



Hinckley & Bosworth  
Borough Council

## FORWARD TIMETABLE OF CONSULTATION AND DECISION MAKING

FINANCE & PERFORMANCE SCRUTINY      9 March 2020

WARDS AFFECTED:      ALL WARDS

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## REVIEW OF KEY FRONTLINE SERVICES: ENVIRONMENTAL HEALTH

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### Report of Director (Environment and Planning)

#### 1. PURPOSE OF REPORT

- 1.1 To report on the Food Hygiene Rating Scheme, Pest Control and Dog Control services of the Environmental Health services.

#### 2. RECOMMENDATION

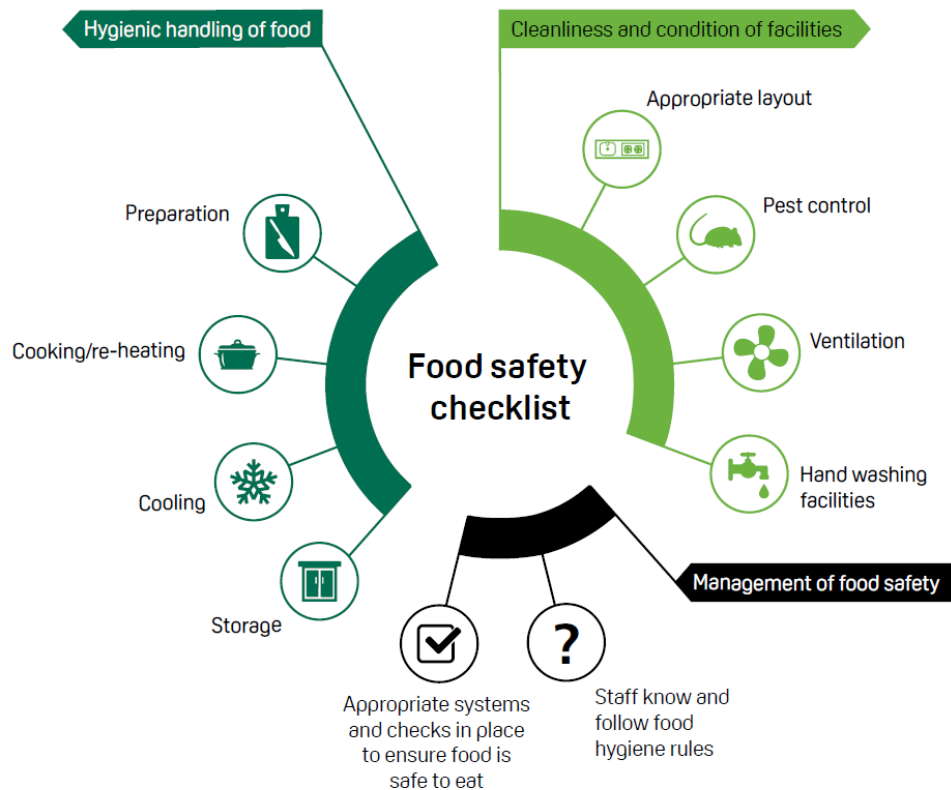
- 2.1 Note the report.

#### 3. BACKGROUND TO THE REPORT

### Food Hygiene Rating Scheme

#### 3.1 What is the Food Hygiene Rating Scheme?

Officers from the Council's Environmental Health Commercial Service are responsible for inspecting food businesses to ensure that they comply with legal requirements on food hygiene. As part of the inspection process, an assessment is made of the business's level of compliance with legal requirements and the adequacy of food safety control measures in place at the time in three areas, hygienic handling of food, cleanliness and condition of facilities and management of food safety. The business is given a numerical score to reflect these aspects.



3.2 The Food Hygiene Rating Scheme (FHRS) is a partnership initiative with the Food Standards Agency (FSA) which converts these numerical scores into a simplified rating for each business. The FHRS is a key public health measure which provides the power of consumer choice as to where to eat out or shop for food by giving them information about the hygiene standards in food premises at the time they are inspected to check compliance with legal requirements – this transparency drives food businesses to improve and maintain hygiene standards.

3.3 Restaurants, takeaways, cafés, sandwich shops, pubs, hotels, hospitals, schools and other places where people eat away from home, as well as supermarkets and other retail outlets, such as delicatessens and bakeries are given a hygiene rating of between '0' (urgent improvement necessary) at the bottom to '5' (very good) at the top.



- 3.4 Consumers knowing about and using the ratings is key to success so they are all published on the FSA's website. Consumers can access ratings at [food.gov.uk/ratings](http://food.gov.uk/ratings), and businesses are encouraged to display stickers showing their rating at their premises.
- 3.5 There is open and free access to the data and consumers can also find out about ratings when they are on the move via free smartphone apps.

### **Why did we introduce the scheme?**

- 3.6 The fact is that food poisoning nationally remains a serious problem - it affects one million people in the UK every year, 20,000 people end up in hospital and 500 people die.
- 3.7 As well as the human suffering that results, this costs the UK economy £1.9 billion annually.
- 3.8 For food businesses, there's the potential loss of reputation if people are ill after eating at their premises and now more than ever, businesses simply can't afford to run the risk of that happening.
- 3.9 Tackling food poisoning remains a priority for the Food Standards Agency and for local authorities and the Food Hygiene Rating Scheme is a key element in this and in reducing the public health burden that result.

### **How is the scheme integrated with our statutory food law regulatory service?**

- 3.10 The FHRs is based around the planned food hygiene intervention programme that is taken before the Executive each and every year and to meet our statutory obligations to deliver a service that enforces food safety legislation, so additional resources for running it are minimal.
- 3.11 It provides information about our service to local people and meets our obligations to be open and transparent.
- 3.12 This transparency provides a powerful incentive for businesses to improve and maintain the hygiene standards required by law so provides an effective and more sustainable alternative to formal and costly enforcement action for securing and maintaining compliance.
- 3.13 Improved standards and sustained compliance, in turn, means fewer inspections for highly performing businesses and allows us to increase our focus on the poor performers.
- 3.14 The FSA is providing support for the FHRs so that on-going costs and the impact on the Commercial Team in Environmental Health are minimised.

- 3.15 The scheme will drive market competition more quickly and maintain this more effectively over time such that our intervention programme will increasingly contribute to business growth locally.

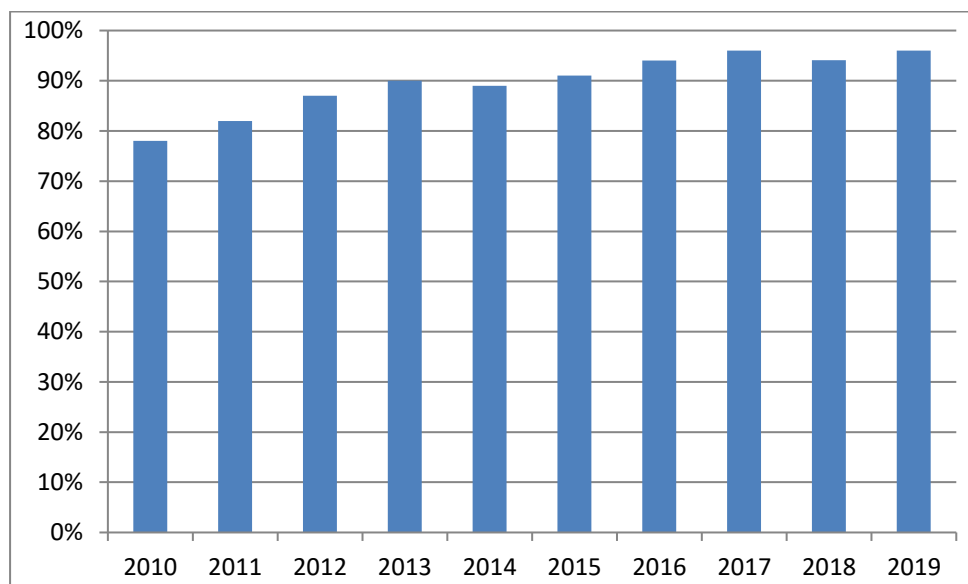
### **What support does the Food Standards Agency provide?**

- 3.16 The FSA provides a free IT platform (and associated support) for publishing ratings and has a programme of continuous improvement so that it meets local authority needs.
- 3.17 It provides a range of materials to assist us in running the FHRS, such as the stickers that businesses are given to display at their premises. It has also developed a range of template letters and forms to support the operation of the scheme. We can easily tailor these to meet our local needs and to incorporate our own logo.
- 3.18 In addition, the FSA has put in place an on-going programme of consistency training for local authority food safety officers and runs workshop events to share and gather information. The aim is to ensure that there is a level playing field for businesses and consumers can compare like-for-like ratings with confidence.
- 3.19 It has developed the FHRS 'Brand Standard' to provide advice and guidance to local authorities on implementation and operation of the scheme and is committed to reviewing this on an ongoing basis to help ensure that no unnecessary burdens are placed on local authorities.
- 3.20 A Communications Toolkit has been provided with advice and tips on key messages, ideas for communicating with business and consumers, template press releases etc. There are also occasional supplements to coincide with national campaigns or seasonal events.
- 3.21 The FSA is working with local authorities to promote the FHRS locally and regionally in order to raise public awareness and is promoting the scheme nationally and working with other organisations to find the best ways of making FHRS ratings as widespread as possible.
- 3.22 National promotion of the scheme often occurs around significant dates for instance around Valentine's Day or Mothers' Day, occasions when lots of people are considering eating out. Often the strap line 'Where are you really eating out?' or themes challenging people's assumptions that they can use appearance alone as a way of judging hygiene are used in the promotions. Advertising in national press or advertorials appearing in national consumer and food magazines as well as free papers are used for these promotions and a resultant significant increase in traffic to the FSA website at this time is seen.

### **What's in it for residents and visitors to the borough?**

- 3.23 The FSA's public attitudes surveys show that food hygiene when eating out and food poisoning are the main concerns that people have about food safety, and the FHRS provides local residents and visitors with important information about hygiene standards in local businesses.
- 3.24 Telling people about hygiene standards empowers them to make informed choices about where to eat out or shop for food and is a very effective way of improving public health protection.
- 3.25 In previous years a measure of the council's 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 96% in March 2019 as demonstrated in Chart 1 below.

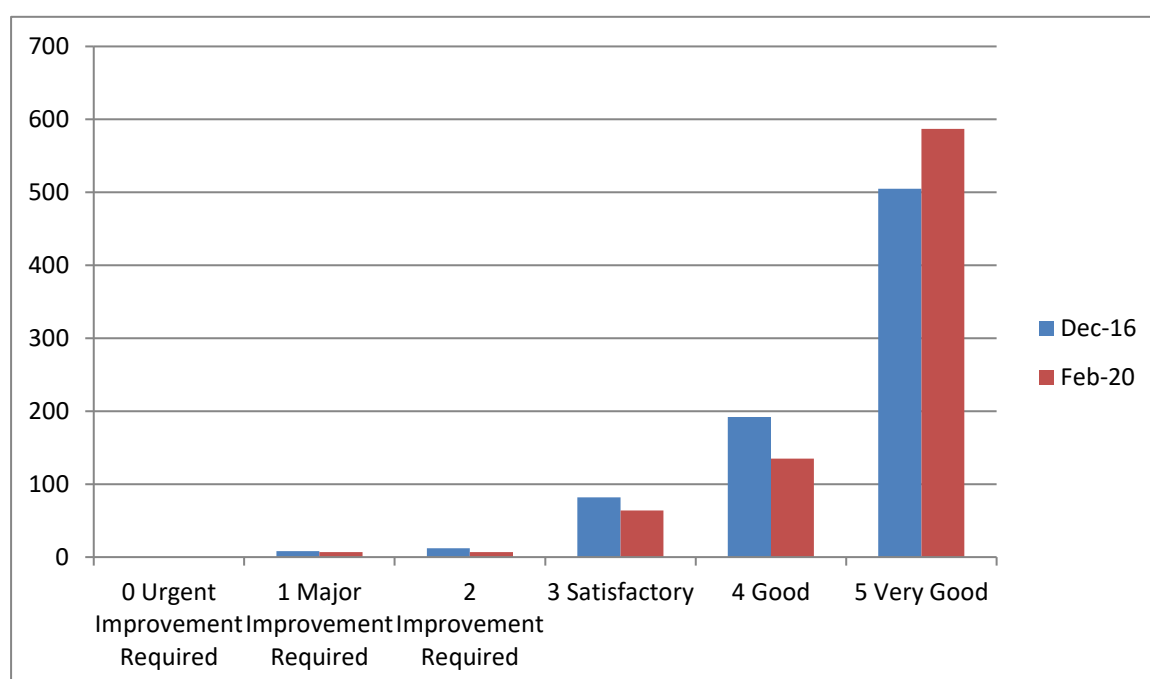
**Chart 1: Yearly percentage of food premises broadly compliant**



- 3.26 This significant increase in the overall standards of food hygiene in the borough's food premises has been brought about with a combination of officers promoting Safer Food Better Business and the council's introduction of its hygiene rating schemes. Whilst, the performance indicator is no longer required to be reported to national government, it is seen by the Food Standards Agency as a useful measurement as to the continuing performance of local authorities and also to this council as to a useful guide as to the overall indicator of food hygiene levels in businesses in the borough. As such it is intended to continually monitor this indicator with the aim of improving further the number of food businesses in the Borough who are broadly compliant with legislation. Clearly though as the indicator approaches its maximum value it will be harder to continue to achieve further improvement. This year therefore a target for March 2020 has therefore been set to maintaining a level of 95% or higher.

- 3.27 Additionally by use of tools available to local authorities on the Food Hygiene Rating Scheme IT system, it is possible to have an overview of the movement of ratings across the borough over time. Chart 2 below shows the shift in the past three years December 2016 to February 2020 in premises overall, with the percentage of premises rated 3 or above, rising from 97.5% to 98.25%, a fall in poor rated premises (0, 1, 2) by 30% and the number of 5 rated premises rising by 10% to 73%. Premises can also be historically tracked to view their performance and poor performing businesses identified.

**Chart 2: Distribution of Food Hygiene Ratings December 2016 to February 2020.**



### **What's in it for local businesses?**

- 3.28 The FHRS is designed so that all businesses, no matter how small can achieve the top rating by meeting (not exceeding) the legal requirements - there is no gold-plating – and any improvements that businesses need to make to get a higher rating are no more than is already required of them by law.
- 3.29 It includes safeguards (appeal process, reassessment opportunity when improvements have been made, 'right to reply') to ensure fair and equitable treatment.
- 3.30 Good food hygiene is good for business - the scheme gives recognition and a useful marketing tool to those businesses that meet legal requirements.
- 3.31 Good food hygiene is good for profits - studies of similar schemes in other countries indicate that businesses achieving the top ratings increase turnover.
- 3.32 Feedback from businesses has been generally very positive.

- 3.33 The FHRS helps improve consumer confidence in the market which, in turn, will drive business growth.

### **Re-Ratings**

- 3.34 An element of the scheme is that a business is able to request a re-rating upon them producing evidence that improvements have been made to the business since the rating intervention. Some local authorities in England along with a majority in Leicestershire charge a fee to recover the costs of carrying out a revisit inspection, typically between £150- £200 but currently Hinckley and Bosworth do not charge. Typically 14 applications for a rerating are submitted, resulting in a loss of potential income of approximately £2,500 per annum towards service costs. However, re- rating visits are sometimes carried out as part of our normal monitoring role and professionally Officers feel that to introduce charges for a rerating can be seen as a method of paying for a higher rating than a business deserves , as often improvements are not maintained and therefore may convey wrong information to consumers; that a charging regime is discriminatory against small business as charges are more affordable for large businesses and it raises the expectations of business that they will achieve a higher rating as they have paid for it, when in reality their rating may decrease or not increase dependent on the hygiene standards discovered at the time of the inspection.
- 3.35 Besides requesting a re-rating the scheme also provides for a right of reply to businesses to their rating and also an appeal mechanism usually determined by the Environmental Services Manager.

### **PEST CONTROL SERVICE**

- 4.1 The Pest Control Service is within the Pollution Team of Environmental Health. The service provides comprehensive pest control for a wide range of common pests including rats, mice, wasps and a range of other insects e.g. fleas and bedbugs. Demand for the pest control service remains strong with excellent customer satisfaction.
- 4.2 The value of the service to the customers of the Borough can be seen by the number of treatments undertaken in the last 7 years.

YEAR	RATS	MICE	BED BUGS	FLEAS	WASPS	OTHER INSECTS
2012/13	595	35	13	41	106	6
2013/14	498	33	6	34	281	11
2014/15	924	59	24	52	225	5
2015/16	710	47	7	45	269	6
2016/17	419	47	13	54	459	3
2017/18	496	38	18	28	187	9
2019/19	565	57	13	25	466	5

- 4.3 The fluctuation in numbers year on year can be seen; it is not possible to confirm what causes such fluctuations but the main cause is most likely to be differences in weather conditions from year to year e.g. mild winters do not

reduce rat numbers as much as cold winters and late frosts or wet summers  
reduce wasp numbers.

- 4.4 The service is provided through a 0.2FTE in house pest control officer and the remaining service requests are passed to a private contractor, SDK, who undertake treatments for the customer at HBBC rates and then charge HBBC their additional fees. It is ensured that the in house pest control officer's appointments are full before engaging the contractor; but it is also ensured that the customer does not wait an unreasonably long time before treatment. Where possible, the aim is to treat within 3 working days of customer contact (it is understood that a customer may request an appointment to suit them that is outside of the 3 day period). However, this can be difficult during periods of high demand e.g. a busy wasp season. As required, SDK take on additional temporary staff to cover such busy periods making it easier to meet demand.
- 4.5 In 2018/19 SDK carried out 1588 timed appointments for HBBC which were associated with 711 service requests. The average number of days from 1st contact to 1st treatment date offered was 2.76. The service provided by SDK cost around £12000.
- 4.6 All pest control services attract a fee; however, we offer a reduced rate for customers who receive housing benefit, council tax support, income support or universal credit.
- 4.7 The fees and charges set by HBBC are determined by periodic benchmarking with both the private sector and other Leicestershire authorities to ensure competitive charges to residents of the Borough.
- 4.8 The table below shows the current charges to HBBC from SDK and the current HBBC charges to customers.

<b>Treatment Type</b>	<b>HBBC Charge to Customers</b>	<b>SDK Charge to HBBC (Ex. VAT)</b>
Rats	Rats - £20 Rats (Benefit Reduced Charge) - £0.00	Rats - £25.23 Rats (Benefit Reduced Charge) - £41.90
Mice/Insects (Benefit reduced charge)	Insects - £26.50 Mice - £26.50	Insects - £20.95 Mice - £20.95
Mice/Insects (chargeable treatment)	Insects - £53.00 Mice - £53.00	Insects - £-1.14 (Rebate) Mice - £-1.14 (Rebate)

- 4.9 We have been working with SDK since 2014. SDK has over 20 years' experience in the pest control field and are one of the biggest providers of contracted pest control services to Local Authorities in the UK, providing services to over 50 Local Authorities. They are full members of the British Pest Control association and The National Pest technicians association.



- 4.10 SDK provide a good service; the SDK Customer Satisfaction Survey is left with all customers at the time of treatment. 100% of recipients rated the Service Good or Excellent. However, the response rate was very low last year at only 1.2%; the survey minimum sample size, to validate results, is 3%. SDK were questioned on why the response rate was so low and they advised that they have struggled for a good while with feedback, customers are very survey fatigued; for a short while they tried phone surveys as well but had to abandon that as customers were not responsive to receiving calls chasing feedback.
- 4.11 There were no justified service complaints last year about the service from SDK. If a complaint is received by HBBC regarding the service of SDK, contact is made with their client support team to request an investigation. The investigation report is reviewed by HBBC prior to providing an update to the customer.
- 4.12 The pest control contract ends on 31 March 2020 and so the retendering process began in January 2020. The new contract will run for 2 years and those pest control companies who have shown an interest in the contract have been invited to submit quotations.
- 4.13 It needs to be remembered that members of the public do not have to use HBBC pest control which is a discretionary service and they may seek a private pest control company once they realise they have to pay HBBC for the service. However, the £20 fee at HBBC is significantly less than the average private pest control fee. In addition, once the customer is made aware of the charge, they may question their need to have a treatment. Customers may not actually have a live infestation but may have just seen a roaming rat once.
- 4.14 Insect treatments usually only require a single visit to provide treatment; however, rat treatments can be more difficult (primarily owing to rats being very shy of new things in their environment and so they are reluctant to explore bait stations or bait for some time) and usually SDK will undertake up to 3 visits in an attempt to control the infestation. If control is not obtained after the 3 visits then it is likely that the case will be referred back to the pollution team who will undertake an investigation into the source of the infestation; this may then lead to enforcement action being taken to control the source e.g. an accumulation of waste proving a food source.
- 4.15 It is therefore important that the service keeps some form of in-house expertise in pest control as it is used invaluablely during investigations; many of which are extremely difficult to determine the cause and necessary action to remedy. Having specialist knowledge of pest control in-house is also used when residents have found pests that they are concerned about and want identifying prior to treatment. In addition, the pest control officer advises other services e.g. housing and estates on pest control issues. To strengthen this internal expertise our technical assistant has qualified as a pest control officer; she can also provide service continuity should the pest control officer be absent, this is most important for annual pest control contracts.

- 4.16 The HBBC pest control officer and technical assistant have both attained the Royal Society for Public Health Level 2 Certificate in Pest Control. This is the industry recognised qualification that proves competence to operate as a pest control officer. Continuous professional development is attained through seminars etc., as required. It is a contract requirement that SDK technicians are also similarly qualified.
- 4.17 The service provides annual pest control contracts to both domestic and commercial premises. Currently we have 26 contracts which produce around £12,000 income per financial year. 4 routine visits are made per year to our customers and between those visits they are entitled to unlimited callouts. Any infestation is treated until it is under control. This service is for both rodents and insects.
- 4.18 In addition, we provide a sewer baiting service to Severn Trent Water which generates an income of £3200 per year. 6 days per year are spent laying rodenticide into the sewers; areas for treatment are determined by recent pest activity that could be linked to the drainage system.

## **STRAY DOG SERVICE**

- 5.1 The Stray Dog Service is within the Pollution Team of Environmental Health. Under the Environmental Protection Act 1990 the Council is under a duty to seize stray dogs. Without this service, such dogs would pose a risk to public health and safety, not only through aggression, but owing to the potential for a roaming dog to cause road traffic accidents; in addition, a dog that fouls in public areas does not have an owner with it to pick up the mess.
- 5.2 57 dogs were seized as strays and kennelled in 2019. Stray dogs are taken to our kennels which are provided through contract. Stray dogs, if not claimed by the owner, must be retained for 7 days by the Council, after which it is responsible for the dog's future care. Most dogs not claimed by their owner are retained beyond the 7 days at the expense of the kennels with a view to re-homing. Relatively few dogs are euthanised and then normally only because of health or behaviour issues. An owner may recover their dog on payment of a statutory fee of £25 (this fee is set by government as deterrent), a daily kennelling charge (currently £17.45) and any vet fees incurred.
- 5.3 Out of the 57 kennelled dogs last year, 34 were claimed by their owners and none were euthanised. Kennelling fees in 18/19 amounted to around £7000.
- 5.4 It is worth noting that although there are relatively few stray dogs being kennelled, there are many others that are returned directly to their owners. This is in part owing to the success of the compulsory microchipping regime that has been in place since 2016. This enables the dog warden to check all stray dogs and return them, if possible, directly to the owner. The Dogs Trust reported in 2019 that 75% of all microchipped dogs that were unable to be returned to their owners had incorrect contact information on their chip. It is therefore vital that owners keep their dog's chip details up to date.

- 5.5 If a dog is not microchipped, the Council can take enforcement action to require the owner to chip or update the chip details.
- 5.6 It is HBBC policy that any dog that has been seized by the dog warden previously will not be directly returned to the owner and so on claiming their dog, the owner will be required to pay a fee; it is hoped that this will act as a deterrent to ensure that all is done to prevent the dog from straying again and potentially causing the issues discussed above.
- 5.7 Our current contract is with an animal charity in Leicestershire. The charity is a rescue and rehoming centre for cats and dogs. Every year, they care for more than 400 dogs and cats that are lost, abandoned, neglected, unwanted or relinquished because their owners can no longer care for them. They provide care for up to 40 dogs and 30 cats at any one time. Each stray dog receives the environment, food, veterinary care and individual attention required to help them feel secure in the kennel environment. Each dog is assessed by experienced rehoming kennel staff and their goal is to ensure the right home is found for every animal. The contractor also provides on-going guidance and practical help to those who have rehomed stray dogs.
- 5.8 The kennelling contract ends on 31 March 2020 and so the retendering process began in January 2020. The contract will run for 2 years. The Council is seeking quotations from suitable licensed boarding or rescue kennels.
- 5.9 The Council also has a contract with a private contractor, Central Animal Control, to collect strays at weekends, bank holidays and during the week after office hours until 21:00. The same contractor also covers during any absence of the dog warden (who works part time) during office hours, for example when on annual leave. 42 dogs were collected by the contractor last year at a cost of around £7500. The 2 dog wardens that form part of this collection service have an NVQ in Small Animal Care and both have over 20 years of experience in animal care/behaviour.
- 5.10 Our dog warden started with HBBC 30 years ago and has held the position as dog warden ever since. In addition, three officers within the environmental health service have received dog handling training at the College of Animal Welfare in Cambridgeshire should the need arise to use them to assist the service.
- 5.11 There is no national qualification for a dog warden and so in 2019 an apprenticeship opportunity was created within the team. The Apprentice Animal Control and Licensing Officer started in April and the position will run until 2021. The apprenticeship will provide on the job training along with an NVQ qualification in animal care that provides the apprentice with the knowledge, skills, behaviours and experience necessary for this particular career.
- 5.12 The dog warden service is well respected and has received a national award for its ongoing work in the care of stray dogs. It has been awarded the Stray

Dog Footprint Gold standard in the RSPCA's 2019 Paw Print Awards for the eighth consecutive year. Launched by the RSPCA in 2008, the Paw Print Awards celebrate good practice by rewarding those organisations that go above and beyond statutory service requirements to achieve higher animal welfare standards. The annual Footprint awards are supported by the Department for Environment, Food and Rural Affairs (DEFRA) along with the Local Government Association, the Chartered Trading Standards Institute and the Chartered Institute of Environmental Health.

**6. Future Environmental Health Services for consideration of Review**

- 6.1 In recent years this committee has scrutinised the services of food safety enforcement, health and safety enforcement along with the topics covered in this report. The Environmental Health Service also covers a range of other services that the council provides to the public that the Committee may wish to consider for further review in future including Alcohol Licensing, Taxi Licensing, Gambling Licensing, Animal Keeping Licensing, Private Water Supplies, Infectious Disease Control, Emergency Planning, Tattooists and body piercing or Hairdressing, Air Quality, filthy and verminous premises, destitute burials, Scrap Metal Dealers and Caravan Site licensing.

**7. EXEMPTIONS IN ACCORDANCE WITH THE ACCESS TO INFORMATION PROCEDURE RULES**

- 7.1 This report is to be taken in open session.

**8. FINANCIAL IMPLICATIONS [AG]**

- 8.1 None arising directly from this report. However members should note if the Council wanted to introduce a charge for revisit inspections as mentioned in paragraph 3.34 above this will require Council approval.

**9. LEGAL IMPLICATIONS (FA)**

- 9.1 The Environmental Protection Act 1990, Food Safety Act 1990, the Food Safety and Hygiene (England) Regulations 2013 and the Prevention of Damage by Pest Act 1990 empower the Council to meet the requirements set out in the report.

**10. CORPORATE PLAN IMPLICATIONS**

- 10.1 The Services outlined help to contribute towards the Councils priority ambitions of helping people to stay healthy, active and protected from harm along with encouraging growth, attracting business, improving skills and supporting regeneration.

**11. CONSULTATION**

- 11.1 None

**12. RISK IMPLICATIONS**

- 12.1 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 from negative press coverage from activities and enforcement	Ensure activities and enforcement carried out competently and proportionately and in accordance with Enforcement Policies	Steven Merry
Knowledge and skills of staff	Ensure adequate training given to staff	Steven Merry
Adequate staff to deal with enquiries/enforcement activities	Ensure appropriate staff resources available to deal with demands of service	Steven Merry
Legal compliance	Ensure actions in compliance with legislation and Central Government Policy	Steven Merry

### 13. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

- 13.1 No implications as the services and activities outlined are carried out consistently for all premises across the whole Borough.

### 14. CORPORATE IMPLICATIONS

- 14.1 By submitting this report, the report author has taken the following into account:
- Community Safety implications
  - Environmental implications
  - ICT implications
  - Asset Management implications
  - Procurement implications
  - Human Resources implications
  - Planning implications
  - Data Protection implications
  - Voluntary Sector

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Background papers: None

Contact Officer: Steven Merry

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