

CAMBRIDGE CITY COUNCIL

ENVIRONMENT HEALTH SERVICES

COMMERCIAL TEAM

**BUSINESS REGULATION PLAN
2016-17
Executive Summary**

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

February 2016

SECTION 1 : REPORT BACKGROUND

1.1 Summary

- 1.1.1 This summary report identifies the background within which the Commercial Team operates in the City, a review of the work carried out over 2015/16, and the identification of the work the service intends to undertake during 2016/17.
- 1.1.2 The full Business Regulation Plan for 2016/17, as required to be produced by both the Health and Safety Executive and the Food Standards Agency, is available as a background paper from the Commercial Team.

1.2 Background

- 1.2.1 According to the 2011 Census, the city has a population of approximately 124,000, which is an increase of more than 10% over the previous census. There are approximately 3,000 businesses in the City, with the Commercial Team responsible for enforcing health and safety in approximately 1,700 businesses, and food law enforcement in approximately 1,100 food businesses. Many businesses in the City are established, but there is a known turnover of food business of approximately 15% each year, with an estimated similar turn-over in the non-food businesses sector.
- 1.2.2 The Health and Safety risk rating distribution for the businesses in the City (as of February 2016) is as follows:

Health and Safety Risk Rating	Number of Businesses
Category A	1
Category B1	48
Category B2	421
Category C	1,564

Table 1: The distribution of businesses in Cambridge based on Health and Safety risk rating (as of February 2016)

1.2.3 The food business risk rating profile (as of February 2016) is as follows:

Food Hygiene Safety Risk Rating	Number of Businesses*
Category A	1
Category B	34
Category C	268
Category D	569
Category E	447
Approved Premises	0

Table 2: The distribution of food businesses in Cambridge based on their Food Hygiene Safety rating (* figures as of February 2016)

1.2.4 The Commercial Team operates the Food Standards Agency (FSA) Food Hygiene Rating Scheme (FHRS), which rates food businesses between 0 (urgent improvements necessary) to 5 (very good). This is a publically accessible rating scheme to allow food business customers to have a greater knowledge about the hygiene standards present in the food business at the time of the last inspection. Food businesses meeting their legal obligations are rated 3 to 5, whilst those failing to do so are rated 0 to 2; this threshold is known as Broadly Compliance.

SECTION 2 : SUMMARY REPORT

2.1.1 Review of the Commercial Team Intervention Programme 2015/16

2.1.1 During 2015/16 the service experienced significant staffing matters, including the resignation of two authorised enforcement officers and the retirement of the dedicated health and safety technical officer. This reduction has had an impact on the availability of staff to carry out the programmed work, as can be seen in the subsequent tables 4 and 5.

2.1.2 Review of Health and Safety Enforcement Work Plan for 2015/16

2.1.2.1 During the year 2015/16, the Commercial Team undertook the following health and safety work;

Proposed Health and Safety Work	2015/16 target ¹	Actual Work ²
Full Programmed Health and Safety Inspections	0	10
Alternative Health and Safety Interventions ³	185	92
Hazard spotting during non-health and safety interventions	250	337 ⁴
New Business Inspections	200	
Health and Safety Complaint Investigations	120	65
Investigations under RIDDOR	70	55
Total number of Interventions	825	559
Number of Formal Letters served	Not set	42
Number of Enforcement Notices served	Not set	2

1 = Targets taken from the Business Regulation Plan 2014/15

2 = Figures are extrapolated for the year, based upon work up to February 2015.

3 = Includes; Business Assessment via Questionnaires or targeted partial assessments, etc.

4 = Categories combined due to changes in intervention coding imposed by HSE

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

Table 3: Review of Health and Safety Performance against the work Proposed in the 2015/16 Health and Safety Work Plan

2.1.2.2 Table 3 (above) shows the number of interventions that the Commercial Team has carried out ;

- To deliver a risk based intervention programme of the commercial businesses in the City due an intervention during the year,
- Investigate all complaints and carry out appropriate enforcement action.
- Investigated four serious health and safety related accidents, 3 involving falls from height and 1 involving the scalding of a young child
- To carry out an initial assessment of the risks posed by new businesses starting in the City during the year,
- To maintain, develop and assess businesses associated with our Primary Authority Partnership (PAP).

2.1.2.3 The service also;

- Started the processes required of the Government's Better Regulation Development Officer to commence a second PAP with a nationally recognised food restaurant chain, and

2.1.3 Review of Food Safety Interventions for 2015/16

2.1.3.1 During the year 2015/16, the Commercial Team has undertaken the following food safety work;

Proposed Food Safety Work	2015/16 target ¹	Actual Work Undertaken ²
Programmed Food Safety Inspections (Cat, A to C)	310	175
Alternative Food Safety Interventions (Cat. D & E) ³	268	307
New Food Business Inspections	200	114
Sampling Interventions	15	14
Food Complaint Investigations	330	328
Infectious Disease Investigations	145	110
Total number of Interventions	1268	1048
Number of Formal Letters served	Not set	490
Number of Enforcement Notices served	Not set	9
Level of Broadly Compliant food businesses	93%	93% ⁴ & 98% ⁵

¹ = Targets taken from the Business Regulation Plan 2014/15

² = Figures are extrapolated for the year, based upon work up to February 2015.

³ = Intervention as part of a targeted project, including the assessment of food mobiles or market stalls registered with another food authority, food stalls at outdoor events, etc.

⁴ = Number of broadly compliant food businesses excluding re-rating

⁵ = Number of broadly compliant food businesses including re-rating post completion of required improvement

**Table 4: Review of Food Safety Performance against the work Proposed
in the 2015/16 Food Safety Work Plan**

2.1.3.2 Table 4 (above) shows the number of interventions that the Commercial Team has carried out ;

- To deliver a hazard based, food safety targeted intervention programme of the registered food businesses in the City due an intervention during the year
- To register and carry out an initial assessment of the food hazards posed by all new food businesses starting in the City during the year
- A programme of food or environmental (work surface and equipment) sampling in food businesses in the City, based upon national, regional or local initiatives
- To investigate food hygiene associated complaints received during the year
- To investigate the reported infectious disease cases associated with the City, working with both Public Health England and the Health Protection Agency.

2.1.3.3 The service also;

- Improved the food hygiene standards in the food businesses to achieve a FHRS broadly compliance rating of 92.8% (as of February 2016) at the time of the inspection and 97.8% (as of February 2016) following a reassessment of the food businesses after undertaking the necessary work highlighted during the inspection; the service objective was to achieve a broadly compliance rating of 93% before re-rating. The inability to achieve this objective has been affected by the reduction in staffing levels.
- Worked in partnership with the County Health and Wellbeing Board to develop and launch a healthier eating initiative
- Provided taught and on-line food safety training to individuals and businesses both within and outside of the City
- Developed and delivered a new food allergen awareness workshop for food businesses both within and outside of the City
- Identified new opportunities to develop income generation for the service, including the development of new targeted training and business improvement services aimed at raising the standards of the businesses within the City.

2.1.4 Additional interventions undertaken during 2015/16

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

- Public Health work
- Working with the neighbouring local authorities to ensure consistency and uniformity of enforcement for food and health and safety interventions
- Continuing to work with a local IT business to try to develop an IT based HACCP focused food safety system
- Working with locally based community groups to offer targeted foreign language food safety training
- Identified and developed income generation initiatives for the service such as new targeted training to the Thai Community and the Chinese Community
- Investigated approximately 145 reported infectious disease cases, working with both Public Health England and the Health Protection Agency

2.2 The Proposed Work of the Commercial Team for 2016/17

2.2.1 The Scope for the Proposed Work

2.2.1.1 Both the HSE and the FSA require Cambridge City Council to state how it intends to meet its obligations to carry out its enforcement duties; this section will clarify this for the year 2016/17. However, it must be considered that the service has obligations other than those identified in this Business Regulation Plan. The Commercial Team is primarily an enforcement service enforcing health and safety, food safety and certain elements of statutory nuisance legislation as applied to the commercial sector in the City of Cambridge. As such, the service will continue to deliver a programme of proactive and reactive interventions aimed at ensuring that the business community is safe and legally compliant. This will continue to be the main method by which the service will satisfy the Council's obligations to fulfil the requirements of the HSE and FSA, to ensure that our businesses are legally compliant.

2.2.1.2 The service also provides an educative and advisory role, and will attempt to work cooperatively with the business community to provide them with the resources they may require to develop, grow and hopefully be more successful, thereby being better able to contribute to addressing the Council's anti-poverty strategy. As this is a charged service, the income generated will contribute to the off-setting of some of the costs for undertaking this work.

2.2.1.3 Cambridge City Council has adopted an Anti-poverty Strategy aimed at minimizing the economic disadvantage faced by some of the residents of the city. The Commercial Team has embraced this strategy and aims to work to offer resources and opportunities to reduce any disadvantage suffered by the target populations. The service has developed initiatives to target the more socially deprived wards to see if there is an opportunity to help raise the knowledge about healthier food and more hygienic food processes. This work is also in partnership with the County Council Public Health Directorate and aims to meet the objectives of both the anti-poverty strategy and the Government's Responsibility Deal to improve health standards.

2.2.2 The Health and Safety Interventions for 2016/17

2.2.2.1 All businesses that fall under the health and safety enforcement regime for the Commercial Team will receive an inspection or intervention appropriate to the risks they pose and the guidance offered by the Health and Safety Executive. To this effect, the service will proactively inspect category A rated businesses, whilst businesses rated B1 to C will receive an intervention appropriate to the lower risks they pose.

2.2.2.2 All new businesses will be inspected to allow the risks posed by the business to be assessed. This will allow the Commercial Team to risk rate the business, which will in turn allow the service to subsequently consider the most appropriate intervention regime.

- 2.2.2.3 All reactive notifications received giving the service local intelligence about the condition of a business will be assessed, and, subject to the notification identifying a potential risk to the business user, will be investigated to determine the most appropriate course of action. Reactive notifications include the receipt of accident notifications or complaints about the conditions in the business.
- 2.2.2.4 Food businesses that are visited will also receive a health and safety hazard spotting assessment. If this assessment is sufficient to risk rate the business, the rating will be changed accordingly. If the assessment is not sufficient, the intervention will be record on M3 to determine the next inspection due date.
- 2.2.2.5 To allow the businesses in the City to develop, the Commercial Team will offer advice & assistance as part of any intervention involving the business. In addition, the service will also offer a targeted training and mentoring service intending to work with the business, thereby allowing it to develop its own strategy for compliance and a targeted approach to our industrial and trading estates.
- 2.2.2.6 Businesses which are based in the enforcement areas of more than one local authority are able to enter into a partnership with one specific local authority. This is the principle of the Primary Authority Partnership (PAP) Scheme as managed by the Government’s Better Regulation Delivery Office. The Commercial Team currently has two existing partnerships, a health and safety PAP with Ridgeons Ltd, and a food hygiene and health and safety PAP with Nandos Chickenland Ltd. The service will continue to work during 2015/16 to develop additional PAP where appropriate.
- 2.2.2.7 The table below outlines the proposed health and safety interventions planned for 2015/16;

Programmed Inspections – High risk businesses only	0
Alternative Interventions – Non-high risk businesses	
• Hazard Spotting, as part of non-health and safety interventions (estimated)	400
• New Business Inspections (including food businesses) (estimated)	450
Complaint Investigations (estimated)	120
Investigations under RIDDOR	70
Development of targeted partnership schemes	
Provision of Health and Safety Training – subject to demand	
Total number of Interventions	1040

Table 5: The Proposed Health and Safety Interventions for 2016/17
(Numbers based upon an estimation of the work as of February 2016)

2.2.3 The Food Safety Interventions for 2016/17

2.2.3.1 All food businesses that are due an intervention during 2016/17 will receive the appropriate level of intervention as permitted by the Food Standards Agency

- Businesses rated A, B or C or with a FHRs score of 0, 1 or 2, will receive a full or partial targeted inspection
- Businesses rated D or E, and with a FHRs score of 3 to 5 will receive either the same type of intervention as identified above, or an alternative intervention. This may include a targeted partial inspection or a business self-assessment using a low risk questionnaire if the business has been visited within the previous three months and assessed for food safety due to another reason, including following a complaint or request for assistance by the food business.
- All new food businesses will be visited and fully hazard assessed within 28 days of their opening or registration if this is later. This will allow the Commercial Team to hazard rate the business, allowing the service to subsequently consider the most appropriate intervention regime. The new premises inspection will also include a health and safety assessment if appropriate.

2.2.3.2 All reactive notifications received giving the service local intelligence associated with, or about the condition of specific food businesses will be assessed, and, subject to the nature of the matter, will be investigated to determine the most appropriate course of action.

2.2.3.3 To allow businesses in the City to develop, the Commercial Team will offer advice & assistance as part of any intervention carried out. In addition to this, the service will also offer targeted training and a mentoring service with the intention to work with the business to help it develop and become fully legally compliant.

2.2.3.4 As highlighted in 2.2.2.6 (above), if food businesses are potentially eligible under a PAP scheme, the Commercial Team will consider developing new partnerships where appropriate.

2.2.3.5 The table overleaf outlines the proposed food safety interventions planned for 2015/16 (figures are based upon the information available as of February 2016);

Programmed Inspections – total	629
A rated food businesses due an inspection	1
B rated food businesses due an inspection	24
C rated food businesses due an inspection	164
Alternative Interventions	
D rated food businesses due an intervention	316
E rated food businesses due an intervention	124
New Business Inspections (estimated)	200
Premises Sampling Interventions (estimated)	10
Complaint Investigations (estimated)	330
Infectious Disease Investigations (estimated)	100
Development of targeted partnership schemes	
Provision of Food Safety Training – subject to demand	
Total number of Interventions	1269

**Table 6: The Proposed Food Safety Interventions for 2016/17
(Numbers based upon an estimation of the work as of February 2016)**

2.2.4 Proposed FHRS objective for 2016/17

2.2.4.1 During 2016/17, the Commercial Team will encourage all food businesses to improve their ratings, and aim to achieve an overall standard of 93% (before re-rate) broadly compliance for those qualifying food businesses inspected during the year. Alongside this objective, the service will also work with food businesses to encourage more of them to display their FHRS window stickers. It is hoped that by having more broadly compliant businesses in the city, and by encouraging consumers to actively consider this guide, the rate of display will also increase.

2.2.5 Proposed Additional Interventions for 2016/17

2.2.5.1 As mentioned, the Commercial Team undertakes significantly more work than just that required by the HSE or FSA. As this work impacts upon the team and the City, this section summarises this additional work.

2.2.5.2 The table below outlines the proposed additional interventions planned for 2016/17;

<u>Statutory or Obligatory Undertakings</u>	
Statutory nuisance investigations	
Enforcement of smoking legislation	
Consultee for licensing and planning enquiries	
Liaison and partnership working with other council services	
Liaison and partnership working with other organisations	
<u>Discretionary Undertakings</u>	
Primary Authority Partnership Scheme	Maintenance of existing partnership
	Development of new partnerships
Introduction of work associated with the public health agenda	
Introduction of a healthier eating strategy	
Introduction of work associated with the anti-poverty strategy	
Development of targeted community liaison	
Implementation of a business mentoring scheme	
Development of a business targeted training strategy	
Development of an income revenue strategy	

Table 7: Proposed Additional Interventions for 2016/17

2.2.5.3 The service has adopted the need to target issues associated with both the Council's anti-poverty strategy, the Public Health Obesity Strategy and the Government's Responsibility Deal. To this effect, the Commercial Team will undertake the necessary work required to pilot the healthier food initiative as referred to in 2.1.3.1 (above). Associated with this pilot, the Commercial Team also proposes to work in partnership with the County Council Public Health Directorate to target families associated with schools in the more socially deprived schools in the city to educate them about healthier and more hygienic food, thereby contributing to the objectives of both the anti-poverty strategy and the Government's Responsibility Deal to improve local health standards.

2.2.5.4 In addition to the above interventions, and 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. The Commercial Team will continue to consider income generation during 2015/16.