



Hinckley & Bosworth  
Borough Council

*A Borough to be proud of*

**DOCUMENT No 1**

**ENVIRONMENTAL HEALTH COMMERCIAL  
SERVICES**

**ENFORCEMENT  
SERVICE DELIVERY PLAN  
2014 / 2015**

**May 2014**

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## GLOSSARY

Idox	-	Idox Plc - Data Software Supplies to Environmental Health
BRDO	-	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 2013
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**

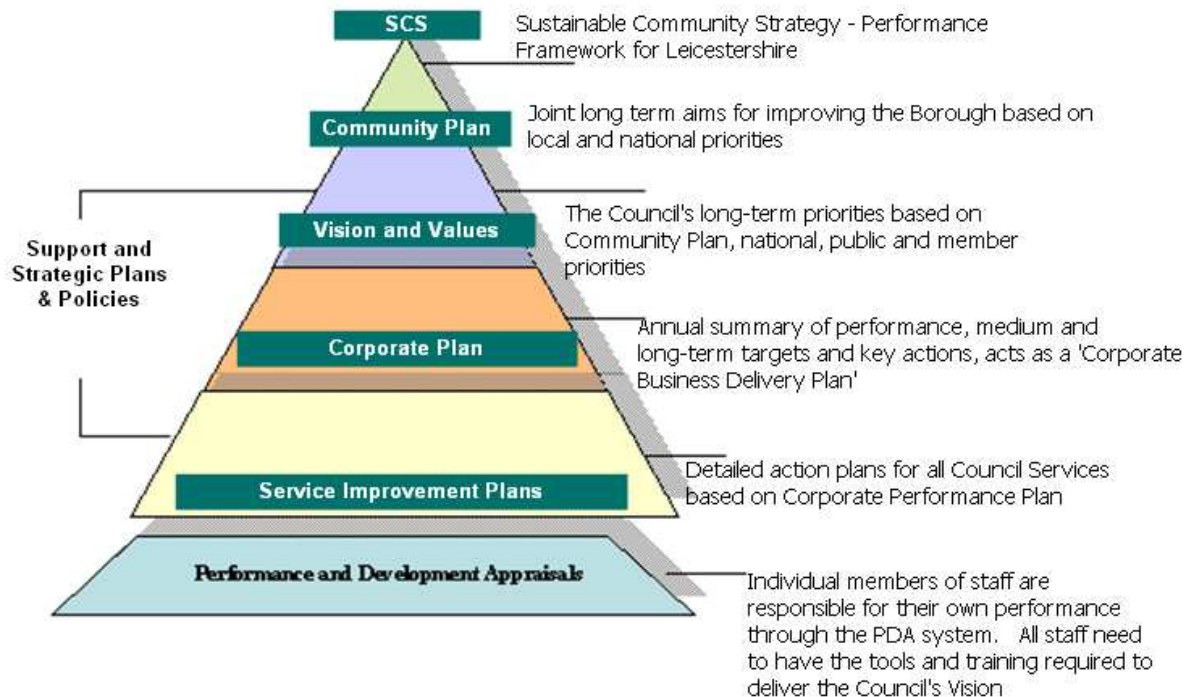
This service plan and its delivery shall take into account the aims of Hinckley and Bosworth Borough Council's Equal Opportunities Policy which is committed to achieving equality for all by removing direct and indirect discrimination on the grounds of:

- 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 2014 - 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 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 2014/15, 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.

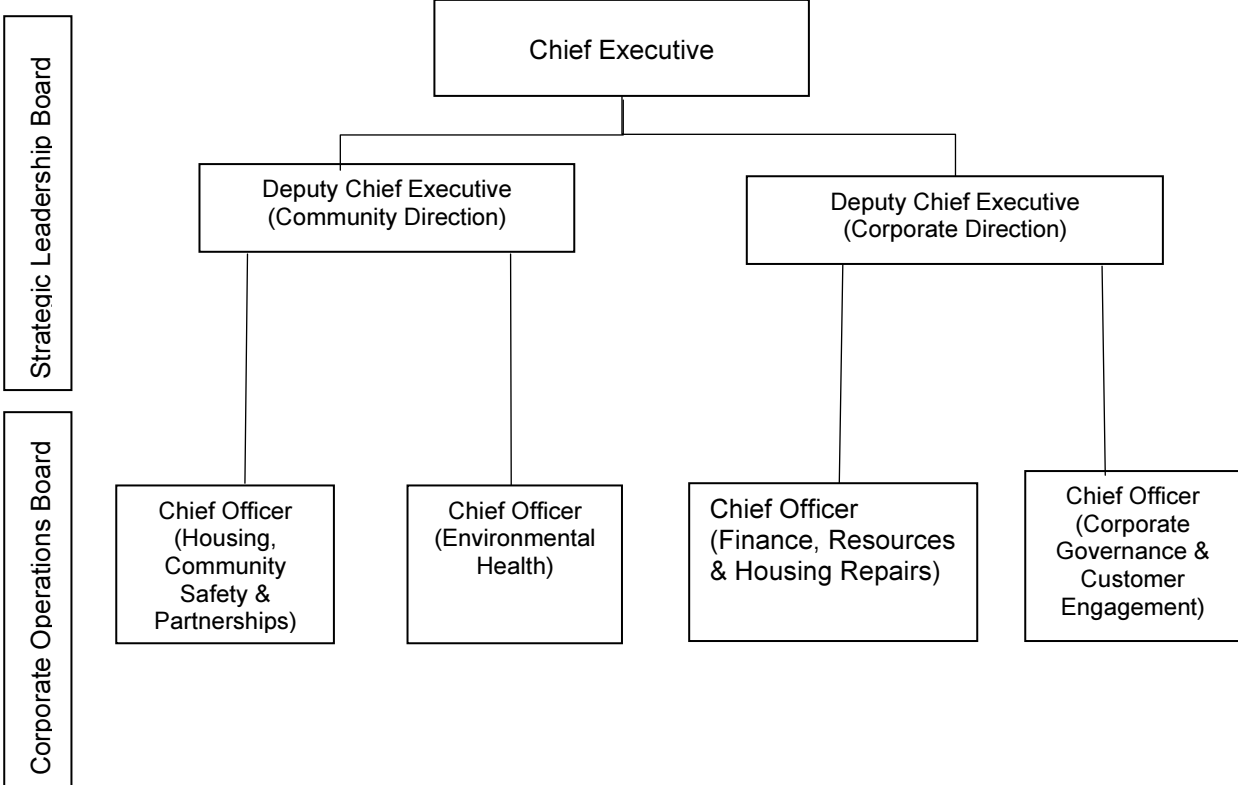
The Council is also part of the national two tier arrangement for enforcement of health and safety legislation along with the Health and Safety Executive. Health and Safety enforcement in factories, construction sites and utilities is administered by the Health and Safety Executive from their Northampton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

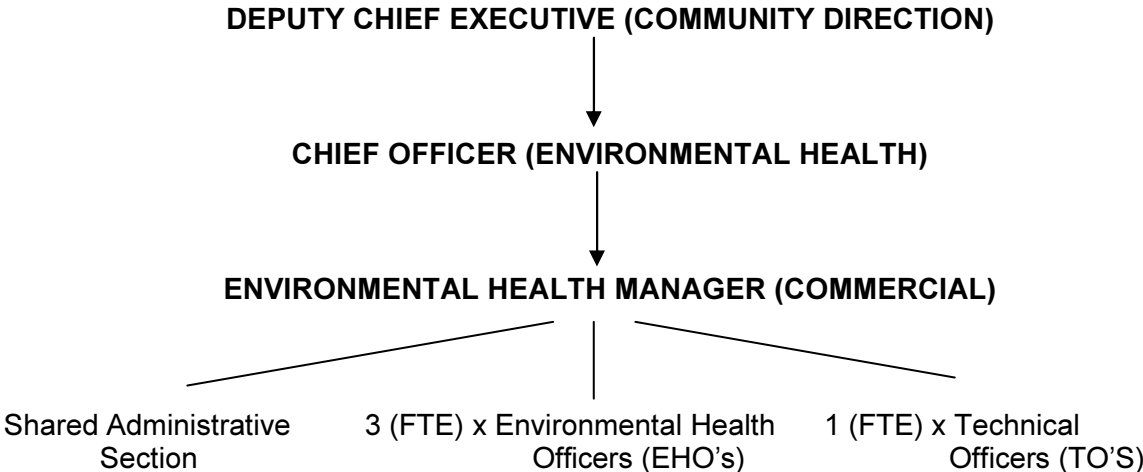
Officers headed by the Chief Executive carry out strategic and operational management of the Council Services. The Chief Executive and two Deputy Chief Executives form the Strategic Leadership Board, responsible for the strategic management, whilst 4 Chief Officers form the Corporate Operations Board,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

	<b>Name</b>	<b>Telephone number</b>
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 2014/2015

### 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.

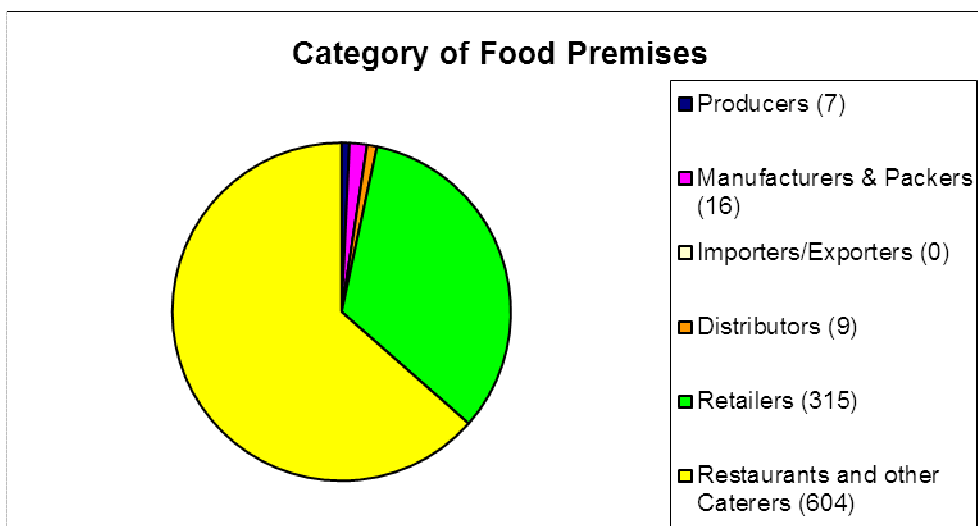
Food safety activities mainly revolve around inspection of commercial food establishments in the borough, but are complemented by a food sampling programme, investigation of food complaints and food poisoning incidents, and health promotional activities including the delivery of food hygiene talks, seminars 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 2014 there are 4 other Environmental Health Officers, (representing 3 Full Time Equivalent) 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). In August 2013 the part time Systems Administrator resigned her post. Following a review of the position it was decided to delete the post from the establishment and for support to the service on the Idox computer system be given by a member of the ICT service. To date this arrangement has been working satisfactorily.

### 5.2 Demands on Food Safety Service (as at 1st April 2014)

In the borough there are 951 premises subject to food hygiene inspection in the following risk categories:

<b>Risk Category</b>	<b>Number of Premises</b>
A	2
B	46
C	331
D	279
E	265
Unrated	28
<b>Total</b>	<b>951</b>



The Borough has 2 approved Dairy Products premises one manufacturing Cheese the other Ice Cream. Additionally there is 1 premise processing chicken which was granted Full Approval in October 2013. 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 produces Indian cooking sauces, pastes, pickles and chutneys which are exported internationally. No other specialist or complex food processing is carried out in the borough.

Staff and facilities are located on the 1<sup>st</sup> 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](http://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](mailto:esadmin@hinckley-bosworth.gov.uk) . Access can also be made through a community portal, [www.hinckleyandbosworthonline.org.uk](http://www.hinckleyandbosworthonline.org.uk).

### **5.3 Enforcement Policy**

On the 6 April 2014 a revised Regulators Code came into force. Through the Regulatory Partnership set up under the Leicester Leicestershire Enterprise Partnership, the service is working up its revision to its documented general and Food Safety Enforcement Policies adopted by the Council in January 2002 and revised versions in 2008 and 2011, to ensure the Council meets the statutory requirements of the new code. Once completed revised general and Food Safety enforcement policies will be put before the Executive of the Council for approval in 2014.

The current policies set out what food business and others being regulated can expect from officers and the Council and based on the principles of good enforcement, contained in the Regulators Compliance Code of 2008. These policies were formulated at the County Food Liaison Group to help ensure consistency of approach across Leicestershire.

## 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 2014), 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 2014/15 shown in column 6.

Category	Minimum Frequency of Intervention	No. Premises	Interventions due 2014/15	Interventions Carried over from 2013/14	Total No. Interventions required in 2014/15
A	at least every 6 months	2	2	0	2
B	at least every year	46	43	3	46
C	at least every 18 months	331	169	63	232
D	at least every 2 years	279	127	41	168
E	at least every 3 years	265	77	30	107
	Unrated	28	37	0	37
		951	376	137	592

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

In order to manage the inspections in 2014/15 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, along with Category D premises. In addition, those lower risk premises that have not returned a self-assessment questionnaire in 2013/14 (30 premises) will also be targeted for inspection. Therefore the total inspection target for 2014/15 is 515. Category E premises due in the 2014/15 will be dealt with, by way of self-assessment questionnaires.

The target therefore for food safety in 2014/15 is 592 interventions, resulting from 515 inspections and 77 self-assessment questionnaires. This will mean that 100% of all premises due an intervention will receive an intervention in 2014/15.

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. 1,900 hours will therefore be required to complete the food hygiene inspection programme. 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 13 requests were received for this service, similar to the 12 received in 2012/13. In addition 41 revisits to check on progress of remedial works following an inspection were also undertaken, equating to 54 revisits in total being undertaken in 2013/14. 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 2014/15 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 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'. The service has seen a substantial rise in the borough of Broadly Compliant premises 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 and consequently this year saw a slight fall in broadly compliant premises to 89% as at 31<sup>st</sup> March 2014, below our target of 92%. One of the factors in this slight fall is a number of new businesses which have yet to commence trading or waiting a rating. This year therefore a target for March 2015 has therefore been set at 90%.

In order to help achieve a level of 90% 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 2013/2014 the Service received 23 complaints about defective food and 74 other complaints and requests for advice concerning premises or practices. 35 of the service requests related to enquiries from prospective businesses for advice. In 2014/15 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. Revised in 2013/14, 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.



Since 2009 a food safety newsletter was produced for all food business 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 in 2012/13 this method indicated that only 55 hits were made to the newsletter pages. Last year, in an attempt to increase uptake, we promoted the newsletter through the council's social media networks on Twitter, Facebook etc. but again the letter only received 63 hits. This year therefore it has been decided in view of the poor hit rate not to produce a newsletter but move to sending targeted information to specific food industry sectors. In 2013 a letter was sent to all restaurants and caterers informing them of the proposed requirements in the Food Information Regulations due to come into force in December 2014. Then in January 2014 a letter was sent to all Nursing and Residential Care Homes issuing advice on the prevention of Listeria infection.

2013/14 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 the candidates passed the examination at the end.

#### **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 Public Health England 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 259 food samples and 176 environmental samples were taken during 2013/2014.

Through Public Health England's regional laboratory at Good Hope Hospital, Birmingham, Local Authorities are able to submit an allocation of samples to be analysed free of charge. During 2014/2015 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.

The United Kingdom Food Surveillance System (UKFSS) is a national database that centrally holds a record of all food and feed samples taken by Local Authorities and Port Health Authorities. It enables greater intelligence on risk based sampling programmes at local and national levels enabling targeting of resources and thereby improved public protection. Historically the system has been used by Trading Standards in their work on compositional standards of food and animal feedstuffs, but now is expanding to record bacteriological results from sampled foods. To encourage local authorities to join the system, grants have been offered from the Food Standards Agency for which an application was made by this Council in February 2014. In March 2014 we were informed that the Council had been granted £2000 which has been used to download and install the necessary software, configure our ICT systems to communicate with UKFSS and to purchase a new lap top. This allows officers to complete sampling forms in the field and transmit them electronically, saving officer time in completing paperwork, printing and duplications in data entries, as well as enabling us to interrogate the system to better inform our sampling programmes in future years.

#### **5.4.6 Water Sampling**

A programme of water samples is undertaken from large food businesses within the district. In 2013/14, two businesses were sampled on a regular basis resulting in 24 samples being taken for bacteriological quality over the year.

In 2014/15 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 2 days of receipt in accordance with the appropriate policy. During 2013/2014, 102 notifications were received and of those 70 were Campylobacter, 3 E. coli, 9 Salmonella, 4 Cryptosporidia, 12 Giardia, 1 Dysentery, 2 Hepatitis E and 1 Typhoid. Due to the isolated occurrences of Campylobacter and therefore difficulties in tracing sources, Campylobacter cases are not routinely investigated, however all other cases were investigated. Based on historic rates it is anticipated that a similar number, approximately 110 cases of food poisoning and food borne illness will be notified in 2014/2015, hence 110 officer hours have been allocated to the investigation of individual cases.

#### **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 2013/14 there were 43 Food Alerts, 7 of these alerts required action from local authorities, however due to the nature of the food or its distribution no further action was required of officers from this council. A similar number of alerts are expected in 2014/15.

### **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.

Infectious disease investigations and enforcement issues in 2013/14 were co-ordinated through the Leicestershire CIEH Food Liaison Group with a representative from Public Health England attending meetings.

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**

### **5.6.1 Food Hygiene Rating Scheme**

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 2013/14 the service continued to embed the scheme and expand the sectors of food businesses that are now included in the national scheme. At the beginning of April 2014, the hygiene rating of 798 food premises in the Borough are now available at [www.food.gov.uk/ratings](http://www.food.gov.uk/ratings).

### **5.6.2 Food Safety Management Systems**

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.

### **5.6.3 Food Safety Week**

Food Safety Week, 10 to 16 June 2013, had the theme of 'Kitchen Check' with the campaigns aim to highlight that the food that is cooked in home kitchens can be a source of food poisoning.

Eight presentations and discussions were held at local community centres, church groups, at 1 charity and 1 Sure Start Centre within the borough, with the people who took part covering a wide range of age groups from 11 days to 58 years of age, of both male and females. The presentation and discussions covered the 4 C's of food hygiene Cleaning, Cross Contamination, Chilling and Cooking as well as the difference between Use by and Best Before dates and how to deal with leftovers.

A quiz sheet was used to evaluate the presentation and discussion and to determine the Food Hygiene Rating for people's kitchens within the group.

Six questions were provided on the quiz which provided a food hygiene rating of 0, 1, 2, 3, 4, and 5.

- 0: Hygiene Horror
- 1: Sloppy Joe
- 2: Hygiene Novice
- 3: Hygiene Cavalier
- 4: Hygiene Contender
- 5: Hygiene Machine.

The evaluation revealed 1 Hygiene Cavaliers, 5 Hygiene Contenders and 106 Hygiene Machines. Thankfully we had no Hygiene Horrors or Sloppy Joes within the people who took part in the evaluation.

#### 5.6.4 E.coli 0157

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. Over the past few years 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 used to use one Vacuum Packaging machine to pack cooked raw and cooked food. Whilst concentrating on this high risk sector, Officers have also been highlighting the principles of preventing E. coli infection to the wider catering trade and have been utilising the Food Standards Agency "Guidance on the Control of the risk of Cross Contamination from E.coli 0157", now on its second revision. All officers have received training on this guidance and have due regard to its contents during their inspections. The guidance has also been publicised to businesses by newsletters, given out during inspections and during correspondence with them.

#### 5.6.5 Food Hygiene Coaching

One of our major achievements in 2012/2013 was to see a further rise in the standard of food hygiene in premises in the borough, from 87% to 90% broadly compliant premises. This is on the back of an increase from 78% broadly compliant in April 2010. Whilst this rise in 3 years is impressive clearly it will become harder in future years to see further increases in standards across the borough. However, in April 2014 we were approached by the Food Standards Agency to take part in research on delivery of food safety advice. The scheme being examined was the delivery of practical food safety coaching to help raise standards in small food businesses and was being funded by the Food Standards Agency. The project provided support to low compliance Take Away food businesses, using data from the Food Hygiene Rating Scheme and targeted businesses that were 0, 1 and 2 rated. Initially, 8 premises in the borough met the criteria and were targeted for the one to one coaching session held at their premises. The coaching is based on the 4C's; Cross-contamination, Cleaning, Chilling and Cooking, and includes a series of practical videos and a hand washing and cleaning demonstration and will also focus on the premises food safety management system.

Then in late February the Council was further approached to provide additional premises to the scheme and a further 5 premises were nominated for coaching visits during March 2014.

Officers will monitor the effect of this coaching at their next formal inspection when it is hoped that the businesses will have improved their rating.

#### 5.6.6 Further Promotional Work

Various articles on food matters are produced for the Borough Bulletin, a Council publication sent to all dwellings and businesses within the Borough. In 2013/14 two articles were published in the bulletins promoting 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.

## **6. Health and Safety Enforcement Service Delivery Plan 2014/15**

### **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 (rev4) March 2014 `Advice/Guidance to Local Authorities On Targeting Interventions have therefore been used to determine this Councils` key priorities for 2014/15.

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 2014/15 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 2013/14**

In 2013/14 four projects were identified as priority initiatives:

### **6.4.1 Legionella Project**

Since the 2012 outbreaks of Legionnaires Disease in Edinburgh and Stoke-on-Trent in which there were approximately 120 cases and 4 deaths, Legionella became a focus for health and safety enforcement in 2013 -14. As part of this focus the service in 2013/14 targeted high and medium risk premises, for which we have enforcement responsibility, to ensure that premises have suitable controls in place to reduce the risk of legionnaire's disease.

The project aims were to firstly ensure that businesses are adequately assessing the risks from Legionella; that they had adequate controls in place to control the organism and to raise awareness of the risks posed by Legionella.

33 premises were targeted as falling within the scope of the project. One premises, with evaporative condensers, was considered high risk by the HSE who requested it be inspected. Following inspection only minor remedial works were identified and an informal letter detailing works required to comply with legislation was sent to the owner and operator of the premises.

In relation to the other 32 premises, 28 questionnaires were sent out to high risk premises (hotels, and sports clubs) and 4 letters and advice leaflets were sent to medium risk premises (Garden centres and retail premises with water features, displays, hot tubs, indoor/outdoor fountains or water features) with advice provided guiding the business on adopting safe control measures.

Of the 28 sent a questionnaire, 14 fully returned the questionnaire with suitable evidence of controls in place and were deemed as compliant. The 14 non-compliant premises will be subject to a health and safety inspection during 2014/15.

### **6.4.2 Beauty Sector Project**

The beauty sector project commenced in 2012 and aimed 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.

In 2012/13 the service concentrated on surveying all businesses within Hinckley and Bosworth involved with beauty treatments, including sunbeds and laser treatments to identify the treatments offered and enabling the service to update its records in respect of the registered persons and business details.



In 2013/14 attention was turned to increasing public awareness of the risks associated with tattooing and piercing. An article, imitating an advert, was provided for the Summer 2013 edition of the Borough Bulletin conveying the message for those considering a tattoo or piercing to use registered businesses, where hygiene conditions and infection controls have been checked and systems in place to ensure only over 18s seen. The advert also was used as a basis for an information leaflet provided to John Cleveland College, Midland Studio College and North Warwickshire & Hinckley College in June 2013, in time for distribution prior to the summer holidays. The leaflet again contained information on the risks associated with tattoos, body piercing, ear piercing and to inform children and parents of the minimum age for tattoos. The leaflets were very well received by all Colleges with good feedback.

#### **6.4.3 E. coli / Cryptosporidium infection**

Identified as a national priority in National Local Authority Enforcement Code (May 2013) inspections were carried out at the two animal farm parks and Twycross Zoo during 2013/14 to ensure adequate control measures were in place to reduce the risk of visitors contracting infections from the animals. Discussions were also held at Tropical Birdland over the risk of infection from Chlamydia and control measures in place to prevent infection spread from birds to humans. Adequate arrangements were found being applied in all premises in the borough.

#### **6.4.4 Residential Care Homes**

During 2013/14 a two year campaign was commenced to raise awareness of health and safety matters in the Residential Care Home sector and signpost operators to current advice where this was found to be necessary. This project was identified following accident statistics analysis by the Leicestershire and Rutland Health and Safety Best Practise Group which highlighted a significant incident rate within the sector locally.

During 2013/14 inspections were prioritised to residential care homes with greater than ten residents within the borough, with the remainder to be inspected in 2014/15. This led to 17 premises being inspected in 2013/14.

Management of specific areas/topics were audited and these included risk assessments, individual care plans, moving and handling, falls to residents, violence and aggression, hot surfaces and safe water temperatures as well as some general health and safety topics such as electrical safety, managing asbestos and welfare issues for employees.

Standards found were generally high with operators given relevant advice where areas for improvement were identified. Only in one case was it necessary to follow up the inspection with a revisit to check that matters identified on the initial inspection had received attention and improvements had been made.

#### **6.4.5 Slips and Trips Initiative**

A further project identified following accident statistics analysis by the Leicestershire and Rutland Health and Safety Best Practise Group was a significant incident rate from slips and trips in the local hotel sector.

A project was therefore undertaken to inspect 6 major hotels in the borough against a proforma drafted to highlight any slip or trip issues within the business. The hotels inspected were found to have adequate assessment procedures and documentation that covered slips and trips. No formal action was identified as necessary with the main issues raised included changes in levels, housekeeping and outside areas.

#### **6.4.6 Warehouse Initiative**

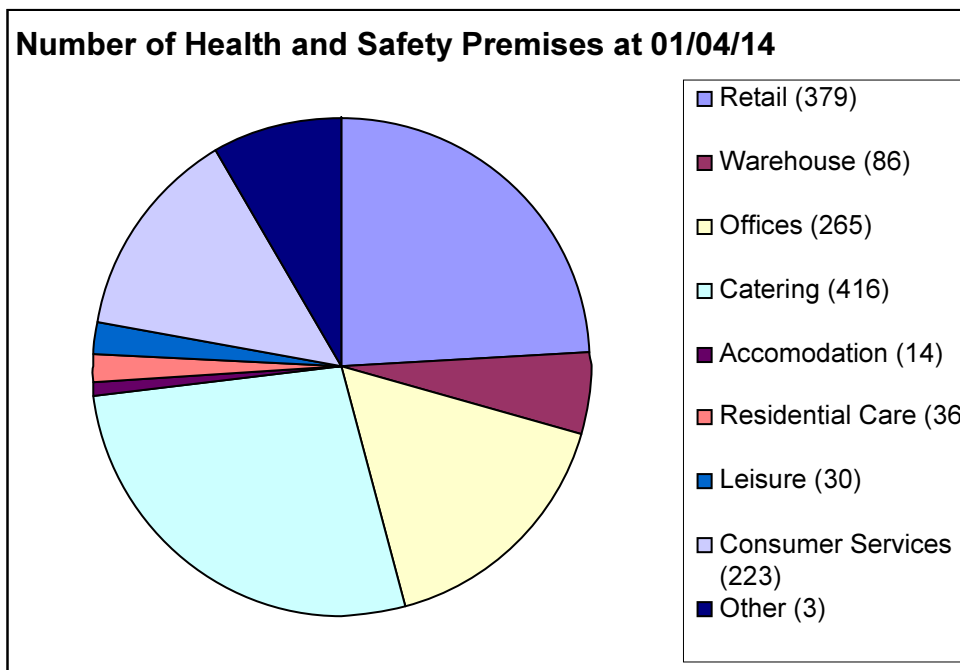
A third sector highlighted with significant accident reporting from analysis of accident statistics by the Leicestershire and Rutland Health and Safety Best Practise Group was within the warehouse sector. Project documentation based upon the work we had undertaken in this sector in 2012/13 focussing on, workplace transport equipment, unloading, loading and load/pallet integrity and safety was revised in order that the scope of the officer aide memoire was extended to include storage racking and further questions added as a result of analysis of the 2012/13 returns.

A further 4 premises in the borough were found to meet the project criteria for 2013/14. These premises were visited and assessed using the aid memoire as the basis for intervention. Broadly, all 4 premises were found to be generally compliant with the relevant regulations and where necessary advice and good practice recommendations were given to each premises operator. There were no serious breaches of legislation found.

### **6.5 Delivery of the Health and Safety Service Priorities 2014/15**

The following chart illustrates the category profile of the 1452 Health and Safety premises within the borough for which the Council has enforcement responsibilities at the 1 April 2014: -





### 6.5.1 Health and Safety Planned Inspections 2014/15

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 2014**

Category	A Highest Risk	B1 Medium Risk 1	B2 Medium Risk 2	(C) Lowest Risk	Unrated
Summary of appropriate Intervention (LAC 67/2 (rev 4))	Proactive Inspection	Alternative Intervention other than Proactive Inspection		Reactive Intervention Only	
Total number of premises	3	64	318	933	135
Total number of interventions due 2013/14	3	25	110	161	135

In accordance with LAC 67/2 (rev 3) it is proposed in 2014/15 to target inspections at Category A businesses only, resulting in an inspection target of 3 premises. The 135 medium risk categories 'B1' and 'B2' premises due an intervention in 2014/15 will receive

a hazard spotting intervention if a food premises and due a health and safety intervention or a questionnaire. Should a business not respond or require follow up action following receipt of a questionnaire, an advisory visit will be made. All unrated and new premises will receive either an advisory visit or questionnaire and be risk rated following the visit or return of the questionnaire. This is expected to result in a further 135 interventions. There will be no proactive interventions to C rated premises in 2014/15, 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 2014/15 conduct 3 inspections and 270 interventions by questionnaires or advisory visits. In total therefore the health and safety service aims to achieve 273 interventions in 2014/15.

### **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 2013/14 the council received 45 accidents / dangerous occurrences reported to it under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR). A significant fall from the 84 the previous year, which may be due to the reporting requirements being relaxed in 2012 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.

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 2013/14 we investigated 9 (20%) of accident notifications received.

In 2014/15 it is anticipated that we will investigate approximately 30% of all the accidents reported to us.

### **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 2013/14 we received 47 requests for service. In 2014/15 it is anticipated that a similar number (45) 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 2014/15

The service intends to be involved in several projects during 2014/15:

Activity	Evidence that identified the concern and set its priority	Planned intervention type	Rationale for intervention	Outcome / output measures
<b>Proactive Interventions</b>				
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 14 high risk premises found in 2013/14 not to respond to survey or identified with significant gaps in controls	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.
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)	Conclude 2 year project of 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 within the	County RIDDOR	Questionnaires/focused inspections in sector	To raise awareness and ensure	Number of premises visited

Tyre and Exhaust fitting Sector	statistics / reports of concern and priority identified in National Local Authority Enforcement Code (2014)	premises.	adequate controls in place to the major hazards in the tyre and exhaust fitting sector.	Number of enforcement notices served.
<b>Reactive Interventions</b>				
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 2014/15 the mechanisms illustrated in the following Table will be utilised.

Priority	Delivery Mechanism	Deadline
Section 18 Compliance	Service Plan approved by Executive	30 June 2014
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 2015
Staff Training	Complete Personal Development Appraisals for all staff	31 May 2014
	Review Personal Development Appraisals and monitor Officers progress	30 November 2014
	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 2015

## 6.6 Performance Indicators

Description	2013/14	2013/14	2014/15
	Target	Actual	Target
<b>Local Performance Indicators</b>			
Number of workplace interventions carried out	255	215 (84.3%)	272
<b>Service Performance Indicators</b>			
Percentage of service requests investigated	100	100	100
Percentage of service requests responded to within 2 working days	100	98%	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.

Since 2009 a health and safety newsletter was produced for all businesses for which the Council is enforcing authority in the Borough. To save on publishing and postal costs our practise the past few years has been to send each business a mail shot indicating the existence of the newsletter on the Councils website. However in 2012/13 this method indicated that only 45 hits were made to the newsletter pages. Last year, in an attempt to

increase uptake, we promoted the newsletter through the council's social media networks on Twitter, Facebook etc. but again the letter only received 49 hits. This year therefore it has been decided in view of the poor hit rate not to produce a newsletter but move to sending targeted information to specific industry sectors, such as the letters and advice leaflets sent to Garden centres and retail premises with water features, displays, hot tubs, indoor/outdoor fountains or water features with advice on adopting safe control measures to prevent legionella arising.

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.

## **6.8 Health and Safety Enforcement Policy**

On the 6 April 2014 a revised Regulators Code came into force. Through the Regulatory Partnership set up under the Leicester Leicestershire Enterprise Partnership, the service is working up its revision to its documented general and Health and Safety Enforcement Policies adopted by the Council in January 2002 and revised versions in 2008 and 2011, to ensure the Council meets the statutory requirements of the new code. Once completed revised general and Health and Safety enforcement policies will be put before the Executive of the Council for approval in 2014.

The current policies set out what business and others being regulated can expect from officers and the Council and based on the principles of good enforcement, contained in the Regulators Compliance Code of 2008.

## **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 2013/14 the service received 4 complaints from members of the public and one request for advice from a business. The service also continued to proactively monitor compliance with emphasis at all food hygiene, health and safety and licensing inspections. This monitoring resulted in 4 informal warnings being given to businesses but no formal action taken.

Continued monitoring and appropriate enforcement will continue in 2014/15.

## **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 2013/14 a net total budget of £887,010 was allocated to Environmental Health and revised during the year to £908,424 due to increasing costs associated with an on-going court case. At the beginning of 2014/15 a budget of £790,020 has been allocated and represents a decrease in budget of 10.93% on the original budget for 2013/14 and is mainly due to a substantial decrease 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**

Every member of staff has a Personal Development Review annually, usually May, with a six month review. These reviews draw out any training and development needs required of officers.

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 18 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
- Alternative Enforcement Strategy
- 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 all notices are checked before service to ensure consistency, legal accuracy and compliance with our enforcement policies.

Additionally the Council works with other Leicestershire Authorities with Inter Authority Audits, Peer Review Exercises etc. In December 2013 the service took part in a countywide initiative of having part of our service audited by a neighbouring authority. The Inter Authority Auditing involved an officer from North West Leicestershire District Council auditing the service's delivery of the implementation of Food Standards Agency guidance on controlling the risk of cross contamination from E.coli 0157. The audit consisted of an examination of our service and enforcement plans, food inspection procedures, sampling records, Council website, officers training, dissemination of information to food business operators, Inspection Aid Memoire, actions taken where serious contraventions found and file checks. The audit concluded that the service "was able to demonstrate that it is effectively implementing FSA guidance on controlling the risk of cross contamination", with 3 recommendations made regarding:

- Referencing the guidance in our Food Hygiene Inspection Procedure
- Revising our inspection aide memoire to ensure more detail of a premises compliance or otherwise with the guidance is recorded and to demonstrate consistency of inspections.
- Increase internal monitoring of files.

Reciprocal arrangements were made with the Environmental Health Manager (Commercial) auditing Oadby and Wigston Borough Council's implementation of the guidance. Additionally all audit results are being collated and examined to establish best practice and any common learning points for Leicestershire councils.

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 (BBfa)**

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. The aim was for regulators to be seen by businesses as supporting enterprise, growth and investment, key priorities in the LLEP Strategic Economic Plan 2012 -2020.

Key achievements for BBfa in 2013/14 include:

- National Pathfinder and leader in Innovation and good practice – BBfa remains the leading pathfinder, recognised by the Department of Business, Innovation and Skills and Department of Communities and Local Government receiving numerous requests from different stakeholders to speak about developments in the

programme. A business supplement was published highlighting the BBfa story (available in the members room)



*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.*

- Single point of access - A single point of access to advice and guidance continues with 3 elements to the Business Support Scheme:
  - i. Single phone number **0871 384 3185**
  - ii. Website [www.llep.org.uk/betterbusinessforall](http://www.llep.org.uk/betterbusinessforall)
  - iii. Officer referral

However, due to limited marketing in 2013/14 telephone calls have reduced significantly

- Business Start Up Brochure – this brings together information about local and national regulators which start ups may need to be aware of, as well as other useful services. This has been updated and continues to be well received at networking events. There are repeated requests from other LEPs to use the Leicestershire template. The brochure is provided free of charge to all businesses to use and can be assessed at:

[http://www.llep.org.uk/advice\\_pack](http://www.llep.org.uk/advice_pack)

- Intelligent Regulatory Information System (IRIS) – BBfa is the only national pilot looking to explore how information can be shared and assist in targeting of resources to the “Rogue Traders” and traders operating illegally and undermining the level playing field. The pilot is in the testing phase involving HSE, Fire Service, Charnwood Borough Council and North West Leicestershire District Council.
- Free Food Business Coaching – described in 5.6.5 carried out throughout Leicestershire, benefiting 13 local businesses by giving them the means to improve their food hygiene rating.
- Business Communication and Engagement training – training was given to all commercial staff to give them skills to improve their communication and engagement with businesses.

Planned initiatives for 2014/15 include:

- Extending BBfa to Planning services to assist in improving the planning experience for business
- Developing a Growth Hub which will act as a single point of contact for all business support in Leicester and Leicestershire
- Exploring regulatory barriers on the High Street with recommendations to be made to Government.
- To encourage the implementation of the Regulators Code across the LLEP on a partnership basis to provide consistency of approach to business.
- Setting up a Fire Safety Working Group to improve communication and understanding of breweries of fire risk assessment and compliance
- To undertake research and gain better understanding of why there appears to be a greater proportion of minority ethnic businesses that sell age restricted products to under age consumers.

After 3 years of the BBfa programme it is emerging that the LLEP is being positively influenced by working with regulators, evidenced by the inclusion of the BBfa in its Strategic Economic Plan and development of the Growth Hub. However, continuing this work will be fundamental to the sustainability of the programme as well as the work needed on improving the profile of the programme locally to raise awareness and engagement.

## 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.

### 9.2 Identification of variance from the Service Plan 2013/14

#### 9.2.1 Interventions

In total the Section made 693 interventions during 2013/14, representing 87% of the target of 795 for the year.

##### a) Food Hygiene

The section has inspected 453 food premises for food safety and received 22 self-assessment questionnaires, totalling 475 interventions for 2013/14.

The Food Safety Enforcement Service Delivery Plan of 2013/14 required 460 premises to be inspected and 80 premises dealt with by way of self-assessment questionnaire, totalling 540 interventions for the year; hence 88% of the food safety inspection programme was achieved. The number of inspections achieved was 98.5% of the programme target, with questionnaires to low risk premises only achieving 27.5% of target.

The resultant enforcement actions are described in the table below.

## Food Safety Enforcement Actions

Type of Premises	Premises issued with Informal Notices	Premises issued with Improvement Notices	Voluntary / Emergency Closure	Prosecution/ Formal Caution
Primary Producers	0	0	0	0
Manufacturers and Packers	10	1	0	0
Importers/Exporters	0	0	0	0
Distributors/Transporters	2	0	0	0
Retailers	120	3	0	0
Restaurants/Caterers	219	1	2	0
<b>TOTALS</b>	351	5	2	0

The most significant enforcement action in 2013/14 involved two premises where voluntary closures were obtained when evidence was discovered of limited mouse infestations in low risk food areas. Both premises immediately engaged pest control contractors, carried out pest proofing and other remedial works to enable the closures to be lifted in short order.

### **b) Occupational Health and Safety**

The section has inspected 3 Category A rated premises for occupational health and safety, received 114 questionnaire responses, carried out 101 advisory visits, totalling 218 interventions for 2013/14.

The Health and Safety Enforcement Service Delivery Plan of 2013/14 required 255 interventions for the year; hence 85.5% of the health and safety intervention programme was achieved.

The intervention programme produced no significant enforcement action being required.

#### **9.2.2 Courses and Campaigns**

During 2013/14 the service took part in several Food and Health and Safety initiatives as listed below:

- 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".
- Continued to embed and promote the national Food Hygiene Rating Scheme in the borough. 798 registered food premises in the borough within the scope of the scheme now have a rating and on the national website.
- Conducted a campaign during Food Safety Week on the theme of 'Kitchen Check'.

- 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.
- Published and distributed information leaflets on the Food Information Regulations, Listeria infections in Nursing and Residential Care Homes and on legionella control in at risk businesses.
- 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.

### **9.2.3 Service Requests**

In total the Section investigated 144 service requests during 2013/14. This represented 47 for health and safety and 97 food related. The rise in prospective new businesses seeking advice seen last year seems to have been maintained , with 40 in 2013 /14 as compared with 29 in 2012/13.

### **9.2.4 Sampling**

The 2013/14 sampling programme in which 259 food, 24 water samples and 176 environmental swabs were taken, was achieved in full.

### **9.2.5 Infectious Diseases**

The Section carried out 32 food poisoning investigations in 2013/14.

### **9.2.6 Areas of Improvement 2013/14**

The service was able to progress all of the key service improvements and objectives for 2013/14 except the revision of existing food and health and safety procedure notes which will be examined in 2014/15.

## **9.3 Areas of Improvement for 2014/15**

Key service improvements and objectives for 2014/15 are:

1. Draft and have approved revised enforcement policies which are in line with the Regulators Code along with service standards.
2. 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.
3. Keep a watching brief on the LLEP development and its implications for 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.
4. 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.
5. Ensure data continues to improve, in reliability, and robustness.