



WARDS AFFECTED: ALL WARDS

1. PURPOSE OF REPORT

- 1.1 To seek Executive approval of the Environmental Health Commercial Services Enforcement Service Delivery Plan for 2015/16 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.
- 1.2 Copies of the Plan will be placed in the Members Room, on the internet and intranet.

2. RECOMMENDATION

2.1 That the Executive:

- i) Approve the Environmental Health Commercial Services Enforcement Service Delivery Plan 2015/16 (Appendix 1 to this report).
- ii) Note and endorse the achievements of the Environmental Health Commercial Service in 2014/15.

3. BACKGROUND TO THE REPORT

- 3.1 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.
- 3.2 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.
- 3.3 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.
- 3.4 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 years' service plan and sets out areas for improvement.

3.5 ACHIEVEMENTS

Over recent years Environmental Health has had a stable workforce however in September one officer resigned, presenting an opportunity to reorganise the staff structure of the service to enable the service to better respond to the emphasis for enforcement on higher risk businesses and activities. A cost neutral restructure was

undertaken but this process led to the service operating for one quarter without one Environmental Health Officer (0.7 FTE) which impacted on our overall performances in 2014/15. However Members may wish to note that in 2014/15 we still achieved:-

- 736 interventions were carried out during the year, representing 85% of the target of 865 for the year.
- 331 food, water and environmental samples were taken from food businesses, achieving in full the sampling programme.
- 817 food premises in the borough are now listed on the national Food Hygiene Rating Scheme web site.
- Conducted a campaign during Food Safety Week on the theme of 'Don't wash raw chicken'.
- Concluded a difficult and protracted court case concerning a spectator receiving a significant eye injury whilst attending a rally cross event at Mallory Park.
- Concluded health and safety campaigns on legionella and within the residential care homes sector and conducted a campaign in the tyre and exhaust fitting sector.
- Monitored 13 poorly hygiene rated food businesses following one to one coaching in order to improve their rating. 54% of these premises improved their rating, 31% by 2 or more ratings and thereby their business prospects and public protection.

3.6 The Service targets for 2015/16 for food safety interventions will be 435 inspections and 62 alternative interventions by self-assessment questionnaires for low risk food businesses resulting in 497 interventions. This will lead to a 100% intervention rate for all premises due an inspection in 2015/16.

3.7 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 2015/16 will carry out 3 inspections to 'A' (top risk rated) premises, 135 advisory visits or questionnaires to unrated and new businesses, resulting in 138 interventions.

3.8 During 2015/16 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 corporate enforcement policy and service standards following release of the revised Regulators Code

3.9 KEY CHANGES FROM PREVIOUS ANNUAL PLANS

Key changes from last years' service plan include:

- Food hygiene and health and safety premises figures and targets
- Food hygiene and health and safety Enforcement Policy
- Food Safety Week and Food Hygiene Coaching
- Legionella, Residential Care Homes and Tyre and Exhaust fitting projects
- Significant health and safety case

➤ Better Business For All Project

3.10 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 [AG]

4.1 None arising from this report.

5. LEGAL IMPLICATIONS [MM]

5.1 Contained within the body of the report

6. CORPORATE PLAN IMPLICATIONS

6.1 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

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

8. RISK IMPLICATIONS

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

8.2 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.

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

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
Reputation with partners if do not work with them	Ensure partnerships entered into and resourced effectively	Steven Merry
Reputation from negative press coverage of local campaigns	Ensure positive messages emphasised in campaigns	Steven Merry
Reputation from negative press coverage from enforcement	Ensure enforcement carried out competently and proportionately and in accordance with Enforcement Policies	Steven Merry
Knowledge and skills of staff	Ensure adequate training	Steven

	given to enforcement staff	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

9.1 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

10.1 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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