

**CAMBRIDGE CITY COUNCIL  
ENVIRONMENT DEPARTMENT  
REFUSE AND ENVIRONMENT SERVICE**

**STATUTORY ENFORCEMENT WORK PLAN FOR  
FOOD LAW ENFORCEMENT  
2012/2013**

Drawn up in accordance with  
Food Standards Agency's  
Framework Agreement Amendment No. 5 (April 2010)

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## **INTRODUCTION**

This is Cambridge City Council's eleventh Enforcement Work Plan dedicated to the food safety enforcement function. It covers all the elements of food safety and hygiene for which the authority has enforcement responsibility. The plan also covers objectives relating to non-enforcement activity, including food hygiene education / promotion and partnership working, which the Council is also required to undertake in accordance with Government guidance.

The Food Enforcement Work Plan is an expression of the authorities commitment to the development of the food service and is now required by the Food Standards Agency (FSA), the body that monitors and audits local authorities activities on food enforcement.

The FSA Framework Agreement, originally issued in September 2000 and subsequently amended since, provides service planning guidance and promotes the importance of service planning in ensuring national priorities and standards are addressed and delivered locally.

Cambridge City Council's Food Enforcement Work Plan has been drawn up in accordance with the guidance in the framework agreement, and follows the service plan template. This is to enable the FSA to assess our delivery of the service and to allow local authorities to compare service plans written in the common format for any fundamental review.

The first plan was subject to audit by the FSA in July 2001 when it was complimented for its clarity, content and conformance to the requirements in the Agreement.

The FSA, in the Framework Agreement, require the Food Enforcement Work Plan be submitted to elected members for approval to ensure local transparency and accountability.

Jas Lally  
Head of Refuse and Environment

February 2012

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## **SECTION 1: FOOD SAFETY SERVICE AIMS AND OBJECTIVES**

### **1.1 Aims and Objectives**

- 1.1.1 Refuse and Environment (R&E) has adopted the Council's Vision Statement, with the intention to ensure that all of the services perform work together to improve the City for the benefit of those who live, work and use Cambridge.
- 1.1.2 To this end, the Food and Occupational Safety (FOS) Service, which is responsible for food safety enforcement in the City have adopted the statements;

*A City where people behave with consideration for others and where harm and nuisance are confronted wherever possible without constraining the lives of all, and*

*A City with a thriving knowledge-based economy that benefits the whole community and builds on its reputation as a global hub of ideas and learning.*

These statements, taken from the Council's Vision Statement, form the key drivers for the way in which FOS carries out its food enforcement responsibilities, trying to ensure the safety of the food available in the City.

### **1.2 Links to Corporate Objectives and Plans**

- 1.2.1 Every Department of the Council is required to develop an Operations Plan which when complete and approved, is accepted by the Senior Leadership Team, which includes the Chief Executive Officer who represents the Council. The Plans combine to state the Council's intention for the forthcoming year.
- 1.2.2 The Food Enforcement Work Plan takes its overall objectives directly from the Council's Vision Statement, and feeds directly into the Operations Plan, forming an integral link showing how the Council intends to meet its legal and stated obligations.
- 1.2.3 The FOS service works to the standards and values laid down in the Council's Equalities Policy and Values Statement and Customer Service Standards, as well as the Council's Corporate values, which are:
- Putting public services first;
  - Showing active concern for the environment;
  - Being open and democratic;
  - Treating everyone fairly and with respect;
  - Basing services on need;
  - Involving people in seeking solutions;
  - Encouraging innovation, skills and training.

- 1.2.4 The Council gives due consideration to performance criteria contained in the Refuse and Environment Operations Plan and corporate plans including Best Value. In addition to these general indicators, FOS will strive to meet local performance indicators, including 90% initial responses within 3 working days to complaints, food borne infection notifications and food hygiene advice.
- 1.2.5 Overall, the plans and initiative to which the FOS service complies with, or has regard to, include;
- Equalities Policy and Investor in People Initiative,
  - Customer Service Standards,
  - Consultation groups,
  - Statutory Codes of Practice (COP) issued under the Food Safety Act, 1990 (the Act) and relevant LACoRS guidance,
  - The Enforcement Concordat,
  - Guidance from external organisations such as the FSA
- 1.2.6 To ensure that FOS provides a consistent quality of service, Standard Operating Procedures and Team Standards have been developed requiring officers to meet reasonable objectives of time and quality so as to allow business proprietors to be kept informed of all stages of the inspection of their business. The service is also working towards the electronic publication of non-sensitive inspection data, allowing greater public openness and availability of information; the Team Standards pave the way for this by requiring inspections reports to be made available in a specified format. A copy of the Team Standards is in Appendix 4.

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## **SECTION 2: BACKGROUND**

### **2.1 Profile of the Authority**

- 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 famous Cambridge University that has in excess of 10,000 under graduates and its wealth of buildings of historic or architectural interest attracts in excess of 3 million tourists each year. Addenbrookes hospital is also located within the City boundary.
- 2.1.2 According to the 2001 Census, the city has a population of approximately 109,000 of which 7-11% are from minority ethnic backgrounds. With the Council boundary lying very close to the city itself, the surrounding villages fall within the local jurisdiction of South Cambridgeshire District Council which itself is mainly rural.
- 2.1.3 There are a number of new development projects being built around the City, and as these come to fruition, starting during 2012, the increased housing and the development of new communities will undoubtedly lead to increased demands on FOS. Although most of these new premises will be residential, there is also a planned increase in the number of commercial units, many of them will fall under the enforcement scope of the FOS service. Currently the service will be able to accommodate this increase in workload within the existing resources, although the impact will remain under review.
- 2.1.4 The City has over 1300 registered food businesses, with the majority being in the catering and retail sectors, and with the exception of a few, all falling to FOS to enforce.

### **2.2 Organisational Structure**

- 2.2.1 FOS is one of four teams within R&E, which in turn is part of the Environment Department, with the Head of Refuse and Environment (HRE) reporting to the Director of Environment.
- 2.2.2 Through the Council's Standing Orders, the HRE has delegated responsibility for food safety enforcement and authority to instigate legal proceedings in consultation with the Head of Legal Services.
- 2.2.3 The management and overall co-ordination of the Service's food safety law enforcement function is the responsibility of the Food and Occupational Safety Team Leader (FOSTL).
- 2.2.4 Where staff shortages or long-term vacancies arise overtime (time off in lieu) or contractors may be used to maintain inspection programmes.

2.2.5 The FOS team members currently involved in food enforcement activities are as follows:

Frank Harrison	FOSTL; responsible for the management and setting of standards for the FOS service, including the setting of targets and the monitoring of performance
Suzanne Lane	Senior EHO (full range of enforcement duties p/t)
Rebecca Broadbelt	Senior EHO (full range of enforcement duties)
Anne Galliano	Senior EHO (full range of enforcement duties p/t)
Tracy Chabot	Senior EHO (full range of enforcement duties p/t)
Ross Goodfellow	Senior EHO (full range of enforcement duties)
Joanna Duncombe	Food Safety Officer (full range of food enforcement duties)



2.2.6 Table 1, below, gives details of the services provided to the FOS service by external agencies.

<b>Name of Organisation</b>	<b>Type of Service</b>	<b>Frequency of Use</b>
Public Health Laboratory Service, Cambridge	1. Microbiological food sampling 2. Advice on infection and disease control	On-going
Public Analyst (Lincoln Sutton and Wood), Norwich	Analysis of food contaminants	<i>Ad hoc</i>
Medical Entomology Centre, Cambridge	Insect identification	<i>Ad hoc</i>
Comark, Stevenage	Temperature probe calibration	Annually
Ventress Technical Services Ltd., Cambridge	Food and contaminant examinations and identifications	<i>Ad hoc</i>
Health Protection Agency	Medical advice on aspects of disease control and prevention	On-going
Cambridge Interpretation Agency (CINTRA)	Interpretation and translation services	<i>Ad hoc</i>
Novus Environmental (Vetspeed Ltd.), Thriplow Heath, Herts.	Waste meat incineration	<i>Ad hoc</i>
Trading Standards Department, Cambridgeshire County Council	Food Safety and Consumer Protection	<i>Ad hoc</i>

**Table 1: External Service Providers (Food Safety Enforcement function)**

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## Scope of the Food Safety Enforcement Service

2.3.1 The FOS service is responsible for the following work areas:

- Food safety enforcement
- Investigations and control of food borne disease (and other non-zoonotic infections at the request of the HPA or CCDC)
- Health and safety enforcement in premises for which the authority is the enforcing authority
- Accident investigations in premises for which the authority is the enforcing authority
- Licensing and health education or promotion in the associated work areas listed above

2.3.2 The service is currently fully resourced with no routine work required to be carried out by any external service. As highlighted in 2.2.4 (above), where staff shortages or long-term vacancies arise, contractors may be used to maintain inspection programmes.

## 2.4 Demands on the Food Enforcement Service

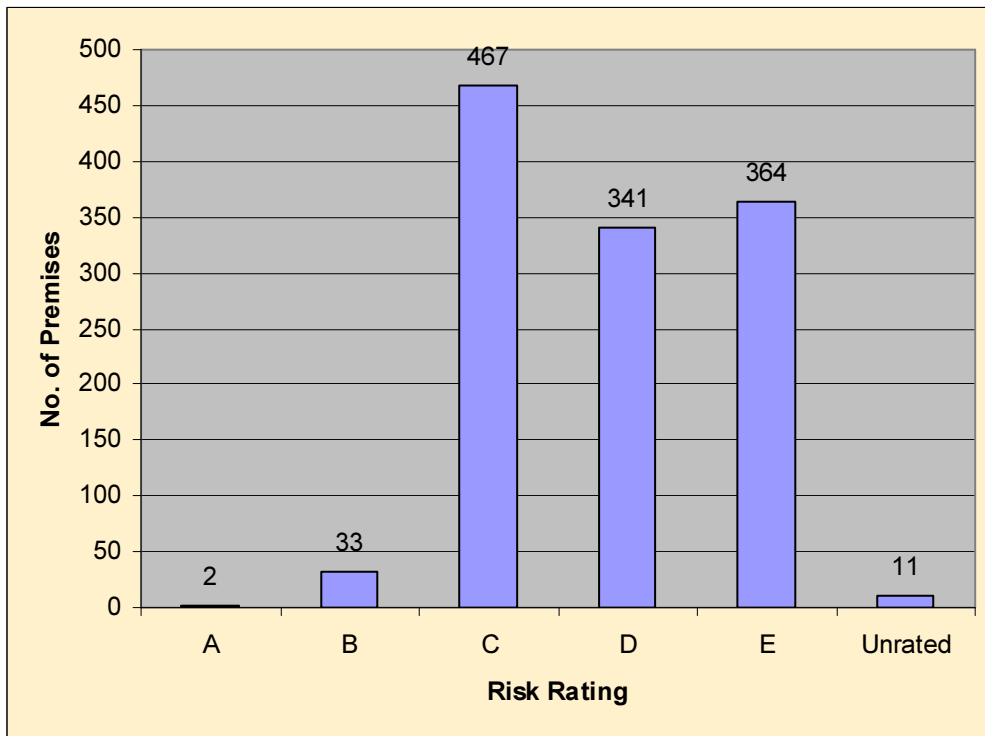
### 2.4.1 Authority Profile

2.4.1.1 The authority has approximately 1300 food premises on its database that are subject to a programmed food hygiene inspection; these have been assessed and given a risk categories profile, as defined by the Food Law, Code of Practice (England) (June 2008) (the Code of Practice), as issued under section 40 of the Act, Regulation 24 of the Food Hygiene (England) Regulations 2006, and Regulation 6 of the Official Feed and Food Control (England) Regulations, 2007. The risk profile for the City is shown in figure 1, overleaf.

2.4.1.2 There is currently no Approved Premises as defined by the FSA operating with in the Council's area.

2.4.1.3 In addition to the known business premises, a number of new food businesses register each year, and these too are inspected and subsequently risk rated. Although the precise number of new businesses registering each year cannot be given, approximately 200 (estimated) were received during 2011/2012.

2.4.1.4 As well as the registration of normal food businesses, a number of childminders register with the Local Authority each year, and although these businesses are not treated entirely in the same manner, they too need to be inspected.



Total = 1218

**Figure 1: Risk Rating Profile of Registered Food Businesses**  
(As of January 2012)

Risk Rating	Star Rating	Number
A	0	2
	1	0
	2	0
	=> 3	0
B	0	4
	1	10
	2	2
	=> 3	17
C	0	0
	1	5
	2	47
	=> 3	415
D	0	0
	1	0
	2	0
	=> 3	341
E	All scores 3 star or above (364)	
Unrated	Premises yet to be rated (11)	

**Table 2: Distribution of Risk Rating v Scores-on-the-Doors Rating**

## 2.4.2 Service Delivery

- 2.4.2.1 The FOS Service is based in Mandela House of Cambridge City Council, but enforce the requirements of the food legislation throughout the authority.
- 2.4.2.2 FOS 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 to ensure that all businesses are inspected during their food preparation or trading hours.
- 2.4.2.3 Every effort is made to ensure that no prior notification is given to food businesses prior to an initial programmed inspection, so as to ensure that the true conditions are found within the business. Notification is, however given to childminders and those businesses based within domestic housing. Revisits are scheduled to occur after a period of time, although the actual time or date may not be given.

## 2.4.3 External Factors

- 2.4.3.1 A significant number of businesses within the authority have staff for whom English is not the first language. In these instances, every effort is made to either identify a competent member of management or staff who is able to translate and communicate, or if necessary, seek the assistance of a translation service. The overall percentage of businesses where this is a concern is low, with just a handful where external assistance is required.
- 2.4.3.2 The service investigate approximately 170 infectious disease notification each year, with the vast majority being food poisoning; a significant number relating to University students and staff returning to the City following overseas travel
- 2.4.3.3 The turnover of food businesses is significant, as mentioned in 2.4.1.3 above. This has the effect of requiring the high number of new businesses to register and be inspected by the area Officer.
- 2.4.3.4 The FSA periodically issues food alerts identifying a particular food safety concern. There are two levels of alerts, those that are merely for information, and those, which if they relate to food sold within the City, require an intervention. The number of alerts cannot be predicted, but during 2011/2012, approximately 100 were received, with about 5% requiring action.
- 2.4.3.5 Officers are responsible for a full range of duties in FOS, including health and safety enforcement. They may therefore be called upon to respond to unforeseen emergencies within that work area, e.g. to investigate a serious accident notification.
- 2.4.3.6 In addition to its Universities, the City is a popular tourist attraction, and a number of major outdoor events are organised by the Council, many including a significant food retail contribution, and these may create an additional workload for the service. During 2012, the City will play host to an Olympic Torch procession and celebration that will include providing food to the public; this too will have impact on the service requirements during the year.

2.4.3.7 There is an increasing demand being placed on the service by corporate initiatives targeting health improvement, including smoking cessation, the public health agenda and a full business compliance assessment.

2.4.3.8 EHO's have a growing role in the emergency planning field by providing support in the event of significant emergencies, for example include avian or swine flu.

## **2.5 Enforcement Policy**

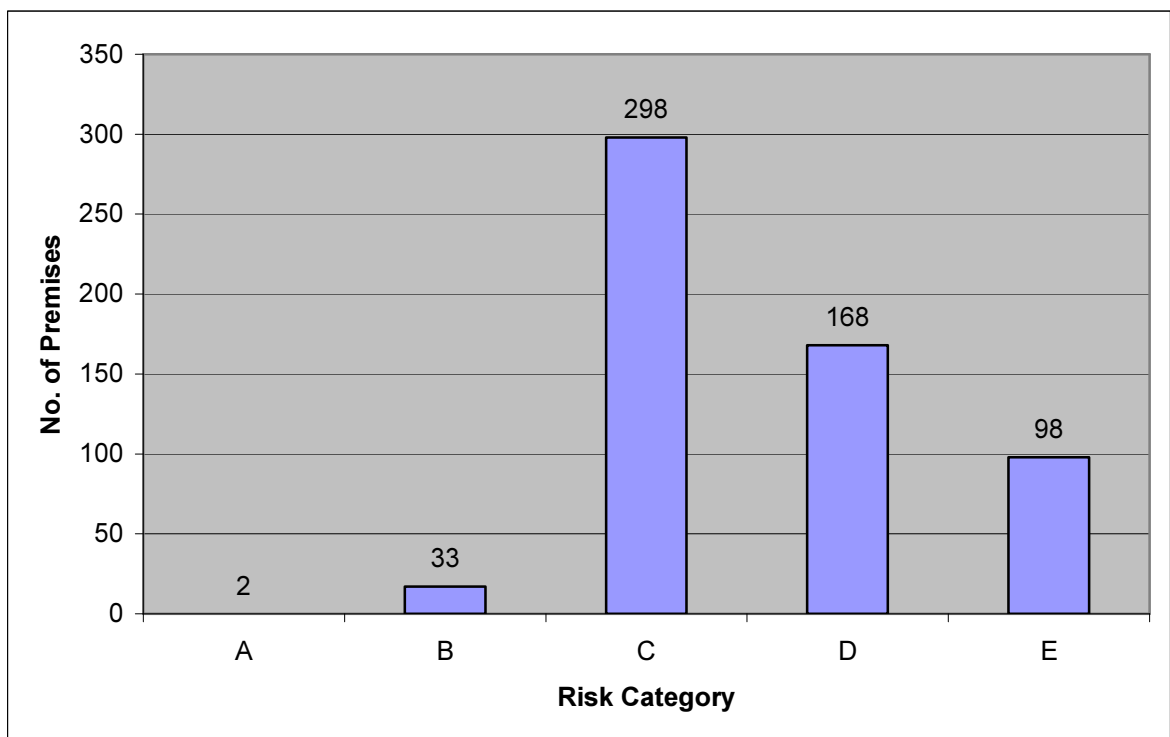
2.5.1 Cambridge City Council has signed up to the Enforcement Concordat. R&E therefore endorses the principals laid down in the Concordat and the LBRO Regulators' Compliance Code 2008, and has regard to the Code for Crown Prosecutors' guidance when making decisions, in particular that enforcement should be in a consistent, equitable and practical manner to provide a fair and safe trading environment. The Council's Food Safety Enforcement Policy outlines the various enforcement options ranging from advice and education to formal action, including the service of enforcement notices and prosecution for non-compliance with legislation.

**SECTION 3: SERVICE DELIVERY****3.1 Food Premises Inspections**

3.1.1 It is the service's policy that routine food hygiene inspections are:

- Focused on high risk businesses as a priority
- Target 0, 1 or 2 star businesses, as defined by the Scores-on-the-Doors scheme, and
- Carried out in accordance with the Code of Practice and other recognised guidance, such as that issued by LG Regulation

3.1.2 Officers will determine the frequency of inspection using the risk-rating scheme defined in the Code of Practice. The risk rating profile of premises due an inspection during 2012/2013 and the numbers of inspections due is shown in Figure 2, below. A full breakdown of the profile of inspections due and the estimated number of revisits is given in Appendix 1.



Total = 599

**Figure 2: Risk Rating Profile of the Inspections due in 2012/2013**

- 3.1.3 High-risk businesses (A or B rated) will include larger more complex businesses such as manufacturers, those that cater to a high number of vulnerable clients or smaller premises with a poor record of compliance. Medium-risk businesses (C or D rated) include the majority of cafes or restaurants, while low-risk businesses (E rated) include newsagents or other small retailers selling mainly pre-wrapped shelf-stable foods.
- 3.1.4 All officers undertaking the work of the FOS service will be authorised in accordance with the qualifications and experience laid down in the Code of Practice issued under the Act.
- 3.1.4.1 The Code of Practice has introduced additional requirements that Local Authorities should consider and implement, including;
- Businesses operating outside normal office hours should be subject to occasional out of hour inspections
  - Alternative enforcement strategies for low-risk businesses
  - Additional Primary and Secondary Inspections for premises covered by product specific hygiene regulations; there are currently no such premises in Cambridge
  - Assessment of whether to take samples during inspections
  - The inspection may take the form of a full or partial inspection or audit of the food safety management system
- 3.1.4.2 The Code also states that inspections are to be carried out no later than 28 days after the date determined by the inspection rating. Due to the need to improve the quality of local businesses that have failed to reach an acceptable standard, this requirement will be set aside in favour of a local intervention strategy whereby failing businesses will be targeted in a robust campaign to improve their standards.
- 3.1.4.3 All businesses due to be inspected during the year will receive an appropriate intervention, whether as part of a local intervention strategy or a programmed inspection.
- 3.1.5 The FSA requires Local Authorities to include inspections of imported foods during routine food hygiene inspections. This activity is included in the calculations of the work commitment and will form part of the overall inspection process. There are currently no border inspection posts, enhanced remote transit sheds or importing agents in Cambridge, but officers will routinely look at food imports during routine visits to check traceability and fitness with respect to these foods.
- 3.1.6 The service has adopted the use of alternative enforcement strategies for all of our businesses, allowing resources to be better targeted towards the higher-risk premises and businesses with a poor history of compliance.

- 3.1.6.1 Low-risk questionnaires (LRQ) have been developed to enable an assessment of the degree of compliance and the types of activities taking place within the low-risk businesses. The LRQ's are only sent to low-risk businesses that had received an actual inspection previously, and are assessed upon their return; non-returned forms trigger an inspection.
- 3.1.6.2 A second targeted LRQ has been developed entirely for schools; the assessment criterion matches the normal LRQ's.
- 3.1.6.3 Businesses of a similar characteristic, e.g. butchers' shops or businesses only selling specific types of food, may be targeted as part of an intervention strategy. When circumstances identify a targeted need, the sample population will be inspected as a group to ensure consistency of inspection and a targeted intervention to address the group failings.

## **3.2 Food-related Complaints**

- 3.2.1 Food related response work generally falls into one of the following broad categories:
  - Complaints about food businesses (hygiene, pests, food handlers, etc.);
  - Food labelling (use-by contraventions only)
  - Food contamination (microbiological, chemical or foreign objects)
- 3.2.2 Complaints are investigated in accordance with established procedures and policies. The initial response to complaints will in any event be within 3 working days, or 1 working day if the complaint is of a serious nature, e.g. an allegation of a potentially hazardous food handling practice.
- 3.2.3 A significant number of food complaints relate to food sold in the City but manufactured either abroad or elsewhere in the UK. These investigations tend to be more time consuming as they usually involve liaising with food authorities in other parts of the United Kingdom or other countries.
- 3.2.4 It is estimated that during 2012/2013 FOS will receive approximately 240 food related complaints, all of which will receive the appropriate level of investigation.
- 3.2.5 The resource implication of this has been considered and a breakdown of the resources available to FOS is given in Section 4.

## **3.3 Home and Primary Authority Principle**

- 3.3.1 The authority endorses and supports the Home Authority Principle (HAP) and Primary Authority Partnership Scheme (PAPS) as advocated by the Local Government Regulation (LGR) and officer for Local Authority Better Regulation. The FOS service gives advice to companies and other food authorities on either a Home or Primary Authority basis.



3.3.2 The Regulatory Enforcement Sanctions Act 2008, which introduced the PAPS principle operates on a similar principle to the HAP, but reduces the burden of enforcement on businesses. Cambridge City Council currently has no Primary Authority arrangements in place.

3.3.3 The resource implication of this has been considered and a breakdown of the resources available to FOS is given in Section 4.

### **3.4 Advice to Business**

3.4.1 The FOS service works with businesses to help them to comply with the law and to encourage their use of best practice. This is achieved through a range of activities, including:

- Advice given during the course of inspections, audits or other visits;
- The provision of free advice leaflets (including in other languages) where necessary and available;
- Through responding to enquiries;
- The provision of the Chartered Institute of Environmental Health (CIEH) Level 2 Food Hygiene training courses (including in non-English if necessary)(currently set at 4 per year);
- Proactively commenting on plans at building application and approval stages;
- Through the use of targeted mail-shots;
- The inclusion of a publicity event to support Food Safety Week as promoted each year by the FSA
- The use of consultation mechanisms to seek comments on proposals and policies
- The availability of a regularly updated website dedicated to food safety, with links to other approved organisations able to assist in the operation of a compliant and safe food business

3.4.2 The service does not at present record as a separate figure the number of requests for information against the overall number of complaints received. The figure identified in 3.2.4 above is an estimate including a number of enquiries for information.

3.4.3 The resource implication of this has been considered and a breakdown of the resources available to FOS is given in Section 4.

### **3.5 Food Inspection and Sampling**

3.5.1 The FOS service will target its microbiological food sampling activities in accordance with its food-sampling programme. In particular, food and environmental samples will be taken from the following types of businesses:

- Those engaged in the handling or preparation of high-risk foods;
- Those selling food identified for sampling as part of a national, regional or county-wide sampling programme;
- Businesses selling foods subject to consumer complaints, and where the investigating officer believes it to be appropriate
- Businesses selling foods subject to the concern of a visiting or inspecting officer

3.5.2 All sampling undertaken by officers will be taken in accordance with the relevant legislation. Formal samples will also be taken in accordance with the Code of Practice and departmental standard operating procedures.

3.5.3 In preparing a sampling programme, the service will consider relevant sampling initiatives devised and coordinated by the following:

- LACoRS (as superseded by LGR);
- CIEH Eastern Centre;
- Cambridgeshire Food Liaison Group
- Eastern Region Public Health Laboratory Group
- Eastern Region Sampling Steering Group

3.5.4 The service aims to take a minimum number of samples as requested of each authority in the county-wide sampling programme, subject to having sufficient and suitable resources to undertake it. The Code of Practice also requires that officers consider taking samples where problems are identified during an inspection; the analysis of food and the work surfaces may also be considered following a complaint.

3.5.5 The service aims to take approximately 100 samples each year for microbiological examinations, subject to the availability of resources to commit to this.

3.5.6 The resource implication of this has been considered and a breakdown of the resources available to FOS is given in Section 4.

### **3.6 Control and Investigation of Outbreaks and Food Related Infectious Disease**

- 3.6.1 The FOS service will investigate food related infectious disease notifications in accordance with the procedures agreed with the Consultant in Communicable Disease Control (CCDC) and the Health Protection Agency (HPA).
- 3.6.2 All notifications will receive an initial response within 1 working day, and any unusual illness activity possibly pointing to an outbreak will be reported to the CCDC / HPA as soon as practicable. Investigations of outbreaks will be in accordance with the Outbreak Control Plan as agreed by the HPA. In the event of a significant outbreak, FOS will be divert officers to assist in this investigation in preference to proactive work, and may call upon other officers from within the other services of Environmental Health.
- 3.6.3 It is estimated that during 2012/2013 FOS will receive approximately 240 food related complaints, all of which will receive the appropriate level of investigation.
- 3.6.4 The resource implication of this has been considered and a breakdown of the resources available to FOS is given in Section 4.

### **3.7 Food Safety Incidents**

- 3.7.1 The FOS service, on receipt of a Food Alert, or notification of a food safety incident, respond as appropriate and in accordance with:
- The Cambridgeshire Outbreak Control Plan
  - The Cambridge Food Incident Plan
  - The departmental standard operating procedures
  - The Code of Practice
  - Any instruction issued by the FSA
- 3.7.2 The degree of response by officers during normal working hours will be as immediate as the notification warrants. Outside of normal working hours, an emergency contact system exists, and the officer will respond as appropriate.
- 3.7.3 Food Alerts fall into two categories, and warrant markedly different responses.
- Information Only, as the name suggests requires no action, but is merely a notification of an issue which has already been resolved, e.g. a food manufacturer calls for a return of poor quality food
  - Requires Action Alert, requires the receiving authority to take the necessary action as indicated by the alert. This may range from informing specific retailers of an issue to requiring the removal of a type of foods entirely from sale. The response will be dependant upon whether the authority is affected by the alert as well as its nature.

3.7.4 The number of Alerts issued by the FSA varies in accordance to the issues identified, but is estimated as being approximately 100 per year; there is now no need to record the details of all of the food alerts. Of these, about 10% will require some response by FOS and these will be recorded as food complaints and counted as part of the total given in 3.2.4, above.

3.7.5 The resource implication of this has been considered and a breakdown of the resources available to FOS is given in Section 4.

### **3.8 Liaison with Other Organisations**

3.8.1 The Council is committed to ensuring the enforcement approach it takes is consistent with other Local Authorities. Accordingly, the FOS service will liaise on food enforcement matters with the following organisations or forum on a basis warranted by the nature of the liaison. The communication is via:

- Informal communication with neighbouring Authorities in respect to authority specific matters, e.g. to discuss a complaint from residents that authority
- The Cambridgeshire FLG;
- Cambridgeshire & Peterborough District Control of Infection Co-ordinating Group;
- Cambridge Water Company Liaison meetings
- CIEH Eastern Centre Food Group;
- Cambridgeshire and Eastern Region Chief Officers' Group;
- Cambridge and Peterborough Nutrition Strategy Group
- The review of planning applications or license applications and variations following representation to this Authority

3.8.2 The FOS service also liaises with the Food Standards Agency as and when issues arise.

3.8.3 The frequency of attendance to these groups and their respective meetings is variable, but range from attending quarterly meeting to merely being the recipient of minutes from meetings.

3.8.4 The resource implication of this has been considered and a breakdown of the resources available to FOS is given in Section 4.

### **3.9 Food Safety and Standards Promotion**

3.9.1 Cambridge City Council recognises both the benefit and need to promote food safety and the maintenance of good food standards, whether the food producer is a commercial or retail outlet, or even a private family. To this effect, but subject to the available resources, the FOS service will actively promote good food safety and the improvement of standards.

3.9.2 The proposed promotional works for 2012/2013 by officers of the FOS service will include:

- Food Safety Week – hygiene and safety promotion produced by the FSA;
- CIEH Level 2 Food Hygiene training and active promotion for attendance, especially of poorly complying businesses or organisations;
- Participation in and maintenance of the Scores on the Doors website;
- The provision of information and update of the FOS web-pages on the Council's website;
- The provision of advice on healthy eating and safer food handling, preparation, cooking and storage, given as part of inspections to businesses or as a result of ad hoc requests for information
- The development and implementation of a health improvement programme working with internal and external partner organisations, but subject to the availability of resources and the partnership agreement
- The provision of food safety and hygiene standards information to the various organisation taking part in the numerous outdoor events which occur each year in the City
- The production and release of press statements and releases in accordance with the Council's guidance
- The production and distribution of Member Briefing notes as and when matters arise
- Engaging with businesses to obtain feedback and evidence to assist businesses to comply with legislative requirements

3.9.3 The Council is committed to ensuring equal access to any training course it organises. Cambridge City Council will endeavour to provide the training with whatever assistance the delegate requires to allow them every opportunity to achieve the same outcome as every one else, albeit, subject to the availability of the resource. Alternatively, the delegate may be referred to another training provider if they are able to deliver the targeted training necessary. The FOS service shares this commitment.

3.9.4 The evidence of the results obtained from each training course monitors the effectiveness of any training offered by the FOS service.

3.9.5 The resource implication of this has been considered and a breakdown of the resources available to FOS is given in Section 4.

## SECTION 4: RESOURCES

### 4.1 Financial Allocation

4.1.1 The estimated budget for 2012/2013 is shown below in Table3 against that for last year, which acts as a comparison to allow any trends in the expenditure of the service to be considered.

	2011/2012	2012/2013
Expenditure:		
<ul style="list-style-type: none"> <li>• Staffing (inc. travel and training costs)</li> <li>• Supplies and Service (inc. sampling)</li> <li>• Publicity (inc. Newsletter)</li> <li>• Compensation Payments</li> </ul>	£219,260	Has yet not set
Income:		
Level 2 Food Hygiene Courses	£2760	
<b>Total (Expenditure less Income)</b>	<b>£216,500</b>	

**Table 3: Food Safety Enforcement Budget 2011/2012 and 2012/2013**

4.1.2 All enforcement officers have access to a desktop computer containing the necessary software to enable their work to be undertaken. All PC's in the FOS teamwork area have Internet access and capability for receiving emails to allow the receipt of FSA food hazard warnings.

4.1.3 In the event of legal proceedings having to be taken on food safety issues, the costs shall be 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.

### 4.2 Staffing Allocation

4.2.1 The majority of the work associated with food law enforcement activities is undertaken directly by the FOS team with very little administrative support after the reorganisation following the service moving to Customer Service Centre.

4.2.2 The Environmental Protection team deals with complaints alleging nuisance emanating from food premises; officers in both teams will liaise and where necessary, carry out joint visits.

4.2.2 All officers carrying out food safety enforcement duties are currently Environmental Health Officers' Registration Board (EHORB) registered.

4.2.3 The competency profile of the authorised food law enforcement officers within the FOS team is given in Appendix 4.

### **4.3 Staff Development Plan**

4.3.1 The Service will ensure that FOS team officers are appropriately qualified and receive regular training to maintain and improve their level of competency. During 2012/2013 all officers will have access to the equivalent of at least 10 hours update training on food-related topics. This will form part of the 20 hours 'continuing professional development' as required by the CIEH for membership. (30 hours for officers that currently hold 'practitioner' status). Frequent uptake of free or low cost training from the FSA or other similarly recognised training provider has enabled staff to maintain competencies at minimal cost to the authority.

4.3.2 The staff development plan comprises of:

- The employment of competent enforcement officers capable of food law enforcement;
- Evidence of formal qualification (sight of original qualification certificates prior to commencement of employment);
- In-house and external competency-based training;
- Identification of training needs during ongoing performance monitoring and the annual performance appraisal interviews.

4.3.3 Training, which has been identified to maintain or promote competency, will receive priority during 2012/2013.

4.3.4 The training requirement for the FOS team has been budgeted for. Where possible free and low cost training from providers such as the FSA or other similarly recognised training provider will be utilised as much as is practicable.

## **SECTION 5: QUALITY ASSESSMENT**

### **5.1 Quality Assessment**

5.1.1 The following monitoring arrangements are in place, or under review, to assist in the quality assessment of the work carried out:

- Review by the FOSTL of a proportion of the post-inspection paperwork including the Hazard Analysis assessment sheets in accordance with the departmental standard operating procedure (SOP).
- All inspections records, assessment sheets, letters and reports of new officers will be reviewed for the first 3 months and until the FOSTL is satisfied that written paperwork is consistently satisfactory. This is in accordance with the departmental SOP.
- Inspection performance (peer review), in accordance with departmental SOP
- Monthly team meetings
- Monthly 'one-to-one' meetings between the FOSTL and officers to assess personal performance
- Annual performance appraisal and development interviews
- Mid-term appraisals of performance and development
- Countywide working groups addressing specific issues e.g. enforcement of food hygiene training enforcement for food handlers
- Active participation in a countywide consideration of benchmarking
- The FOSTL will have regular reviews of work performance with the EHM
- The EHM will have regular reviews of work performance with the HRE.



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## **SECTION 6: REVIEW**

### **6.1 Review against the Service Plan for 2012/2013**

- 6.1.1 Performance indicators covering response times to complaints and the level of programmed inspections form part of the Council's Local Performance Plan which is subject to both monthly and quarterly review by the EHM and HRE.
- 6.1.2 Performance against the Food Enforcement Work Plan will be reviewed by the EHM in consultation with the HRE in line with the corporate planning timetable.

### **6.2 Identification of any Variation from the Service Plan for 2012/2013**

- 6.2.1 Key performance indicators are reviewed monthly, with the results 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 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, e.g. targeted training with subsequent business review.

### **6.3 Review of Performance 2011/2012**

- 6.3.1 The Framework Agreement requires that this authority review its previous year's performance against its plan. At the time of preparation of this eleventh service plan, it should be acknowledged that we are still within the year 2011/2012 and therefore it has been necessary in some instances (where indicated) to enter the projected performance.
- 6.3.2 Food premises inspections
  - 6.3.2.1 It is anticipated that all of high and medium risk rated businesses planned to be inspected will be by 31<sup>st</sup> March 2012, subject to no access being granted, in which case these will be recorded as unsuccessful visits. It was initially proposed that 316 programmed inspection and 258 alternative interventions visits, giving 574 in total were to be carried out. It is projected that 587 businesses will have been inspected or subjected to alternative intervention by 31<sup>st</sup> March 2012, split 348 and 239 respectively. Approximately 195 new businesses will have been registered by the 31<sup>st</sup> March 2012.
  - 6.3.2.2 A number of Food Hygiene Improvement Notices were served for various contraventions of the Regulations.

6.3.2.3 The service will have dealt with approximately 240 complaints up to the 31st March 2012. The complaints included food quality complaints or offering advice relating to food hygiene or safety to businesses and the public.

6.3.2.4 The service will have carried out approximately 11 proactive food or environmental sampling interventions up to the 31<sup>st</sup> March 2012, with each intervention consisting of a number of individual samples.

6.3.2.5 The service will have received notification of approximately 195 new food premises registrations by the 31<sup>st</sup> March 2012. Each business is required to be inspected within 28 days of registration.

### 6.3.3 Home Authority Principle

6.3.3.1 Cambridge City is not home authority for any businesses at present.

### 6.3.4 Advice to businesses

6.3.4.1 Officers have continued to give free advice and assistance to the public and trade throughout the year on food safety and hygiene matters.

### 6.3.5 Food Sampling

6.3.5.1 The service will have carried out approximately 11 proactive food or environmental sampling interventions up to the 31<sup>st</sup> March 2012 for microbiological analysis. Where analysis results were unsatisfactory, appropriate follow-up work was carried out, including enforcement; subsequent repeat samples were taken to ensure the business had met the standards expected of it.

### 6.3.6 Food-related infectious disease

6.3.6.1 All notified cases of food poisoning were investigated promptly and in accordance with the Service's initial response deadline of 1 working day. To the 31st March 2012, the authority will have received an estimated 170 formal notifications of infectious diseases. By a significant majority, notifications were of isolated cases of Campylobacter infections.

### 6.3.7 Food safety incidents

6.3.7.1 The FSA has changed the way in which it alerts businesses and enforcement agencies of problems with different types of food. The alerts are divided into two, alerts 'for information' and those 'for action'. Only those requiring action and being relevant to the service were responded to, in accordance to the SOP. Those, which have required a response, have resulted in the action specified in the alert being taken, or advice given to specific businesses. These interventions are recorded as complaints and have been included in the numbers given in 6.3.2.3, above.

#### 6.3.8 Liaison with other organisations

6.3.8.1 Regular dialogue took place with all the other key organisations including the county FLG, Cambridge Water Company, the Health Protection Agency and the FSA. The authority was represented at all the key meetings.

#### 6.3.9 Food safety promotion

6.3.9.1 The Service carried out a range of promotional and educational activities including running 4 Level 2 Food Hygiene courses.

#### 6.3.10 Staffing

6.3.10.1 During 2010/2011 staffing levels have stabilised, allowing the City to be divided into 4 areas for food safety enforcement duties, with 1 full time equivalent Senior EHO responsible for each area. Senior EHOs are responsible for the enforcement of higher risk food businesses, with the Food Safety Officer responsible for enforcing the lower risk premises.

6.3.10.2 Officers able to enforce health and safety are carrying out health and safety interventions in all food businesses where Cambridge City Council is responsible for the enforcement of health and safety. By also looking at the degree of compliance with licensing conditions, waste and recycling where applicable, the FOS service has been able to initiate Business Compliance inspections.

#### 6.3.11 Staff Development

6.3.11.1 All staff received regular training and briefings in accordance with the Service Plan.

#### 6.3.12 Quality Assessment

6.3.12.1 Management monitoring systems and quality control checks were fully operational throughout the year to secure consistency of enforcement and compliance with policies and procedures.

### 6.4 **Additional Unforeseen Works 2011/2012**

6.4.1 During 2011/2012, the FSA released guidance to ensure the safe separation of raw and ready to eat foods in food businesses to mitigate the risk of cross-contamination by the food poisoning bacteria, *E. coli*. As a result of this, the FOS service has had to develop an effective strategy to implement the guidance. To this end, during the last quarter of the year, the FOS service will introduce a strategy to notify the businesses that pose a risk, in preparation to the assessment of their degree of compliance.

6.4.2 As part of a review of the implementation of this guidance, the FSA will audit the FOS service. This audit took place on the 8<sup>th</sup> February 2012, the preparation and audit has had an impact on the resources of the service.

## 6.5 Areas of Improvement

- 6.5.1 Any service issues identified during the quarterly reviews or by routine performance monitoring will be recorded in writing and an appropriate action plan to address them will be agreed with between the EHM, HRE and where appropriate, the officer concerned.
- 6.5.2 During 2012/2013, FOS will redirect its focus away from a date-led inspection regime to a locally devised priority intervention scheme aimed at raising the standards of the worst-achieving food businesses; during 2011/2012, targeting this sector resulted in an improvement of over 80%. To this effect:
- FOS will target all of the 0~2 star-rated food businesses in two focussed interventions, visiting all of the businesses during 2 two-month during the year
  - All businesses will be pre-notified of the intervention and warned that FOS will introduce a robust inspection regime with the service of improvement notices rather than informal letters for non-compliance
  - As part of the intervention, training and guidance to assist with the improvement of the businesses will be offered depending upon the judgement of the inspecting officer
- 6.5.3 Businesses which have achieved a 3~5 star rating will be inspected, either via a sector-based initiative. Only if it is not possible to group businesses will they be inspected at their due inspection date.
- 6.5.4 The inspections will continue the business compliance inspection regime introduced during 2011/2012.
- 6.5.5 FOS will also carry out a number of targeted interventions, focussing on:
- The publicly accessible outdoor events, working with the event organisers to maintain high food and public safety standards and attempting to work towards the expectations of the Governments Public Health Agenda
    - Special focus will be placed upon the events associated with the Olympic Torch Procession and event
  - To work with the organisers and promoters of the May Balls to maintain high food and public safety standards and attempting to work towards the expectations of the Governments Public Health Agenda
  - To review the hazards posed by low risk-rated food businesses using Low Risk Questionnaires; businesses having received such a questionnaire for their previous intervention will be visited, although only a partial inspection or audit will be carried out
  - The introduction of area surveys to assess the degree of compliance of businesses in a defined area; this will also be carried out to review the accuracy of our IT database and any inaccuracies will be amended

6.5.6 The information available to the service will be reviewed to ensure that it is as accurate as possible, and FOS will also develop and provide relevant information to the businesses in the City. To achieve this, the following will be carried out

- To continue with improvements to the Northgate M3 database system in order that premises inspections are identified in a timely fashion therefore facilitating an informed and accurate programme of food safety inspections in the City. This will also involve a considerable amount of officer time dedicated towards premises surveys to identify and register new and changed premises
- To continually review the existing SOP's in light of new government guidance and liaison with county colleagues, to show best practice and that they are in accordance with all of the legal requirements for the service
- To assist in the delivery of the Cambridgeshire FLG Work plan for 2012/2013 and to attempt to contribute to the successful outcomes of the objectives identified
- To incorporate guidance contained in the county 'Outbreak Control Plans' into the SOP's adopted by FOS
- To carry out any training identified for officers on to ensure legal compliance and promote consistency of approach in line with FSA guidance
- To deliver four CIEH Level 2 Food Hygiene training courses for Food Business Operators and other interested people
- To introduce and provide the CIEH e-learning Food Hygiene training course for Food Business Operators and other interested people
- To implement the food and environmental sampling programme as set out by the Eastern Region Food Liaison Sampling Group
- To develop and introduce an internal peer review regime to ensure officer consistency and to make sure that our procedures are sufficient

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**SECTION 7: SUMMARY**

- 7.1 The workload proposed for 2012/2013 incorporates a full range of enforcement actions including an element of health promotion and proactive hygiene inspection. The Code of Practice defines the food business intervention period for each category of food business, although due to the effectiveness of the 0~2 star business intervention strategy, FOS will inspect each business requiring an inspection as part of a targeted intervention, focussing on the risk issue rather than the inspection due date.
- 7.2 The aim of the service for 2012/2013 is to continue to focus its resources on the higher-risk food businesses, that is, those rated as A or B and scoring 0, 1 or 2 stars against the adopted Scores on the Doors rating scheme, as this will have the highest impact on the poorer quality food businesses. The level of improvement observed in this group during 2011/2012 was in excess of 80%, which allows us to justify a local intervention strategy different from that promoted by the FSA. All businesses that are due an inspection during 2012/2013 will be visited and assessed.
- 7.3 Officers visiting food businesses with the aim of carrying out a partial inspection or audit retain the right to undertake a full inspection if it is deemed to be the most appropriate course of action.
- 7.4 Businesses failing to return a low risk questionnaire will be visited under the same provision as 7.3 above.
- 7.4 When considering enforcement action, officers will always have regard to the Council's Enforcement Policy, the Government guidance to ensure action is proportionate, consistent and fair and the service's own SOP. The Council has access to an interpreting service, which will be used where proprietors experience language or reading difficulties.

## FOOD HYGIENE INSPECTION PROGRAMME 2012/2013

<b>Risk Rating (Max. Inspection interval)</b>	<b>Number of inspections due</b>	<b>Percentage of inspections to be carried out</b>	<b>Estimated number of revisits</b>
Category A (6 months inspection cycle)	2 (4 in the year)	100%	2 (4 in total)
Category B (12 months inspection cycle)	33	100%	33
Category C (18 months inspection cycle)	298	100%	149
Category D (24 months inspection cycle))	168	100%	0
Category E (36 months inspection cycle))	98	100%	0
Unrated	0	100%	0
<b>Total</b>	<b>601</b>	<b>100%</b>	<b>186</b>

Figures estimated at the time of production of this Service Plan

**Table 4: Anticipated Hygiene Inspection Activity 2012/2013**

Premises that have a risk rating of C or lower and have not received a low risk questionnaire as the previous intervention may be subject to alternative inspection strategies in accordance with guidelines set out in the Code of Practice.

In addition to the 601 fixed premises total as outlined above, it is envisaged that additional inspections may be required of the following types of food businesses throughout the year:

		<u>Estimated Nos</u>
1. New premises/existing premises that have changed ownership	-	200
2. Outdoor stalls/mobiles at fairs and festivals	-	50
<b>TOTAL</b>		<b>250</b>

## STAFFING RESOURCES

for 2012/2013

Food & Occupational Safety Team Manager	0.25 FTE
Senior / Environmental Health Officers (Shared role including Health & Safety Enforcement)	1.7 FTE
Food Safety Technical Officer (Restricted enforcement)	0.8 FTE
<b>Total</b> (including shared Health & Safety enforcement responsibilities)	<b>2.75 FTE</b>

FTE = Full Time Equivalent officers – see Appendix 5

**Table 4: Actual FTE Resource Available for Food Enforcement for 2012/2013**



## OFFICER COMPETENCY PROFILE

The following authorisations have been issued to the FOS team officers in accordance with the Code of Practice (Chapter 1).

### SECTION A: FOOD HYGIENE & SAFETY

COMPETENCY	NO. OF OFFICERS
Inspection of HACCP based management control systems	7
Inspection of risk category A and B premises	6
Inspection of manufacturers and processors classified as "substantial"	7
Product-specific inspections	7
Inspection of risk category C to E premises	7
Service of improvement notices	7
Service of emergency prohibition notices	6
Inspection, detention and seizure of foodstuffs	7

### SECTION B: GENERAL

COMPETENCY	NO. OF OFFICERS
Taking of formal samples	7
Taking of informal samples	7
Dealing with food complaints - Advice given	7
Dealing with food complaints - investigations	7
Investigations potentially leading to legal proceedings	7

## **FOS Service – Team Standards**

**(Reviewed February 2012)**

These are the minimum standards that can be expected of the Food and Occupational Safety (FOS) Service of Cambridge City Council. Where they are not met due to operational reasons, the reason will need to be made clear in the records of the particular action

### **Food Premises Inspections**

- All programmed inspections (PI) are to be un-announced (unless the business is in a domestic property whereby 24hrs notice should be given)
  - If unable to gain access, inspections may be pre-arranged but evidence of previous failure to access must be stated on the worksheet
- PI will be carried out as part of an programmed intervention strategy based on a local initiative, although if businesses cannot be integrated into a strategy
  - If unable to meet this due to operational reasons, the reasons are to be stated in the record of inspection on the worksheet
- PI will be based upon the principle of a full business compliance assessment, unless they intervention strategy dictates otherwise
- Prior to the PI all previous food & H&S records (inspection history, accident details, complaints, food poisonings, etc.) are to be checked & considered
  - The Inspecting Officer should acknowledge the significant aspects of the history or any outstanding works required by a previous inspection and consider them during the inspection; a record of this is to be made as part of the inspection record
- PI of businesses that have been 0~2 star for at least the previous 2 inspections will have received an notification that, if at the time of this inspection legally enforceable items are found to be non-compliant, an enforcement notice will be served instead of the warning letter. This will legally require compliance, and should the business still be found to be low-rating at the next inspection, will allow FOS to prosecute for repeatedly running an unsafe food business; this action will be reviewed prior to the next inspection which will still be during 2012/2013

### **New Business Registration & Inspections**

- New food businesses are required to Register with FOS at least 28 days before they start trading
- All new food businesses are to receive a full business compliance inspection no more than 28 days post after they start trading
- Upon receipt of the completed Registration form, Officers are to code the business & allow for the M3 database to be updated; the inspection date for the new businesses will be set for 28 days
- The inspection is to be carried out no more than 28 days after the business has started trading

## **Inspection Documentation**

- Prior to the inspection, review in-house all relevant history & update the inspection form to ensure the necessary details are considered during the inspection; record the significant points on the inspection form before the visit
- During the inspection, gather all the necessary information including full contact details, including
  - Names (& address) of the Food Business Operator (FBO), owner & manager
  - Contact telephone, mobile & fax numbers
  - Business or preferred email address
  - Identify preferred means of contacting business
  - Ethnicity and languages spoken
  - The number of staff employed
  - All of the information is to be added to M3 database upon completion of the inspection
- All inspections of food business are to incorporate an assessment of H&S compliance, unless a H&S inspection is due, in which case a H&S inspection shall be carried out, unless the premises
  - Is enforced by HSE, or
  - A full H&S inspection has only recently occurred,
 in which case, a partial inspection or hazard spotting review should be performed
- H&S inspections can be carried out at same time as food inspection or re-arranged for a later date, but are to be completed within the calendar year, as is the requirement under H&S legislation
- All inspections of Licensed businesses shall also assess the degree of compliance with the requirement of the license; any contraventions observed shall be reported to the Licensing Service
 

At the start of the inspection, the Proprietor is to be told that the food hazard rating scoring will be performed on site and the appropriate Scores on the Doors (SotD) star rating sticker will be issued
- If appropriate, at the start of the inspection, remove the historical SotD star rating window sticker and where possible, the SotD star rating certificate
- The on-site record of inspection forms is to be used (CoP requirement) and a copy left on site
- The on-site form should always be kept tidy, concise and accurate.
  - The form should contain no more than 3~5 key legal points in brief details, or bullet-points identifying the topics where action is required. The list need not contain all of the points of concern, but enable the Proprietor to start the more urgent remedial works
- It is the business's manager's duty to notify the FBO of any issue. We need only make a reasonable & practicable attempt to provide him with the information; giving the duty manager the information is reasonable
- The hazard rating of the business shall be based upon the full 8 point inspection regime currently required by the Code of Practice; the SotD star rating is based on just three of these points
- The hazard scoring should be carried out on site, including notifying the business and if possible, the issuing of the SotD star rating stickers
- Guidance upon how the business can improve its hazard rating score may be given if the business wishes it, but the score or the star rating cannot be altered until the next PI, even if all of the necessary remedial work has been completed

### **Inspection of Non-food Premises**

- Enforcement officers are also authorised to inspect non-food businesses
- In principle, these interventions will follow the same guidance as for the inspection and enforcement of a Food Premises, but with the different guidance associated with inspections under H&S legislation, the nature of the intervention may vary
- Programmed Inspections may be announced, in which case the officer should justify the prior notification on the worksheet
- Visiting the business on the scheduled inspection date is not critical under H&S guidance; visits should occur within the year the inspection is due

### **Partial or Targeted Inspections**

These are inspections of a business, but do not assess every significant aspect of Food Safety or Health and Safety that may apply to the business. They will initially focus on one or more key aspect, and if this is found to be satisfactory, the inspection shall be considered complete. If, however, serious issues are found, a full inspection may be carried out. Partial or targeted inspections;

- May be carried out at lower risk (Not A rated) businesses in accordance with the guidance offered by the FSA or HSE
- May be stand-alone interventions or as part of a targeted project
- If upon completion, the Officer feels he has sufficient information, he may review the hazard rating scores and for a food premises, may issue a new SotD sticker and certificate

### **Updating the FOS database**

- Following any inspection, the Property Index record on FOS's M3 database shall be updated with the correct information and contact details under the Summary tab, especially the:
  - Telephone number
  - Email address
- The Inspecting Officer should ensure that as much relevant information as possible is recorded
- The update should include adding supplementary food and food-premises type codes
- If the business has or uses high risk equipment, either potentially dangerous due to the use of the equipment or from a food safety perspective, they should be recorded under the equipment tab of the Property Index

## Post Inspection Documentation

- Following the inspection, the post-inspection letter and report is to be sent out **in all cases**, even if it is only to say the business was satisfactory
    - FOS is attempting to develop its IT services to allow **all reports to be published for public access**. It is therefore essential the correct format be followed. In most cases, publication will meet the needs of the Freedom of Information Act as the report will already be in the public domain
    - The format of all reports shall be as follows:
      - The covering letter, which will not be published, will be on a separate page to include;
        - Personal details
        - Referral to attached report
        - Differentiation of legal requirements & recommendations
        - A clear warning that if mandatory items are not complied with, legal action will be considered
        - A point of contact should the recipient wish to clarify or discuss any aspect of the report, and
        - To state that the report will be published
      - On a separate page(s), the report will include;
        - The business name and address
        - Details of the prime legislation to require the inspection
        - A legal section stating
          - The specific legislation that has been breached and a time limit by when each item shall be addressed. If a food safety and health and safety inspection has been carried out, these shall be clearly differentiated in the report, or
          - If no breaches were identified, a statement that all was satisfactory during the inspection
        - A recommendation section listing points which if followed, could improve the safety or legal compliance of the business
      - **NB** Reports should not carry any personal details; if they do, the information shall be redacted prior to publication
    - The post-inspection report shall include, in complete detail (including the statute) the requirements of the items listed on the on-site report plus any additional relevant items which were not included
    - Each legal condition is to have a stated reasonable time for compliance
      - It is acceptable to include the clause  
*“All items in this report must be completed within 3 months of the date of this report unless otherwise specified”*  
 if appropriate
- The covering letter, the reports and the SotD certificate are to be sent to the business and any associated recipients within 10 working days of the inspection
  - If a H&S inspection is carried out at later date, 2 separate letters and reports may be sent

## **Revisits**

- A revisit shall be made to every business where legal requirements have been identified in the report. If, at the time of the inspection, all was found to be satisfactory, the Officer shall record that no revisit is required
- The revisit is to assess the degree of compliance of the FBO with the legal requirements stated in the report following the inspection
- The revisit shall be made within a reasonable time of the expiration of the specified works in the report
  - If multiple completion dates are stipulated, each requires a separate & dedicated revisit
- If, at the time of the revisit, the FBO has not fully complied with the legal requirements, the Officer shall;
  - Serve a Formal Notice on the FBO for significant items which it would be reasonable to enforce without further warning, or
  - Serve an Informal Notice on the FBO stating that legally required minor works are still outstanding, and that if they have not been completed prior to the next inspection, a Formal Notice shall be served
- Only in exceptional cases will a variation from this process be considered as appropriate by the FOS Team Leader

## **Complaints & Accident Investigations**

Complaints may be received from a number of sources but will relate to the premises or activities associated with a business that FOS is authorised to enforce. Where FOS is not the correct enforcing authority, every attempt shall be made to direct the complainant to the correct organisation

- Every complaint shall be recorded on FOS's M3 database where appropriate
- The initial response to fatal and serious accident notifications shall be by the next working day; in most circumstances it will be on the day of notification
- The initial response for all other complaints or accident notifications shall be within 3 working days
- After making the initial response, this must be recorded on M3 by activating the trigger function in the action tab
- The degree of intervention appropriate to the complaint or accident shall be determined by Investigating Officer
  - If justified, a full or partial inspection of the premises shall be carried out, with any subsequent action being carried out in accordance with these Team Standards and the Enforcement Policy
  - If intervention is not justified, the decision shall be recorded on worksheet
  - Where possible, every attempt shall be made to notify the complainant of the outcome in each case
- Every accident notification is reviewed, and if no immediate intervention is necessary, a report is to be written on the worksheet with a referral so that the details of the accident shall be considered during the next intervention at the business

## Food Poisonings & Infectious Diseases

The notification of food poisonings may originate from the person suffering the symptoms, the Health Protection Agency or other medical organisations. Unconfirmed notifications shall be suspected cases and may recommend the sufferer to provide samples for analysis.

- All suspected food poisonings and confirmed Notifications of Infectious Diseases (NOID) shall receive an initial response by the next working day by the Investigating Officer
- The level of investigation shall be determined by Investigating Officer but be based upon guidance offered by the Health Protect Agency and Codes of Practice
  - If the food poisoning or Infectious Disease is associated to a particular food business, a full or partial investigation shall be considered, with any subsequent action following the guidance given
  - If an investigation is not justified, the decision shall be recorded on the worksheet

## Enforcement Action

Where the Officer identifies serious breaches of legislation, enforcement action will be taken in accordance with the Enforcement Policy adopted by FOS.

- Informal Enforcement Notices shall be served where the Officer has witnessed a minor breach of the legislation and shall act as a final warning that unless the matter has been addressed, a Formal Notice shall be served. The Informal Enforcement Notice shall;
  - Be delivered or sent to the FBO or the person responsible for complying with the legislation within 5 working days the Officer identifying the issue
  - Be addressed to the respective person(s) and identify the premises to which it relates
  - State the legislation which is being breached and the nature of the issue
  - State the time by when the matters need to be addressed
  - Give a contact name and telephone number to allow the recipient to contact the Officer
  - **This option shall not be available to food businesses which have been rated as 0~2 star for at least the previous rating visit**
- Formal Notices shall be served where the Officer has witnessed a major breach of the legislation, where there is an imminent risk to health or where a previously served Informal Enforcement Notice has not been complied. Formal Notices shall:
  - Be served on the FBO or the person responsible for complying with the legislation
  - Improvement Notices shall be served within 2 working days of the Officer identifying the issue
    - If the Notice is not served on the day, prior to the actual service, the Officer shall confirm that the issues still exist
  - Prohibition Notices shall be served on the day identifying the issue
  - Any variation from this shall need to be approved by the FOS Team Leader

- Compliance visits shall be carried out for each Formal Notice served, and will take place on the Notice expiry day plus 1 working day
  - The Officer shall have due consideration for weekends or bank holidays when setting the expiry date
  - All non-compliance with Formal Notices shall be referred for prosecution following discussions with the FOS Team Manager
- Prosecution shall be considered in every case where a Formal Notice has not be complied with;
  - The Officer shall discuss the case history with FOS Team Leader to justify the consideration for prosecution; if appropriate the referral for prosecution procedure shall be started
  - Where a case is to be referred for prosecution, all of the necessary documentation and investigation shall be completed and referred to Disclosure Officer within 8 weeks of the identification of the failure to comply
  - Once the Disclosure Officer has completed his primary review, and as long as the primary case is complete, he shall refer the case to the Head of Refuse and Environment within 12 weeks for his consideration

### **Low Risk Questionnaires (LRQ's)**

LRQ's are a recognised means of assessing the general standards of basic legal compliance of a business. They are targeted towards specific legislation and ask questions of the business, which will allow FOS to make a reasonable assessment of the risks posed by the business. LRQ's are only sent to businesses where previous inspections have considered them to pose very low food safety or health and safety risks.

- Officers from FOS will identify businesses felt to be suitable to receive LRQ's and, subject to resources, the questionnaires will be sent by the Admin Services
- The returned LRQ's shall be assessed by a competent Food Enforcement Officer
- Food Safety LRQ's
  - To be used for known D & E risk rated food premises or registered childminders; may be used in targeted alternative strategy projects. Where the returned LRQ identifies;
    - A new FBO or business, a new Food Registration form shall be sent and upon it's return, the process for a New Business Registration shall be followed
    - That significant structural or organisational changes have occurred, a partial inspection of the business will follow
    - That no significant changes have occurred, the M3 records shall be updated and the existing food hazard rating score is maintained; the respective SotD star rating sticker and certificate is sent
  - If the LRQ is not returned, a chase letter is sent, and if that too is not returned, the premises will be inspected
- Health and Safety LRQ's
  - To be used for known Category B2 & C (low risk) businesses or as part of a targeted alternative intervention strategy
  - The responses mirror those for the Food Safety LRQ's
- If the last contact with a business was via an LRQ, the business shall be visited for the next intervention



### **Project Work**

This may be carried out by the FOS service, and if done so, will be in accordance with the guidance offered by the Food Standards Agency or the Health and Safety Executive. All project work shall be confirmed by the FOS Team Leader, and will follow the guidance given in the Team Standards where they apply

### **Compliance Review**

- **All of the standards here will be monitored on an on-going basis**
- **The work of all Officers is currently assessed on a monthly basis with reports being passed to service Managers**
- **The effectiveness of FOS is reviewed on a quarterly basis with reports passed to the Head of Refuse and Environment**
- **The Team Standards are to be reviewed by the FOS Team Leader at least annually**

## GLOSSARY

Approved Premises	Food manufacturing premises that has been approved by the local authority, within the context of specific legislation, and issued a unique identification code relevant in national and/or international trade.
Codes of Practice	Government Code of Practice (England) 2008 issued under section 40 of the Food Safety Act 1990 (The Act), Regulation 24 of the Food Hygiene (England) Regulations, as guidance to local authorities on the enforcement of food legislation.
Food Hazard Warnings	This is a system operated by the Food Standards Agency to alert the public and local authorities to national or regional problems concerning the safety of food.
Framework Agreement	<p>The Framework Agreement consists of:</p> <ul style="list-style-type: none"> <li>• Food Law Enforcement Standard</li> <li>• Service Planning Guidance</li> <li>• Monitoring Scheme</li> <li>• Audit Scheme</li> </ul> <p>The Standard and the Service Planning Guidance set out the Agency's expectations on the planning and delivery of food law enforcement.</p> <p>The Monitoring Scheme requires local authorities to submit quarterly returns to the Agency on their food enforcement activities i.e. numbers of inspections, samples and prosecutions.</p> <p>Under the Audit Scheme the Food Standards Agency will be conducting audits of the food law enforcement services of local authorities against the criteria set out in the Standard.</p>
Full Time Equivalents (FTE)	A figure that represents that part of an individual officer's time available to a particular role or set of duties. It reflects the fact that individuals may work part-time, or may have other responsibilities within the organisation not related to food enforcement.

Home Authority	An authority where the relevant decision making base of an enterprise is located and which has taken on the responsibility of advising that business on food safety/food standards issues. Acts as the central contact point for other enforcing authorities' enquiries with regard to that company's food related policies and procedures.
Primary Authority	Similar to a Home Authority, but with quasi-legal standing. Any guidance or inspection criteria offered and published by the partnership partners must be followed by all other enforcing authorities. Prior to any programmed inspection or enforcement action, the partnership details must be reviewed to assess whether the enforcement action is permitted under the agreement.
Inter Authority Auditing	A system whereby local authorities might audit each other's food law enforcement services against an agreed quality standard.
Member Forum	A local authority forum at which Council Members discuss and make decisions on food law enforcement services.
Originating Authority	An authority in whose area a business produces or packages goods or services and for which the Authority acts as a central contact point for other enforcing authorities; enquiries in relation to those products.
Work Plan	A document produced by a local authority setting out their plans on providing and delivering a food service to the local community.
Trading Standards	The Department within a local authority that carries out, amongst other responsibilities, the enforcement of food standards and feeding stuffs legislation.
Trading Standards Officer (TSO)	Officer employed by the local authority who, amongst other responsibilities, may enforce food standards and feeding stuffs legislation.