Concern	To investigate condition and maintenance regimes following notifications of underground pipe work from HSE.	Number of notifications received Number of notices served

6.5.6 Delivery mechanisms

In order to deliver our priorities for 2013/14 the mechanisms illustrated in the following Table will be utilised.

Priority	Delivery Mechanism	Deadline
Section 18 Compliance	Service Plan approved by Executive	31 July 2013
Appropriate Enforcement	Continue to ensure enforcement decisions are consistent with our Enforcement Policy, the HSE's Enforcement Policy Statement and the Enforcement Management Model. This will ensure proportionate, consistent, transparent and accountable enforcement in line with the Better Regulation agenda.	31 March 2014
Staff Training	Complete Personal Development Appraisals for all staff	30 June 2013
	Review Personal Development Appraisals and monitor Officers progress	30 November 2013
	Ensure Officers attend revision /training on relevant health and safety topics to ensure they are appropriately trained and developed ensuring their competence and credibility with local businesses and encouraging staff retention/recruitment	31 March 2014

6.6 Performance Indicators

Description	2012/13	2012/13	2013/14
	Target	Actual	Target
Local Performance Indicators			
Number of workplace interventions carried out	178	160 (90%)	255
Service Performance Indicators			
Percentage of service requests investigated	100	100	100
Percentage of service requests responded to within 2 working days	100	97%	100
Percentage of asbestos notifications investigated	100	100	100

6.7 Provision of Information

A key objective of the council's health and safety enforcement service is to provide advice and guidance to businesses and employees.

The Commercial section has made a commitment to issue press releases relating to forthcoming events planned for health and safety issues. In addition premises will be sent information on any significant changes to legislation.

In the spring of 2013 the service produced a Health and Safety Newsletter. The newsletter contained articles on Organising or participating in an event, Changes to Smoke Free legislation, Thinking of starting a business, Lone Working, Health at Work Service and Gas Safety in Food Businesses. To save on publishing and postal costs our practise the past few years has been to send each known business where health and safety enforcement falls to this Council a mail shot indicating the existence of the newsletter on the Councils website. However last year this method indicated that only 45 hits were made to the newsletter pages. This year whilst we have adopted a similar approach we have promoted the newsletter through the council's social media networks on Twitter, Facebook etc. and monitoring on the number of businesses accessing this years newsletter will be monitored to establish if in future there is interest in the newsletter or a more effective delivery method is required.

6.8 Health and Safety Enforcement Policy

The Council adopted the Central and Local Government Concordat on Good Enforcement in August 1999. A Leicestershire wide enforcement policy was drafted and amended to reflect the way Hinckley and Bosworth Borough Council operates and adopted by the Cabinet of the Council on the 15 June 2005. The Councils enforcement policy towards health and safety therefore consists of two parts. The first consisting of the generalised enforcement procedures of the Service whilst the second lays out more specific procedures in relation to health and safety enforcement.

Following the Regulators Compliance Code which came into force on 6 April 2008, this policy has been amended to reflect the changes brought about by the Code. In December 2011 the general Environmental Health Enforcement Policy section was revised and approved by the Executive of the Council.

The Regulators Compliance Code is currently under review and a consultation response on the initial draft was submitted. Further developments of the revised code will be kept under review in 2013/14.

6.9 Improved Contact with Employee Representative

It is acknowledged that an essential contact to improve health and safety standards in workplaces is the workplace Health and Safety Representative. In order to establish these contacts an effort is made to liaise with them and record their contact details at appropriate interventions. Furthermore standard inspection report letters emphasise the legal requirement to inform employees on any health and safety items which may affect them.

6.10 Smoke Free Legislation

Smoke Free Legislation came into force on 1 July 2007. The legislation meant that virtually all enclosed public places and workplaces became smoke free. Enforcement in this Borough is by Officers from within the Commercial Section.

During 2012/13 the service continued to proactively monitor compliance with emphasis at all food hygiene, health and safety and licensing inspections. This monitoring resulted in several informal warnings being given to businesses but no formal action taken.

Anecdotal information also indicates that whilst there is a high compliance with the Smoke Free legislation in premises, there appears to be some non compliance associated with work vehicles. To mark 'No smoking Day ' in March 2013 a campaign was run targeting businesses with work vehicles .The campaign involved a press release and a letter being sent to all businesses in the Borough highlighting the legislation surrounding smoke free vehicles, cigarette littering and advice services to help smokers quit along with text alerts being sent to Taxi Drivers. During the week Officers also were on heightened alert to look out for smoking in work vehicles, which resulted in 4 businesses being sent warning letters.

Continued monitoring and appropriate enforcement will continue in 2013/14.

7. Resources

7.1 Financial Allocation

Resources allocated to the Commercial Team are not kept separate from the general allocation of funds in the budget for the Environmental Health Section. In 2012/13 a net total budget of £819,340 was allocated to Environmental Health and remained unrevised during the year. At the beginning of 2013/14 a budget of £887,010 has been allocated and represents an increase of 8.26% on the original budget for 2012/13 and is mainly due to a substantial increase in Central I.T.Recharges.

Operational staff all have essential user car status. They are supported with appropriate equipment to carry out their inspections and sampling activities. Specific resources are made available annually for the rolling replacement of equipment, food sampling and analysis, training and other specific aspects of service provision; again these are funded from the general Environmental Health budget.

The Idox computer system is used for planning and recording food safety and health and safety activities.

Formal enforcement action for example, prosecution of a food business proprietor would involve activity by the authority's Legal Services Section. Costs incurred by legal services would be included in the annual recharge to the Team and as such it is not classed as controllable expenditure.

7.2 Staff Allocation

At the 1 April 2013 five Environmental Health Officers and one Environmental Health Technical Officer with appropriate qualifications and experience that meet the requirements of the Food Safety Act Code of Practice were involved in food hygiene enforcement. This was represented by one manager and five field staff. Taking into account the services provided by the Team this equates to 3 full time equivalent officers engaged in food hygiene enforcement.

The service has an administration section and a Systems Administrator which supports the Team.

The five Environmental Health Officers and one Environmental Health Technical Officer have the appropriate qualifications and experience to enforce Health and Safety legislation and this equates to 1.5 FTE officers employed in Health and Safety.

All field staff are competent and appropriately qualified, trained and supervised commensurate with Food Law Code of Practice (England) and with Health and Safety Executive Section 18 Mandatory Guidance 'The Standard for Health and Safety Enforcing Authorities' (2008).

7.3 Staff Development Plan

The Council has obtained the Investor in People status and has in place a training and development plan which is amended each and every time a member of staff has a Personal Development Review, usually annually with a six month review.

In addition the Service has a documented Training Policy which is adhered to and stipulates the ongoing training requirements for staff in compliance with the Food Law Code of Practice (England) and with Health and Safety Executive's Section 18 Mandatory Guidance: 'The Standard for Health and Safety Enforcing Authorities' (2008).

Should any staff return to food hygiene or health and safety work after some time out, appropriate structured refresher training in compliance with the Food Law Code of Practice (England) and for The Standard for Health and Safety Enforcing Authorities (2008) will be given.

Training will be given to all staff, either by external or internal means, on any new Legislation or Food Standards Agency/HSE requirements.

8. Quality Assessment

8.1 Quality Assessment

The Food Safety Service has developed 17 documented procedures to ensure the quality of its service. These cover areas of:

- Food Hygiene Inspection Procedures
- Documentation and Implementation of a Service Delivery Plan
- Enforcement Policy
- Food Sampling Procedures
- Food Sampling Programme
- Authorisation of Officers
- Infectious Disease Investigation Procedures
- Outbreak Control Procedure
- Food Complaints
- Operational complaints
- Internal Monitoring Procedures
- Food Hazard Warnings
- Database Maintenance
- Prevention of Loss of Data from Database
- Quality Monitoring
- Documented Control System
- Training systems
- Equipment Maintenance and Calibration
- Local Liaison Arrangements
- Third Party or Peer Review Arrangements
- Promotion of Food Safety Issues

These documents were developed in 2001/2 and revision of all was completed in 2008/09 in light of a new Code of Practice issued by the Food Standards Agency in March 2006 and the issue of the Regulators Compliance Code which came into force on 6 April 2008.

The Health and Safety Service also has documented procedures developed in 2001/02 these being:

- Enforcement Policy (revised 2009 and 2010)
- Enforcement Procedures
- Inspection Procedures
- Health and Safety Information Policy
- Health and Safety Accident and RIDDOR Notifications (Revised 2010), (Incident selection process)
- Formal Cautions
- Notice Procedure
- Core Competencies and Training for Enforcement Offices

The Enforcement Policy was revised in 2009 to incorporate changes relating to the Regulators Compliance Code and again in 2010 following an Equality Impact Assessment. The Incident Investigation Selection Procedure was revised in 2010 as part of the process to ensure the Council is fully compliant with Section 18 guidance. The remaining documents have all been revised in 2011/12.

Historically sound management practices and the professionalism of officers have assured quality management, due the small size of the team. A Quality Management Procedure was drafted for the Food Safety service in 2008/09 which included relevant monitoring arrangements to ensure all procedures are complied with in relation to

enforcement work and the training and development of staff. Similar procedures also apply to Health and Safety activities.

Correspondence emanating from the officers of the Section is sampled by the Environmental Health Manager (Commercial) for his perusal before despatch, in order to ensure accuracy and consistency in content.

Additionally the Council works with other Leicestershire Authorities with Inter Authority Audits, Peer Review Exercises etc. In December 2010 and January 2011 peer review exercises were conducted in which food enforcement officers from across the county discussed various hygiene scenarios in catering establishments in order to improve consistency in risk rating businesses. Further exercises are planned for 2013/14.

In previous years the Section has conducted post inspection satisfaction surveys by way of a questionnaire sent out to premises which have received an inspection. Each returned questionnaire was monitored for any individual issues and then additionally compiled for analysis. Unfortunately due to this exercise being time intensive and with already high satisfaction levels (100% in 2010/11 and 98% in 2009/10 being satisfied with the Sections inspection service), and the service having to focus on more core activities with reduced resources, surveys have not been conducted since 2010/11.

8.2 **Better Business for All**

The Better Business for all project was launched in September 2011 by the Leicester and Leicestershire Local Enterprise Partnership (LLEP) to build a new relationship between businesses and regulators in the Leicester and Leicestershire area and has attracted interest on a national scale. The project aims to explore how an effective and efficient regulatory system can support business growth by removing both real and perceived regulatory barriers to growth. Cabinet Ministers are interested to see how the project progresses and are keen for the work which is carried out by LLEP to support the implementation of similar schemes in other LEPS in the country.



Steven Merry, Environmental Health Manager (Commercial) and Bill Cullen, Deputy Chief Executive (Community Direction) signing the Charter at the Better Business for All Launch event.

Members received a detailed briefing on the Better Business for All project through a second Members Briefing Note issued in January 2013 and in particular highlighted the following developments and benefits to this Council:

Free Officer Training –

- All Commercial Officers received Organisational Awareness training. This provided them with an enhanced knowledge of the regulatory system in which they operate and an understanding of where both they, and businesses, can get advice on compliance.
- Several officers have also received Business Awareness training. This involved them spending time in local businesses to gain an understanding of the pressures faced by business and also how regulatory services can add too or relieve some of these pressures.
- The Environmental Health Manager (Commercial) attended a workshop on Leading for Change

Data exchange –

- There is an exchange of data between all regulatory partners resulting in increased intelligence

Enhanced Reputation

- Involvement in Better Business for All has enhanced the reputation of officers, services and Council on both a local and national stage. Ministers, civil servants and the Local Government Association have shown enormous interest in what has been achieved in the county and we are being regarded as an example of best practice with other Local Enterprise Partnerships (LEP) areas being actively encouraged to adopt Better Business for All. On 31st October there was a national LEP Shared Learning event which focused on the role of regulation in growth and how Better Business for All can support the local economy. Representatives from 27 LEP areas and over 150 delegates from local authorities, national regulators, LEPS and business organisations attended the event. The Environmental Health Manager (Commercial) delivered a presentation on work we are doing with MIRA on providing liaison and advice to newly locating businesses on UK legislation.

Business Support Scheme

- A single point of access to advice and guidance has been developed with 3 elements to the Business Support Scheme:
 - i. Single phone number **0871 384 3185**
 - ii. Website www.llep.org.uk/betterbusinessforall
 - iii. Officer referral
- A start up brochure for business has been produced which includes all aspects of regulation. This is provided free of charge to all businesses to use and can be assessed at:
http://www.llep.org.uk/advice_pack
- A joint steering group with representatives from the regulatory system and business organisations working together towards a common set of objectives has been established.
- A business focus panel acting as a critical friend to those services and providing a consultative mechanism for local authorities has been established.

Coordination of Regulatory Services

- A single regulatory services partnership which includes all relevant local and national regulatory services has been established.
- A weekly email has also been established, going out to all staff to keep them informed of what is happening with the programme and coordinating communication between all regulatory agencies.

9. Review

9.1 Review

Procedures are in place to review the service plan on an ongoing basis, and annually.

The plan is regularly monitored during its year of operation by the Environmental Health Manager (Commercial) who subsequently reports progress at Service Management meetings. Each quarter a report is produced for all Members highlighting the performance of all Services in Environmental Health. In these, performance of the Commercial Section is annotated and any issues highlighted. The Executive Member responsible for the Environmental Health portfolio regularly meets with the Environmental Health managers and may also take periodic monitoring reports to the Executive. Any service adjustments required during the year may then be instigated to ensure if possible that the targets set can be met.

At the end of the year the Environmental Health Manager (Commercial) will review the Commercial Sections activities during that year. The review will report through this Service Plan information on the previous year's performance against the service plan, and any other specified performance target, and performance standards and targeted outcomes. Any identified variance from the service plan and where appropriate the reasons for that variance, will be brought to the attention of the appropriate Executive member.

The Scrutiny Commission of the Council has a function to review service delivery plans. The Commission may call for the plan at any time and make comment or recommendations to the Executive or the Council. The service also reports performance annually to the Council Services Select Committee and addresses any suggestions for improvement or requests from Members.

9.2 Identification of variance from the Service Plan 2012/13

9.2.1 Interventions

In total the Section made 671 interventions during 2012/13, representing 91.5% of the target of 733 for the year.

a) Food Hygiene

The section has inspected 493 food premises for food safety and received 18 self assessment questionnaires, totalling 511 interventions for 2012/13.

The Food Safety Enforcement Service Delivery Plan of 2012/13 required 525 premises to be inspected and 30 premises dealt with by way of self assessment questionnaire, totalling 555 interventions for the year; hence 92.1% of the food safety inspection programme was achieved.

The resultant enforcement actions are described in the table below.

Food Safety Enforcement Actions

Type of Premises	Informal Notice	Improvement Notice	Voluntary / Emergency Closure	Prosecution/ Formal Caution
Primary Producers	0	0	0	0
Manufacturers and Packers	6	0	1	0
Importers/Exporters	0	0	0	0
Distributors/Transporters	1	0	0	0
Retailers	109	0	1	0
Restaurants/Caterers	226	1	0	0
TOTALS	342	1	2	0

The most significant enforcement action in 2012/13 involved two premises where voluntary cessation of the use of vacuum packers was obtained for the machines being used for both raw and cooked meats. This practice carries a significant risk of spreading food poisoning bacteria, including E.coli 0157 and a contributory factor in a number of outbreaks of the disease.

b) Occupational Health and Safety

The section has inspected 8 Category A rated premises for occupational health and safety, received 38 questionnaire responses, carried out 100 advisory visits and 14 further interventions on the projects the service conducted in the year, totalling 160 interventions for 2012/13.

The Health and Safety Enforcement Service Delivery Plan of 2012/13 required 178 interventions for the year; hence 90% of the health and safety intervention programme was achieved.

The intervention programme produced no significant enforcement action being required.

9.2.2 Health Promotion

During 2012/13 due to directing Environmental Health staff resources to core inspection work our hand washing campaign targeting High School pupils has been scaled back; however 5 hand washing sessions were held by the services Health Improvement Officer.

9.2.3 Courses and Campaigns

During 2012/13 the service took part in several Food and Health and Safety initiatives as listed below:

- Completed roll out of the national Food Hygiene Rating Scheme in the borough. All 761 registered food premises in the borough within the scope of the scheme now have a rating and on the national website.

- Contributed to the national authenticity and testing regime relating to horse meat being found in some processed foods.
- Facilitated a food hygiene course in Chinese for food handlers in take away premises.
- Conducted a campaign during Food Safety Week on the theme of 'Food Safety on a budget'.
- Attended the Barwell Customer Carnival promoting good food safety practises in the home.
- Conducted health and safety campaigns on the duty to manage asbestos, beauty treatments, event safety and transport in the warehousing sector.
- Produced business newsletters on food safety and health and safety
- Conducted a campaign around No Smoking Day on smoke free vehicles

9.2.4 Service Requests

In total the Section investigated 137 service requests during 2012/13. This represented 35 for health and safety and 102 food related. Whilst health and safety complaints remained static a 62% rise was seen in food related complaints. This rise in complaints seems to stem from a large increase in the number of requests, 29, from prospective businesses for advice.

9.2.5 Sampling

The 2012/13 sampling programme in which 312 food, 11 water samples and 125 environmental swabs were taken, was achieved in full.

9.2.6 Infectious Diseases

The Section carried out 26 food poisoning investigations in 2012/13.

9.2.7 Areas of Improvement 2012/13

The service was able to progress all of the key service improvements and objectives for 2012/13.

9.3 Areas of Improvement for 2013/14

Key service improvements and objectives for 2013/14 are:

1. Keep a watching brief on the Coalition Government policy reviews and initiatives with respect to food safety enforcement and health and safety and assess their implications on the Councils enforcement service.
2. Develop and promote 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.
3. Review administrative arrangements to improve efficiency and consistency in food safety and health and safety activities in particular to revise existing food and health and safety procedure notes.
4. Ensure data continues to improve, in reliability, and robustness.