

Food Service Plan 2022/23 (Environmental Services- Helen Clark)

Synopsis of report:

The purpose of this report is to seek Members approval of the proposed Food Service Plan for 2022/23

Recommendation:

The Food Service Plan for 2022/23 as attached at Appendix 'A' be recommended to Full Council on 14 July 2022 for approval in accordance with Article 4 of the constitution

1. Context of report

- 1.1 The Food Standards Agency (FSA) produced a framework agreement on local authority food law enforcement. One part of that agreement contains service planning guidance. This ensures that key areas of enforcement covered by the Food Law Enforcement Standard are included within local Food Service Plans, whilst allowing scope for flexibility and the inclusion of any locally defined objectives. The requirement to produce a local Food Service Plan came into effect on 1 April 2001.
- 1.2 The Food Standards Agency requires a Local Authority's proposed service plans to be submitted to the relevant Member forum (which is the Environment and Sustainability Committee) for approval to ensure local transparency and accountability.

2. Report

- 2.1 The proposed Plan for 2022/23, attached at Appendix 'A', will satisfy the requirements of the Food Standards Agency. Members are made aware that the FSA introduced changes to the national food safety inspection programme in 2020 in response to national shortfalls in inspection targets due to the Covid pandemic. This evolved into a "Covid recovery plan" in 2021 with priority led expectations based on risk. Despite resourcing issues in 2021 and two inspecting officers leaving the service during the year the Service was able to maintain a high level of output and exceeded the minimum requirement within the FSA recovery plan. Whilst this was challenging, exceeding the minimum level of service outlined in the FSA recovery plan has minimized the number of inspections outstanding being carried over into the 2022/2023 programme putting Runnymede Borough Council on a good footing for this year.
- 2.2 As well as delivering 336 interventions at food premises, 55 new businesses received an on-site inspection and 132 written warnings were issued. This was in addition to responding to over 200 service requests and over 100 infectious disease notifications (non-Covid).
- 2.3 We recognized the skills and labour shortages within the hospitality sector which have hampered the post Covid recovery for many small businesses. We introduced the option for in person training and online training on the Food Hygiene Rating Scheme (FHRS) for our local businesses to support staff new to the sector.

3. Policy framework implications

- 3.1 The Food Service Plan is a key driver in achieving enhancing our environment and providing support to the business community. Implementation of the National Food Hygiene Rating Scheme (FHRS) is a key performance indicator for the food service within the Environmental Service Business Centre Plan.

4. Legal implications

- 4.1 The production of a local Food Service Plan is a matter of following Agency guidance best practice, rather than statutory compliance. Service plans developed under the Framework Agreement provide the basis on which local authorities are monitored and audited by the Agency under The Food Standards Act 1999 and Official Feed and Food Controls Regulations.
- 4.2 The Council has a statutory duty to enforce legislation relating to food. The Food Standards Agency Food Law Code of Practice (England) March 2021 details the minimum training and qualification requirements for officers authorised by Food Authorities to undertake food enforcement work. Food Authorities that do not have regard to relevant provisions of this Code may find their decisions or actions successfully challenged, and evidence gathered during a criminal investigation being ruled inadmissible by a court.

5. Equality implications

- 5.1 None

6. Finance implications

- 6.1 As per 2020/2021 last year there were no direct financial implications to RBC with regard to the carrying out the backlog of interventions. The costs of dealing with the backlog is being funded by grant money provided to RBC by the Director of Public Health at SCC to offset the work undertaken by EH officers related to the pandemic and continuing Track and Trace work. Unspent COMF funding from 2021/2022 has been carried forward to 2022/2023. This will be used to extend the contract for the two Environmental Support officers already based within the team.

(To recommend to Full Council on 14 July 2022)

Background papers

Food Safety Act 1990

FSA Food Law Code of Practice (England) March 2021

RUNNYMEDE BOROUGH COUNCIL

ENVIRONMENTAL HEALTH SECTION

ENVIRONMENTAL SERVICES

FOOD SERVICE PLAN 2022/2023

Runnymede Borough Council
Runnymede Civic Centre
Station Road
Addlestone
Surrey KT15 2AH
Telephone No.: 01932 838383

FOOD SERVICE PLAN 2022/2023

Runnymede Borough Council is designated as a Food Authority with statutory duties to enforce food law and carry out activities in accordance with an approved code of practice. We are required to produce a Food Service Plan annually in accordance with the Framework Agreement on Food Controls by Local Authorities. This plan sets out how we deliver our functions and our current work programme.

1. SERVICE AIMS AND OBJECTIVES

Priorities are generally established on the basis of risk and in response to consumer concerns.

1.1 Aims and Objectives

- 1.1.1 To ensure that food purchased and produced in the Borough of Runnymede is safe for consumption.
- 1.1.2 To meet statutory responsibilities in a cost effective and responsible manner in accordance with the Food Law Code of Practice for England and associated guidance.
- 1.1.3 To encourage best practice and publish advice on food hygiene regulations to business and voluntary groups.
- 1.1.4 To respond to concerns from members of the public on the basis of risk and in a proportionate way.
- 1.1.5 To carry out enforcement responsibilities as laid down in the Environmental Services Enforcement Policy.
- 1.1.6 To undertake discretionary duties in relation to food sampling.
- 1.1.7 Initiate a proactive food safety education programme and promote good business practices.
- 1.1.7 Liaise and cooperate with partner agencies and other stakeholders.

1.2 Demands on the Food Service

The 2020-2021 and 2021-2022 periods were challenging years for the environmental health service and the businesses we oversee. The closure of business during lockdown, Covid restrictions and additional responsibilities we were charged with impacted on the number of interventions carried out.

Additional demands on resources were experienced due to temporary resourcing issues and staffing pressures (see below). However, the team has been working on a quarterly programme of interventions that provides a route to recovery by the end of the 2022-2023 period and considerable headway has been made.

- 1.2.2 The majority of food premises in the area are predominately small to medium sized catering or retail businesses. The premises profile for the Authority as at 31 March 2022 was:

PREMISES TYPE	NUMBER
Primary Producers	2
Manufacturers & packers	1
Importers/Exporters	3
Distributors/Transporters	2
Supermarket/Hypermarket	13
Smaller retailers	119
Retailers - Other	56
Restaurant/Cafe/Canteen	164
Hotel/Guest House	10
Pub/Club	68

Take-away	54
Caring Establishments	42
School/College	48
Mobile food unit	42
Restaurants and caterers - Other	65
Other	106
TOTAL	795

1.2.3 In addition there is usually:

- an international golf tournament held each year at Wentworth requiring the inspection of several visiting food outlets
- a large activity centre at Thorpe Park within excess of 20 food outlets catering for up to 1½ million visitors a year
- several annual agricultural show/fairs e.g. Egham, Chertsey, and the Black Cherry Fair.

2. **Enforcement Policy**

2.1 Environmental Services works to the current Environmental Health Enforcement Policy and Food Law Code of Practice. All food safety enforcement decisions are made in consideration of the enforcement policy. Statutory action may only be taken with the agreement of the Head of Service.

2.2. Copies of the Environmental Health Enforcement Policy are available on request and the Policy is made available on the Council's website.

3. **SERVICE DELIVERY**

3.1 **Food Premises Interventions (Inspections, audits, monitoring)**

3.1.1 Under normal operating circumstances it is the Council's policy to carry out programmed food hygiene interventions in accordance with the minimum inspection frequencies defined in the Food Law Code of Practice. Priority will be given to inspections of higher risk premises (categories A, B and non-compliant C) and any product specific approved premises.

3.1.2 The RBC interventions programme for 2021/22 was disrupted by the Covid 19 pandemic and, subsequently, the loss of two of the three fully qualified food inspecting Environmental Health Officers (see below). The FSA suspended the national interventions programme for the year, directing LA's to concentrate resources on high risk premises and new premises awaiting inspection. Despite this, the Service was able to go further by making considerable headway with our Covid recovery plan.

3.1.3 Despite resourcing issues the following interventions were completed within the 2021/22 period:

RISK CATEGORY	Number of interventions
A	4
B	25
C	89
D	138
E	80
TOTAL	336

3.1.4 As a follow-up to the interventions carried out in 2021/22 the Division undertook the following enforcement actions:

ENFORCEMENT TYPE	Number
Prosecutions	0
Simple cautions	0
Enforcement notices issued	8
Closures/voluntary closures	1
Written warnings issued	132

3.1.5 The current profile of premises by risk rating in Runnymede and the anticipated number of interventions/inspections to be undertaken during the year 2022/2023 (if we are to recover the Covid backlog and bring the food plan back to pre-2020 standards) is as follows:

RISK CATEGORY	Interventions due
A	2
B	24
C	65
D	127
E	113
Unrated	37
TOTAL	368

In addition, it is estimated that:

- 50 premises will require revisiting to check compliance following adverse reports after initial inspection
- 15 new food premises will open and require inspection
- 30 outdoor/temporary mobile food traders at show/fairs will be visited
- 20 premises will request official re-visiting under the FHRS

3.1.6 The authority endeavours to carry out 100% of the inspections due for 2022-2023 including those visits remaining overdue following the lockdown periods and in accordance with our Covid recovery plan. The service will continue to respond to any inspection priorities identified by the Food Standards Agency which in the current situation remains: the high-risk A and B rated premises and those awaiting risk ratings.

3.1.7 An Alternative Enforcement Strategy (AES) may be applied to some premises in the lower risk category E.

3.2 **Complaints or Service Requests About Food or Food Premises**

3.2.1 The number of service requests relating to food or food premises investigated in 2021/22 was as follows. They include responses to both consumers and food businesses. It is estimated that a similar number of complaints will require investigation in 2022/2023:

COMPLAINT/REQUEST TYPE	Number
Food legislation enquiry	10
Food registration/business advice	136
Food composition	1
Poor hygiene or structure	14
Suspected food poisoning	14
Other complaint/enquiry	39
TOTAL	214

3.3 Advice to Business and Education

3.3.1 The authority will work with food businesses to help them comply with the law. It is the Council's policy to provide advice to businesses including:

- providing on the spot advice during routine visits and inspections
- responding to queries
- advisory visits on request
- provision of advice relating to planning applications
- provision of free advisory leaflets and information sheets (including leaflets in other languages)
- targeted mail shots arising from legislative and policy changes

Some of this work is quantified in the previous paragraph.

3.3.2 Food handlers are required to have suitable training and/or instruction. Over several years the food industry has moved towards delivery of food hygiene training through online sources. Anecdotal evidence suggests that food safety knowledge has deteriorated as a consequence in some sectors. The enforcement community has commented that Covid has also impacted on business (particularly with respect to resourcing). As a consequence, in order to promote good quality face-to-face (tutor-led) training in the independent sector, we will make a programme of Level 2 Food Safety training courses available to food handlers in 2022/2023.

The Level 2 (Foundation) course is seen as an entry requirement to working in the food industry. Professionally recognised training will take place at the Civic Centre taught by one of our Environmental Health Officers.

3.3.3 In addition to the above food business operators who do obtain lower food hygiene ratings are invited to attend a short online seminar aimed at encouraging compliance and improving food safety culture. The first seminar took place at the end of the 2021/2022 period and we anticipate 4 will take place in the 2022/2023 period.

3.4 Control and Investigation of Outbreaks and Food Related Infectious Disease

3.4.1 In the event of an outbreak of food poisoning the Authority follows the procedures set out in the Surrey Outbreak Control Plan and the Environmental Health team will act in conjunction with our colleagues at UKHSA.

3.4.2 There were no major food poisoning outbreaks reported in the Borough during 2021/22. However the team undertook a number of investigations in relation to Covid and undertook a large number of face-to-face (doorstep) track and trace visits.

3.4.3 Our officers also investigate notifications of food and non-food related infectious diseases in order to identify potential sources and to assist in the collection of national intelligence. We work very closely with UKHSA. In 2021/22 the division received the following food related infectious disease notifications:

ORGANISM	NUMBER
Salmonella Enteritidis	3
Salmonella Typhimurium	2
Other Salmonellas	5
E.Coli	3
Campylobacter	85
Giardia Lamblia	3
Cryptosporidium	3
E.coli O157	4

Food poisoning – unconfirmed	1
Shigella sonnei	3
Viral Hepatitis	1
Typhoid Fever	1
TOTAL	114

4. **RESOURCES**

4.1 **Financial Allocation**

4.1.1 The actual costs of the service for the year ending 31 March 2021 were:

EXPENDITURE	NUMBER
TOTAL EXPENDITURE	£155,502
SUPPORT RECHARGE	£- 38,200
TOTAL INCOME	£-2205
NET EXPENDITURE	£115,097

4.2 **Staffing Allocation**

4.2.1 The 2022/2023 staffing allocation has risen to 2.5 full time equivalents (FTE). During the 2021/2022 this dropped to 1 FTE only for a period of time. One officer retired and one officer left Runnymede for alternative employment. There has been a heavy workload placed on the team during 2021/2022 but we are in a better position at the start of 2022/2023 after an internal transfer took place. We have a part-time post that remains vacant after recent advertising.

4.2.2 Additional officer resource to assist with this work is being funded by the Director of Public Health at SCC in recognition of the re-deployment of EH staff to Covid related public health work covering Track and Trace and outbreak control. A proportion of COMF funding carried over from 2021/2022 will be allocated to address the inspections carried over into the 2022/2023 inspection programme from the previous year (circa 30 – 10%)

5. **CONCLUSIONS**

5.1 The Covid 19 pandemic and staffing issues within the team had, and continues to have, a significant impact on food business and the national FSA and local interventions programme within Runnymede. However, we are in a better position to address this at the start of 2022/2023.

5.2 RBC's Food Safety Plan for 2022/23 will primarily focus on tackling (on a priority risk bases), addressing the backlog of interventions built up as a result of the Covid 19 pandemic, the programme of interventions for 2022/23; together with the continued investigation of food and hygiene complaints posing a risk to the public and infectious disease investigations.