

**ENVIRONMENTAL HEALTH COMMERCIAL SERVICES
ENFORCEMENT SERVICE DELIVERY PLAN 2014/15**

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



Hinckley & Bosworth
Borough Council

A Borough to be proud of

WARDS AFFECTED: ALL WARDS

1. **PURPOSE OF REPORT**

To seek Executive approval of the Environmental Health Commercial Services Enforcement Service Delivery Plan for 2014/15 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 2014/15 (Appendix 1 to this report).

ii) That the Executive note and endorse the achievements of the Environmental Health Commercial Service in 2013/14.

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 2013/14:-

- 693 interventions were carried out during the year, representing 87% of the target of 795 for the year.
- 459 food, water and environmental samples were taken from food businesses, achieving in full the sampling programme.
- 798 food premises in the borough are now listed on the national Food Hygiene Rating Scheme web site.
- The service's delivery of the implementation of Food Standards Agency guidance on controlling the risk of cross contamination from E.coli 0157 has been audited and found "able to demonstrate that it is effectively implementing FSA guidance on controlling the risk of cross contamination".
- Conducted health and safety campaigns on legionella, beauty treatments, prevention of infections from animal farms, warehouse safety, slips trips and falls and within the residential care homes sector.
- Enabled 13 poorly hygiene rated food businesses to receive one to one coaching in order to improve their rating and thereby their business prospects and public protection
- Attracted £2,000 grant from the Food Standards Agency for implementation of United Kingdom Food Surveillance Scheme, a national database to enable greater intelligence for risk based sampling programmes.

The Service targets for 2014/15 for food safety interventions will be 515 inspections and 77 alternative interventions by self-assessment questionnaires for low risk food businesses resulting in 592 interventions. This will lead to a 100% intervention rate for all premises due an inspection in 2014/15.

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 2014/15 will carry out 3 inspections to 'A' (top risk rated) premises, carry out 135 alternative interventions by way of self assessment questionnaires to all medium rated businesses and carry out 135 advisory visits to unrated new businesses, resulting in 273 interventions. In addition projects to target specific health and safety issues include:

- Focused inspections on Legionella controls in 14 high risk premises found in 2013/14 not to respond to a survey or identified with significant gaps in controls
- Conclude a 2 year project of residential care homes focusing inspections relating to legionella controls, scalding, falls, bedrails, moving and handling patients and violence at work.

- Conduct a health and safety campaign within the Tyre and Exhaust fitting Sector.

During 2014/15 two key areas have also been identified for attention including:

- Revise existing food and health and safety procedure notes.
- Revise enforcement policies to ensure they reflect the Regulators Code

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.

4. FINANCIAL IMPLICATIONS [SJE]

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

5. LEGAL IMPLICATIONS [EH]

Contained within the body of the report.

6. 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 proactive services which will support individuals.

7. CONSULTATION

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

8. 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	Ensure positive messages	Steven

coverage of local campaigns	emphasised in campaigns	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

9. **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.

10. **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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