

CAMBRIDGE CITY COUNCIL
ENVIRONMENT DEPARTMENT
REFUSE AND ENVIRONMENT SERVICES
COMMERCIAL TEAM

BUSINESS REGULATION PLAN
2014/2015

Drawn up in accordance with the
Food Standards Agency's
Framework Agreement Amendment No. 5 (April 2010)
and the
Health and Safety Executive's
Guidance to Local Authorities

January 2014

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INTRODUCTION

Cambridge City Council is responsible for food hygiene and health and safety enforcement in its area, and is required to produce an annual service plan clarifying how it proposes to meet this obligation and stating the work required to do this. This requirement is made by both the Food Standards Agency (FSA) and the Health and Safety Executive (HAS), and allows the authority to meet its statutory obligations under the respective legislation.

To allow the Council to fulfil this obligation, the Commercial Team is responsible for enforcing and promoting all aspects of environmental health legislation as it relates to the commercial sector. In addition, the Team also acts to control infectious diseases, and works with Public Health England (PHE) and the Health Protect Unit (HPU) to achieve this.

Due to the need for the Council to increase the efficiency of its services, the Commercial Team is also working to develop alternative ways of working and to assess the opportunities open to it to generate an income. Whilst the team works closely with the City's commercial sector, developing partnerships or income opportunities is new to the service, and as such, 2014/15 will be a developmental year for the service to allow it to fully evaluate these opportunities.

Within the scope of these two distinctly different objectives, the Commercial Team will follow the Council's vision and strive to adopt the "*One Council*" ethos, working with the other Council services to better serve the community and improve the overall effectiveness of the Council.

Jas Lally
Head of Refuse and Environment

February 2014

SECTION 1 : COMMERCIAL TEAM AIMS AND OBJECTIVES

1.1 Aims and Objectives

- 1.1.1 Cambridge City Council as a whole has a clear vision for the future of our city. We work as one council to achieve the vision: Where people matter; a good place to live, learn and work, and care for the planet. Equally, the Commercial Team aims to achieve its core objectives in a way that follows this vision and to thereby improve the commercial sector, which in turn will improve the City for the people who live, learn and work here.
- 1.1.2 The Commercial Team sits within Refuse and Environment, which in turn lies within the Environment and Waste Service Portfolio, which has a strategic objective to work towards the development of a thriving local economy through the consideration of others, confronting issues of harm, nuisance and aiming to control the waste generated by the business community. Included in this objective is the consideration to maintain and further develop a thriving local economy to the benefit of the community as a whole, and the Commercial Team is in the position to contribute to this.
- 1.1.3 As an enforcement service for Food Safety, Health and Safety and Public Health legislation as they relate to the commercial sector in the City, the Commercial Team aims to undertake all of the inspections and other business-focussed initiative required during 2014/15 within the principles and constraints imposed on the service. In addition, the service will also undertake the necessary work to control food-related infectious other specified diseases by working with Public Health England. The Commercial Team also works with other services of the Council as the need arises, with the overall aim of improving the quality of the commercial sector in the City.
- 1.1.4 As a result of the 2013 restructure of the Environmental Health Service, the changes to the Commercial Team means that it is now in the position to deliver almost all aspects of environmental health law, including statutory nuisance (excluding noise) to the commercial sector. As such, it is in a strong position to develop a number of possible initiatives aimed at this sector. These may include the development of closer partnership working, promoting the provision of targeted training, the provision of business advice, or any other as yet unidentified appropriate work. This has historically been freely offered, but in light of the need for the service to deliver greater cost effectiveness, the Commercial Team will assess the commercial viability of these services with the aim of offsetting some of the overall service delivery costs. This work will be developed during 2014/15 for their introduction during 2015/16, or earlier if it is appropriate to do so.
- 1.1.5 As part of the Commercial Team's public health role, the service intends to work with the county and local Health and Welbeing Boards (HWB) to provide an initiative aimed at encouraging local food businesses to provide healthier food. However, as the HWB are to take the lead on this initiative, the progress of this objective is outside the control of the service.

SECTION 2 : BACKGROUND

2.1 Authority Profile

- 2.1.1 Cambridge is a major employment centre with a pronounced emphasis on high technology, research and development, and education. The city hosts the world-famous Cambridge University that has in excess of 10,000 under-graduates with over 3,200 new undergraduates accepted each year. The University, and city as a whole, have a wealth of buildings of historic or architectural interest, and help to attract in excess of 4 million tourists each year, bringing an approximate £216 million to the local economy annually.
- 2.1.3 According to the 2011 Census, the city has a population of 123,900, an increase of approximately 15,000 people and 4,000 households since the 2001 census. Due to the situation of the city, the Council has close working relationships with both the County Council, who are responsible for education, libraries, highways, trading standards and social services, and South Cambridgeshire District Council, whose administration covers most of the smaller communities immediately outside of the city's boundaries
- 2.1.4 Cambridge City Council is responsible for the enforcement of environmental health law in more than 3000 businesses in the city, with over 1200 of these being food businesses of one sort or another. Although a high number of businesses are well-established enterprises, there is also a turnover of food business of approximately 15% each year. In the non-food sector, where there is no legal obligation to inform the local environmental health service, the rate of business turnover is unknown, but believed to be approximately similar.
- 2.1.5 There are extensive areas of urban development taking place within the Council's boundary, and whilst much of this will be residential, an increase in commercial development will also take place, with many of these new businesses falling to the Commercial Team to enforce.

2.2 Organisational Structure

- 2.2.1 The Commercial Team is one of four teams in the Environmental Health Service, and forms part of Refuse and Environment Service (R&ES) that in turn is part of a larger Environment Department. R&ES is managed by the Head of Refuse and Environment (HRE), who reports to the Director of Environment.
- 2.2.2 The HRE has delegated responsibility for food safety enforcement and the authority to instigate legal proceedings with the Head of Legal Services. Each Officer responsible for carrying out food safety intervention work has been duly authorised after being assessed as competent. Authorisation to investigate and instigate health and safety enforcement action is delegated down to the competent health and safety enforcement officer, as specified by the Health and Safety at Work, etc. Act, 1974 (HASWA). The other enforcement duties of the service are also carried out by Officers duly authorised.

2.2.3 The Team Manager (Commercial) (TMC) is responsible for the day-to-day management of the Commercial Team, which is responsible for the Council's enforcement role in relation to most aspects involving the city's commercial sector; the TMC reports to the Environmental Health Manager who reports to the HRE.

2.2.4 Where staff shortages or long term vacancies arise, overtime (time off in lieu) or contractors may be used to meet the objectives of the work plan; at present the service is fully resourced.

2.2.5 The Commercial Team consists of:

Frank Harrison	Team Manager (Commercial)
Rebecca Broadbelt	Senior EHO
Tracy Chabot	Senior EHO
Anne Galliano	Senior EHO (p/t)
Ross Goodfellow	Senior EHO
Suzanne Lane	Senior EHO (p/t)
Joanne Duncombe	Food Safety Officer
John Leggett	Health and Safety Enforcement Officer (p/t)

2.3 Scope of the Commercial Team

2.3.1 The Commercial Team is primarily responsible for the following work areas:

- The enforcement of all aspects of Food Hygiene Safety
- The enforcement of all aspects Health and Safety
- The enforcement of Statutory Nuisance legislation (excluding noise) in the commercial sector
- The investigation of food poisonings and infectious diseases
- Consultee for licence and planning applications in relation to relevant commercial premises
- The investigation and consideration of matters relating to cosmetic piercing legislation
- The investigation and consideration of matters relating to smoking legislation

2.3.2 The Commercial Team is also responsible for these work areas:

- The implementation of the local, regional and national Sampling Programme for food and water
- The provision of food safety and health and safety training
- The consideration and response to national and regional governmental consultation documents
- Partnership working with the HSE the other five Cambridgeshire Local Authorities
- Working with the organisers of outdoor events to ensure that the events are as safe and compliant as practicable

2.3.3 Due to the need for the environmental health service to try to offset some of the costs for the service, the Commercial Team will also be looking to ways to contribute to this during the year. The prime considerations for this will aim towards generating additional income into the service, and will either focus on providing additional services for which we already charge, e.g. training, or introducing charges for non-statutory services currently offered freely.

2.3.4 In addition to the enforcement agencies already mentioned, the Commercial Team works in partnership with a number of local, regional and national organisations covering a number of different functions. Table 1, below, gives details of the organisations and the nature of services of these partnerships.

Name of Organisation	Type of Service	Frequency of Use
Care Quality Commission	Consultation	Ad hoc
Comark, Stevenage	Temperature probe calibration	Annually
Cambridge Fire and Rescue Services	Consultation and joint enforcement issues	Ad hoc
Public Analyst (Lincoln Sutton and Wood), Norwich	Analysis of food contaminants	Ad hoc
Medical Entomology Centre, Cambridge	Insect identification	Ad hoc
Novus Environmental (Vetspeed Ltd.), Thriplow Heath, Herts.	Waste meat incineration	Ad hoc
Public Health Laboratory Service, Cambridge or Colindale	Microbiological food sampling Advice on infection and disease control	On-going
Ventress Technical Services Ltd., Cambridge	Food and contaminant examinations and identifications	Ad hoc

Table 1: External Service Providers working with the Commercial Team

2.4 Demands on the Commercial Team

2.4.1 Cambridge City Council is responsible for the enforcement of environmental health law in more than 3000 businesses in the city. Of these, the Commercial Team enforces health and safety in over 1900 businesses and food hygiene safety in over 1200. The team is also responsible for the enforcement of statutory nuisance in all recognised businesses, as well as occasionally working in partnership with other Council services and external organisations as specified in section 2.3, above.

2.4.2 Much of the work of the service is of a statutory enforcement nature, targeting health and safety, food safety and public health associated legislation. There is also a significant educational role within the remit of the Commercial Team, and although not a statutory requirement, is recognised as being beneficial for the community. Similarly, the service currently gives a significant amount of advice to the business sector to assist compliance. With the recognition that the resources of the service and the Council as a whole are being reduced, the Commercial Team will target its service delivery, trying to develop a commercially viable role with the aim of off-setting a proportion of its budget. This role will be developed during 2014-15, with the objective of trying to develop distinct business opportunities for the benefit of the City and business community.

2.4.3 Health and Safety Enforcement Profile

2.4.3.1 Cambridge City Council is responsible for the enforcement of Health and Safety in over 1900 businesses in the city. The distribution of these, based on risk (as of January 2014) is as follows:

Health and Safety Risk Rating	Number of Businesses
Category A	8
Category B1	72
Category B2	577
Category C	1281

Table 2: The distribution of businesses in Cambridge based on Health and Safety risk rating

2.4.3.2 The Commercial Team is required under health and safety law to have some degree of intervention with all of the businesses that the Council is responsible to enforce; the frequency of the intervention being based upon the risk rating of the business. Supplementary health and safety guidance followed by the Commercial Team dictates the nature of the intervention, and this can range from full inspections of everything associated with the business to a confirmation that the business still exists and that risks identified in previous visits have remained unchanged. Section 3.3 will specify the health and safety work programme for 2014-15 to accommodate the requirements of this guidance.

2.4.3.3 The HSE has a number of roles that may directly influence the operation of the Commercial Team. As well as developing and implementing national intervention strategies and enforcement requirements, they also identify and direct reactive work that may be of regional or even national importance. Such unplanned reactive work may also impact on the work of the Commercial Team.

2.4.4 Food Hygiene Safety Enforcement Profile

2.4.4.1 Cambridge City Council is responsible for the enforcement of Food Hygiene Safety in approximately 1250 food businesses in the city. The distribution of these, based on risk (as of January 2014) is as follows:

Food Hygiene Safety Risk Rating	Number of Businesses
Category A	0
Category B	24
Category C	479
Category D	346
Category E	409
Approved Premises	1

Table 3: The distribution of food businesses in Cambridge based on their Food Hygiene Safety rating

2.4.4.2 All food businesses are subject to a programmed food hygiene inspection, as defined by food law, supplemented by formal guidance. This also defines the inspection interval, ranging from 6 months to 3 years intervals, and type, including a full or partial inspection, an audit or alternative intervention, as defined.

2.4.4.3 A number of new food businesses register each year, and these too must be inspected and subsequently risk rated. Although the precise number of new businesses registering each year cannot be forecast, approximately 200 (based on the figure received by December 2013) will have been received during 2013/14.

2.4.4.4 The FSA has a number of roles that can directly influence the operation of the Commercial Team. As well as developing and implementing the national guidance and codes of practice for all food authorities, they may also identify and direct reactive work. Such unplanned reactive work can impact on the work of the Commercial Team.

2.4.5 Food Hygiene Rating Scheme

2.4.5.1 Cambridge City Council supports and promotes the FSA's Food Hygiene Rating Scheme (FHRS). This scheme allows the service to publically rate qualifying food businesses from 0 (urgent improvements necessary) to 5 (very good), and is also used to identify those qualifying food businesses that are meeting their legal obligations (rated 3 to 5), and those failing to do so (rated 0 to 2). This qualifying measurement, known as Broadly Compliance, is a service objective for the year, with the aim of achieving a standard of 90% broadly compliance for those qualifying food businesses inspected during the year.

2.4.5.2 Under the FHRS, and subject to a number of specified conditions, food businesses may request re-rating visits in the hope of raising their public FHRS rating. This unplanned facility will have an impact on the quantity of reactive work required of the Commercial Team.

2.4.5.3 As of the end of January 2014, the broadly compliance rating for the food businesses in the City excluding any re-scoring was 92.4%, 2.4% above the objective for the service. As the FHRS permits re-scoring to be carried out, and although this service does not formerly report on this change, if this was considered, as of the 6th February 2014, the broadly compliance rating was 95.5%, 5.5% above the service's objective.

2.4.6 Statutory Nuisance Enforcement Profile

2.4.6.1 The Commercial Team is also responsible for the enforcement of statutory nuisance, excluding statutory noise nuisance, in all commercial premises in the city.

2.4.6.2 The restructure of the service that brought this change about has not yet been in place for a complete year, and as such it is difficult to see the full impact this has had on the Commercial Team. However, it is estimated that the service will have to respond to approximately 80 complaints in this sector (based on the year to December 2013).

2.4.7 Additional Services

2.4.7.1 The Commercial Team is also responsible to undertake of a number of additional roles primarily aimed at the protection of public health. This role combines statutory enforcement with education, and often entails partnership working with a number of other organisations. These additional services include;

- The investigation of Infectious Diseases, working with both Public Health England and the Health Protection Agency. The majority of investigations have been isolated cases although the service has had to investigate a major outbreak associated with a single food business. During 2013-14, an estimated 100 (based on the year to the end of December 2013 total) notifications will have been received, and it is expected that a similar number will be received during 2014-15.
- The service also plays an important role in the provision of safe outdoor events with regards food and health and safety. By providing guidance, and if required, training, the service instructs the various event organisers, from both within and external to the Council, how to provide safe events. Through targeting the event organisers and instructing them of their legal obligations, the service has shifted to them the responsibility for the events. The events include;
 - The various College May Balls
 - The Cambridge Folk Festival
 - Strawberry Fair
 - The Mill Road Street Fair

- During 2012, the Government moved the onus of promoting public health to local government, with County Council being responsible for much of this work, but with local authorities also involved in this role. Whilst the exact role for Cambridge City Council has yet to be determined, the Commercial Team is aiming to work with both the County and Local Health and Welbeing Boards and other partners to develop initiatives aimed at;
 - Reducing coronary heart disease and obesity in the City
 - Enforcing the smoking ban indoors
 - Working with Cambridgeshire Action on Tobacco
- In the event of a health related incident sufficiently serious, such as avian or swine flu to trigger the emergency plan, it has been recognised that Environmental Health Officers would be required, with, the Commercial Team likely to be involved in this work.
- In addition to any of the work identified above, if the Commercial Team becomes aware of other additional significant issues, they too will be considered, and if required to be acted upon, will be implemented as necessary within the city.

2.5 Service Provision

- 2.5.1 The Commercial Team is based in Mandela House of Cambridge City Council, although the enforcement obligations of the service require interventions to be carried out throughout the authority.
- 2.5.2 The Commercial Team operates a normal service during office hours on Monday to Friday, and an emergency call out service during any other time. Where businesses operate outside of normal hours, inspections are carried out during these times to ensure that all businesses are inspected during the period when they are likely to pose the greatest risks to their staff or the public. In food businesses, it is critical that food preparation is observed, and likewise, if this is carried outside normal working hours, the business will be assessed at these times.
- 2.5.3 The legislation enforced by the Commercial Team permits its Officers to carry out inspections and visits without the need to give prior notification in most cases, and as such, all inspections to assess compliance are carried out in this manner, except in the few instances where prior notifications are required. Inspections of businesses based in residential premises require an appointment or at least 24 hours notice of the intent to visit.

2.6 Enforcement Policy

- 2.6.1 Cambridge City Council has adopted an Enforcement Policy, as updated by the Regulator's Compliance Code. R&ES endorses the principles laid down in the Policy and has regard to the Code for Crown Prosecutors' guidelines when making enforcement decisions. The Commercial Team's Enforcement Policy outlines the various enforcement options available, and these range from merely giving advice or education to formal action including the service of enforcement notices and prosecution for non-compliance with legislation.

2.6.2 As part of the implementation of these policies, when considering any enforcement action, the Commercial Team undertakes a specific enforcement consideration assessment to determine the most appropriate course of action; for health and safety purposes, this is by using the HSE's Enforcement Management Model, and although there is no similar recognised procedure for enforcing the other legislation, the principles are still applied.

SECTION 3 : SERVICE DELIVERY

3.1 Review of the Commercial Team Intervention Programme 2013-14

3.1.1 Review of Health and Safety Enforcement Work Plan for 2013-14

3.1.1.1 During the year 2013-14, the Commercial Team has undertaken the following health and safety work;

Proposed Health and Safety Work	2013-14 target ¹	Actual Work Undertaken ²
Full Programmed Health and Safety Inspections	13	56
Alternative ³ Health and Safety Interventions	730	364
New Business Inspections	200	108
Health and Safety Complaint Investigations	80	115
Investigations under RIDDOR	5	45
Total number of Interventions	1028	688
Number of Formal Letters or Notices served		83

¹ = Target amounts taken from the Business Regulation Plan 2013-14

² = Figures are extrapolated for the year, based upon work up to December 2013.

³ = Includes; Business Assessment via Questionnaires, Health and Safety Hazard Spotting whilst already on site, etc.

RIDDOR = The Reporting of Incidents, Diseases and Dangerous Occurrences Regulations, 1995 (as amended)

Table 4: Review of Health and Safety Performance against the work Proposed in the 2013-14 Health and Safety Work Plan

3.1.1.2 To clarify further on the work identified in table 4 (above), the Commercial Team has;

- Carried out a risk based, health and safety targeted, intervention programme of the commercial businesses in the City due an intervention during the year
- Carried out an initial assessment of the risks posed by new businesses starting in the City during the year
- Developed a health and safety focussed Primary Authority Partnership with a local business based in the City
- Started to develop a commercial estate targeted intervention initiative working with the Council's commercial estates team to develop health and safety awareness in the target community
- Assessed the standard of compliance of the target businesses with regards to managing the risks posed by Legionella, working with both internal and external partners

3.1.1.3 The key difference between last year's proposed target and those achieved during the year is with regards to the difference in the number of proposed hazard spotting interventions actually required, as opposed to those intended. The number proposed was a statistical figure based on the average number of food businesses estimated to be enforced for health and safety by Cambridge City Council. However, in reality, due to the food inspection programme for 2013-14, a high number of the food businesses inspected are enforced for health and safety by the

HSE, including educational and medical facilities, and as such, would be inappropriate for the Commercial Team to carry out any sort of assessment of compliance.

3.1.2 Review of Food Safety Interventions for 2013-14

3.1.2.1 During the year 2013-14, the Commercial Team has undertaken the food safety work identified in Table 5, below;

Proposed Food Safety Work	2013-14 target ¹	Actual Work Undertaken ²
Full Programmed Food Safety Inspections	520	432
Alternative Food Safety Interventions	40	11
New Food Business Inspections	200est	190
Sampling Interventions	15	17
Food Complaint Investigations	275	320
Infectious Disease Investigations	95	97
Total number of Interventions	1145	1067
Number of Formal Letters or Notices served		471

¹ = Target amounts taken from the Business Regulation Plan 2013-14

² = Figures are extrapolated for the year, based upon work up to December 2013.

Table 5: Review of Food Safety Performance against the work Proposed in the 2013-14 Food Safety Work Plan

3.1.2.2 To clarify further the food safety work identified in table 5 (above), the Commercial Team has;

- Carried out a hazard based, food safety safety targeted, intervention programme of the registered food businesses in the City due an intervention during the year
- Registered and carried out an initial assessment of the food hazards posed by all new food businesses starting in the City during the year within 28 days of their registration
- Carried out a programme of food or environmental (work surface and equipment) sampling in food businesses in the City, based upon national, regional or local initiatives
- Worked in partnership with the County Health and Welbeing Board to develop a healthier eating initiative, including carrying out the initial feasibility survey to assess local interest and developed the initial and final assessment criteria
- Provided taught and on-line food safety training to individuals and businesses both within and outside of the City
- Developed a project team within the service to look specifically at the initial feasibility of income generation and to try to work with internal partners to assess this

3.1.3 Alternative Interventions undertaken during 2013-14

3.1.3.1 In addition to the previously mentioned work, the Commercial Team has also carried additional work for the benefit of the community. This work included;

- Working with the neighbouring county-based local authorities to ensure consistency and uniformity of enforcement
- Working with a local IT business to try to develop an IT based HACCP focused food safety system
- Initial consideration of shared-services with Huntingdon District Council
- Working with Mill Road Traders Association
- Working with the Cambridge Ethnic Community Forum
- Development of a project team looking at income generation for the service
- Investigated major food poisoning outbreak
- Instigated prosecution of restaurant for health and safety offences

3.2 **The Work of the Commercial Team for 2014-15**

3.2.1 The Scope for the Proposed Work

3.2.1.1 The Commercial Team is primarily an enforcement service enforcing food safety, health and safety and certain elements of statutory nuisance legislation as applied to the commercial sector in the City of Cambridge. The service also provides an educative and advisory role, as well as trying to work in partnership with local business to improve the standards of the commercial sector. Under the requirements of the HSE and the FSA, Cambridge City Council is required to state how it intends to meet its obligations to carry out its enforcement duties; this section will clarify this for the year 2014-15, although it must be considered that the service has other obligations although these are not required to be specifically clarified in an annual service plan.

3.2.1.2 Due to financial constraints being imposed on the council, all departments are being required to review their services to try to identify opportunities for either savings or new income generation. This service started this undertaking during 2013-14, and will continue during 2014-15, with the main aim looking at how we can generate an income to off-set a proportion of the service costs. The service already performs a number of beneficial but non-statutory tasks, and there is the potential for some of these to generate an income; these will be analysed during the year with the objective of introducing them during 2015-16, if not before.

3.2.2 The Scope of the Health and Safety Interventions for 2014-15

3.2.2.1 The scope of the health and safety intervention programme has been developed with the agreement of the Portfolio Holder for the service, in conjunction with the needs of the local community, and with due consideration to the obligations laid out in HSE document LAC 67/2 (rev 4). This guidance states to limitations imposed upon the local authority intervention strategy, and is designed to not put too many impositions on business, yet still allow safety in the commercial sector to improve. The main changes this guidance introduces, is the formalisation of alternative strategies, including partnership working and better targeting of resources, rather

than just relying on a blanket inspection strategy; the Commercial Team fully endorses this approach & has introduced it into our work plan for health and safety.

3.2.2.2 Section 3.3 (below) gives greater details of the health and safety work that the Commercial Team is proposing to carry out during 2014-15.

3.2.3 The Scope of the Food Safety Interventions for 2014-15

3.2.3.1 As there have not yet been any significant formal changes to the manner in which the FSA require food businesses to be inspected, the role of the Commercial Team with regards to food safety enforcement has not significantly changed. The businesses are hazard rated at the time of their inspection, and this assessment determines both the FHRS rating they achieve, and the time-interval until the next programmed inspection.

3.2.3.2 Given the apparent continuity of the above, it is important to note that the key legislation under which the various food interventions are carried out has changed. As from the 31st December 2013, the legislation is;

- The Food Safety Act, 1990 (as amended)
- The General Food Regulations, 2004, and
- The Food Safety and Hygiene (England) Regulations, 2013.

3.2.3.3 Section 3.5 (below) gives greater details of the food safety work that the Commercial Team is proposing to carry out during 2014-15.

3.3 **The Proposed Work of the Commercial Team for 2014-15**

3.3.1 As previous mentioned, the Commercial team is required to state how it proposes to undertake its legal duties on behalf of Cambridge City Council, as required by the HAS and FSA; this section does that.

3.3.2 Proposed Health and Safety Interventions for 2014-15

3.3.2.1 In view of the changes imposed on a local authority by the HSE's LAC 67/2 (rev 4), the degree of proactive interventions that the Commercial Team is now able to undertake has been significantly restricted. The service is now obliged to consider alternative interventions strategies to enable it to work with local business, and although this will inevitably require the co-operation of the commercial sector, it is hoped that the service will continue to improve the safety standards. The ability of the service to respond to reactive investigations has not been restricted

3.3.2.2 To this effect, the proposed workload for 2014-15 for health and safety interventions for the Commercial Team will be (see table 6, overleaf);

Programmed Inspections – High risk businesses only	1
Alternative Interventions	
Questionnaires	125
Inspections of non-respondents	15
Hazard Spotting whilst undertaking non-health and safety interventions	250
New Business Inspections (excluding HSE enforced businesses)	100
Complaint Investigations	120
Investigations under RIDDOR	50
Development of targeted partnership schemes	
Provision of Health and Safety Training – subject to demand	
Total number of Interventions	811

Table 6: The Proposed Health and Safety Interventions for 2014-15

3.3.3 Proposed Food Safety Interventions for 2014-15

3.3.3.1 The proposed food safety work that the Commercial Team intends to undertake during 2014-15 is as given in the table below;

Programmed Inspections - total	552
A rated food businesses due an inspection	1
B rated food businesses due an inspection	23
C rated food businesses due an inspection	320
D rated food businesses due an inspection	208
Alternative Interventions – E rated food businesses due an intervention	143
New Business Inspections	200
Sampling Interventions	15
Complaint Investigations	300
Infectious Disease Investigations	100
Development of targeted partnership schemes	
Provision of Food Safety Training – subject to demand	
Total number of Interventions	1310

Table 7: The Proposed Food Safety Interventions for 2014-15

3.3.4 Proposed FHRS objective for 2014-15

3.3.4.1 The objective for the Commercial Team for the assessment of broadly compliance under the FHRS for 2014-15 will be 90%. This figure will be the assessment of broadly compliance at the time of the initial rating inspection, and not following any subsequent re-rating assessment. The reason this figure is chosen is that this forms part of the annual return required by the Council to be made to the FSA through the Local Authority Enforcement Management system. This does not take into account any changes in the rating as may occur at a re-rating visit, even though this authority does offer this service.

3.3.5 Proposed Additional Interventions for 2014-15

3.3.5.1 As previously mentioned, the Commercial Team undertakes significantly more work than just that identified in the preceding two sub-sections, and although the service is not required to state this by external agencies, this section clarifies this additional work.

The most significant change in the nature of the proposed work for 2014-15, is the need to consider what measures or activities the service could carry out in addition to the statutory role that could achieve an income for the service. These proposed works, including some that may be able to generate an income source are included in table 8 (below);

<u>Statutory or Obligatory Undertakings</u>	
Statutory Nuisance Investigations	
Enforcement of Smoking Legislation	
Consultee for Licensing and Planning enquiries	
Investigation of Body Piercing Establishments	
Liaison with other organisations	
Introduction of the Public Health Agenda	
Healthier Eating Strategy	
<u>Discretionary Undertakings</u>	
Primary Authority Partnership Scheme	Maintenance of Existing Partnership Development of New Partnerships
Development of local Estates Excellence Scheme	
Community Liaison Strategy	
New Business Advisory Strategy	
Training Strategy	
Development of Income Revenue Stream	

Table 8: The Proposed Additional Interventions 2014-15

3.3.5.2 As mentioned previously, a significant development for the Commercial Team during 2013-14 but continuing through 2014-15, is the adoption of the requirement to identify as many possible measures to offset the costs of operating the service. Whilst there is no current proposal to require the service to become self-funding, it is important that any realistic opportunities to develop an income revenue stream are investigated. This will be carried out during 2014-15, with the current view of implanting the genuine opportunities during 2015-16, if not before.

3.3.5.3 Table 8 (above) identifies those interventions and strategies as being either statutory or obligatory undertakings and those which are discretionary. Given that the service is therefore not obligated to deliver this work, it does propose to do so, but with a number of considerations which will need to be met in order to justify their inclusion into the work of the service. These obligations include;

- The consideration of the likely community of business sector benefit
- The realistic opportunity for the service to develop an income revenue

If neither can be met, it is unlikely that the service will be able to justify the inclusion of an undertaking into the work plan of the service.

3.3.5.4 During 2014-15, the service will work towards identifying potential interventions that will allow it to either make savings towards its existing costs, or more appropriately, identify income generation opportunities. However, as this work will need to be carried out within the existing constraints of the service, the proportion of the resources that can be allocated to this will need to be clarified so as to ensure this work is carried out. Therefore to accommodate these roles, the service will have to target approximately;

- 70% of its resources to the core function and associated essential work,
- 20% of the resources to developing income generation, and,
- 10% of its resources towards the development and introduction of work towards the Public Health Agenda.

SECTION 4 : RESOURCES

4.1 Financial Allocation

4.1.1 The budgets for 2012-13 to 2014-15 for the Commercial Team are shown in Table 9, below. Previous work plans have focused solely on the food safety or health and safety work and, as a result, this section has in the respective work plans has only shown the cost of that specific work. As a result, the figures shown have been significantly lower in each separate work plan; in total, the amounts have correlated to a similar amount

		2012-13	2013-14	2014-15
Total Expenditure	Set	£370,990.00	£355,300.00	Budget yet to be set
	Actual	£258,536.88±	TBC	
Income:	Via Training	£3,335.00±	£6,235.00 (TBC for year)	
	Total			
Total (Expenditure less Income)		£255,201.88±	TBC for year	

Table 9: Commercial Team Annual Budgets 2012-15

- 4.1.2 All enforcement officers have access to a desktop computer with access to all of the normal and expected office software services. Each officer is also capable of remote working and periodically takes advantage of this, although no portable hardware has yet been identified as suitable for this.
- 4.1.3 In the event of legal proceedings having to be taken, the costs are met from within the overall approved budget. Requests for funds to pay for Counsel's opinion or case presentation in court are considered on their merits using the Service's enforcement policy as a guide. The service is also working with the legal department to consider the introduction and use of the Proceeds of Crime Act, 2010, which if introduced could have an impact in any successful prosecution.
- 4.1.4 In section 3, previously, it was stated that the service will further develop its intention to identify activities or services that may be able to generate an income for both the service and, through internal partnership working, the Council as a whole. During the year 2014-15, the service will carry out feasibility studies to try to assess the foreseeable suitability of the initial ideas, but until such studies have been carried out, it will not be appropriate to identify any potential income that may be attributed to these initiatives.

4.2 Staffing Allocation

- 4.2.1 The majority of the work by the Commercial Team is carried out by the Officers themselves, although the Business Support Team and Customer Service Centre (CSC) carrying out tasks for the service.
- 4.2.2 All EHO's carrying out enforcement duties are registered with the Environmental Health Officers' Registration Board (EHORB). Each enforcement officer shall be duly authorised in accordance with the standards and requirements of the respective legislation and minutes of Cambridge City Council.

4.3 Staff Development Plan

- 4.3.1 All enforcement officers appropriately qualified, whether upon appointment or through training and development whilst in their current or a previous post, and will also be subject to an annual performance review programme to ensure competency and consistency of practice. All officers will also be assessed under the Council's Performance Review Process, which includes an assessment of officer's competencies under the Regulator Developmental Needs Assessment (RDNA).
- 4.3.2 The TMC will also undertake a biannual peer review of each Officer to ensure the competency and consistency of the team. The current review is showing that the officers of the Commercial Team are operating consistency; a report for the service will be produced upon completion of the reviews to offer feedback where necessary.
- 4.3.3 Each Officer is responsible for their own undertaking and maintenance of their accredited Continual Professional Development (CPD), subject to the requirements of their own institute.
- 4.3.4 Staff development for the service includes:
- The employment of competent enforcement officers capable of performing their role within the Commercial Team;
 - Evidence of formal qualification (sight of original qualification certificates prior to commencement of work);
 - Undertaking in-house or external competency-based training;
 - The undertaking of shadowing or mentoring with a qualified or experienced Officer
 - The identification of training needs during the PRP, by the Officer themselves, as a result of changing working practices or via an on-going performance-monitoring appraisal.

SECTION 5 : QUALITY ASSESSMENT

5.1 Quality Assessment

- 5.1.1 In order to ensure that the quality of the work undertaken by the Commercial Team is maintained, the processes will be periodically reviewed, and where changes will be required, these will be made. The service is required by the FSA to hold a series of standard operating procedures which meet the requirements of the Agency, and these too will be periodically reviewed for compliance; any changes will be made aware to each appropriate officer.
- 5.1.2 The quality and consistency of each enforcement officer will also be periodically reviewed, including with the use of the RDNA, and where any training needs are identified, these will be considered by the service.

SECTION 6: SERVICE PLAN REVIEW

6.1 Review against the Service Plan

- 6.1.1 The main comparison between the service plan for last year and this is the inclusion of the work necessary for the assessment of potential income generation initiatives. Due to the requirements for this, a significant period of time, approximately 20% of the service has been allocated for this. As the nature of this work has not yet been fully recognised, it is not entirely possible at this stage to determine whether this proportion is appropriate, so will be reviewed during the year.
- 6.1.2 The Commercial Team is required to undertake proactive and reactive work for both food safety and health and safety obligations. Changes introduced by the Government during 2013-14 has affected this work; the following sub-sections clarify these
- 6.1.2.1 The FSA is reviewing and consulting upon the inspection characteristics required of the different hazard categorisation of food business, although these have yet to be formerly introduced. As such, there are as yet no substantive changes to the way in which this work has been carried out.
- 6.1.2.2 The HSE has introduced a number of changes during the year, and these have had an effect on the manner in which this work is to be carried out. The intervention guidance previously offered in LAC 67/2 (rev 3) has been made mandatory by the release of LAC 67/2 (rev 4), but the Commercial Team had already implemented the objectives of the previous guidance.
- 6.1.3 During 2012-13, the Pest Control Service was transferred under the management of the Commercial Team, although as it is a distinct service, this change will not have a significant impact on this business plan or the remainder of the service.
- 6.1.4 The achievements of the Commercial Team are periodically reported by the TMC to the Environmental Health Manager (EHM) at various times during and at the end of each year, who in turn reports the information to the HRE.

6.2 Identification of any Variation from the Service Plan

- 6.2.1 The key performance indicators are reviewed monthly and the results are formally reported by the EHM to the HRE along with reasons for any significant variation and an action plan setting out remedial action. The Executive Councillor for Environment and Waste Services is kept informed of progress against the service plan through regular meetings with the EHM and HRE.
- 6.2.2 If it can be shown that any additional activities other than direct enforcement action have taken place achieving the same objective as enforcement action, these will be identified and taken into account during the review.

6.3 Areas for Change

- 6.3.1 Any service issues identified during the various reviews of the service or by routine performance monitoring will be recorded in writing and an appropriate plan of action to address them will be agreed with between the TMC, the EHM and the HRE; if the matter also involves an officer, they too will be involved in the delivery of the action plan.

SECTION 7: SUMMARY

The workload proposed for the year 2014-15 allows for all of the statutory obligations of the service to be accommodated and carried out, although the manner of each of these interventions may be subject to changes and reviews during the year as a result of Governmental impositions. This is likely to be specific to food law enforcement, but it is also foreseeable that further changes proposed by the HSE will need to be introduced.

The service is being required to consider opportunities for either identifying savings or potential sources for income generation. Whilst the former will not be excluded from any serious consideration, the prime objective of the service is to look at the latter.

The service will strive to introduce activities that will be able to contribute towards the Public Health Agenda, and more specifically, the targets that have been identified for Cambridge and meet the objectives of the Commercial Team. The main obstacle to this is that this service will have to work in partnership with external agencies or service providers, so the ability to deliver this will be subject to their involvement.