



**WATFORD
BOROUGH
COUNCIL**

LICENSING COMMITTEE

26 June 2017

7.30 pm

Town Hall, Watford

Contact

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For information about attending meetings please visit the [council's website](#).

Publication date: 16 June 2017

Committee Membership

Councillor J Fahmy (Chair)

Councillor A Dychton (Vice-Chair)

Councillors K Crout, S Bolton, J Connal, K Hastrick, M Hofman, P Jeffree, Ahsan Khan, B Mauthoor, M Mills, M Parker, G Saffery, D Scudder and R Smith

Agenda

Part A - Open to the Public

1. **Apologies for absence/committee membership**
2. **Disclosure of interests (if any)**
3. **Minutes**

The [minutes](#) of the meeting held on 15 March 2017 to be submitted and signed.

4. **Food Law Enforcement Service Plan 2017-18 (Pages 3 - 26)**

Report of the Head of Community and Environmental Services.

The Committee is asked to approve the Food Safety Law Enforcement Plan - subject to any amendments by members.

*PART A

Report to: Licensing Committee
Date of meeting: 26th June 2017
Report of: Head of Community and Environmental Services
Title: Food Safety Law Enforcement Service Plan 2017-18

1.0 SUMMARY

- 1.1 This report and attachment contains the details of the Food Safety Law Enforcement Plan 2017-18 as required by the Food Standards Agency (FSA), a government body, to demonstrate the authorities' arrangements for food safety enforcement which address local needs and national priorities.
- 1.2 This plan requires formal approval by the members.

2.0 RECOMMENDATIONS

- 2.1 That the Committee approves the Food Safety Law Enforcement Plan, subject to any amendments suggested by the Committee.

Contact Officer:

For further information on this report please contact:
Richard Brown, Environmental Health Manager (Business);
telephone extension: 8440 email: richard.brown@watford.gov.uk

Report approved by: Alan Gough, Head of Community and Environmental Services.

3.0 DETAILED PROPOSAL

- 3.1 The Food Standards Agency Framework Agreement, in addition to requiring local authorities to have policies and procedures relating to food enforcement, requires that a Food Safety Law Enforcement Service Plan is produced and submitted to members for approval.
- 3.2 The Service Plan forms the basis on which local authorities will be monitored and audited by the FSA to ensure consistency and effectiveness. It also allows local authorities to plan and resource their food safety enforcement work.
- 3.3 The Service Plan attached follows the format and guidance laid out in the Framework Agreement. This is to enable the FSA to easily assess our delivery of the service and to allow comparison of Plans between local authorities for benchmarking purposes.

3.4 The Service Plan covers the following areas of work:

- Proactive inspections of food premises
- Dealing with complaints about food premises or about food that has been bought or eaten
- The Primary Authority scheme
- Giving food-related advice to businesses
- Food sampling
- Investigation of food-related outbreaks and cases of infectious disease
- Dealing with food alerts and incidents
- Liaison with other organisations
- Food safety promotional work
- Issuing health certificates

3.5 There have been several high profile food poisoning outbreaks nationally in recent years, so Food Safety Enforcement Work is important in ensuring that the food that the public are eating or buying in Watford is safe.

In addition, good standards of food safety will be reflected in better Food Hygiene Ratings, which are visible to the public. Having better Ratings will make Watford food businesses more attractive to visitors and more likely to be successful.

3.6 The service plan demonstrates the variety of work that is undertaken within the section alongside other health and safety, housing enforcement, environmental protection, licensing, animal control, envirocrime and public health work.

4.0 **IMPLICATIONS**

4.1 **Financial**

4.1.1 The Shared Director of Finance advises that there are no financial implications to comment on.

4.2 **Legal Issues** (Monitoring Officer)

4.2.1 The Head of Democracy and Governance comments that there are no legal implications arising from the proposals in this report.

4.3 **Potential Risks**

Potential Risk	Likelihood	Impact	Overall score
<i>Insufficient resources to deliver food enforcement work, leading to poorer standard in businesses, lower ratings and more cases of infectious disease. Associated poor publicity and increased scrutiny from the Food Standards Agency</i>	2	3	6

Appendices

- The Food Law Enforcement Service Plan 2017-18

Background Papers

The following background papers were used in the preparation of this report. If you wish to inspect or take copies of the background papers, please contact the officer named on the front page of the report.

- Food Standards Agency Framework Agreement, September 2000 (as amended)
- Regulators Compliance Code
- Environmental Health and Licensing Section Compliance Policy 2014-2019
- Food Safety Act 1990 Code of Practice and Practice Guidance

File Reference

None



FOOD LAW ENFORCEMENT SERVICE PLAN

2017-2018

Introduction

This Food Law Enforcement Service Plan is dedicated to the food law enforcement functions carried out by the Environment Health and Licensing Section of the Community and Environmental Services under the provisions of the Food Safety Act 1990 and relevant European Food Hygiene legislation.

It relates to the year 2017-2018 and is an expression of the Council's commitment to the development of the food service and is required by the Food Standards Agency (FSA), the body that monitors and audits local authorities' activities on food law enforcement. In previous years the Service Plan has covered two years' activity, but an FSA audit in May 2015 recommended that it should be reviewed annually. An annual Service Plan also allows us to more easily adapt to changes in the regulatory framework, legislation, guidance and good practice

The FSA's Framework Agreement promotes the importance of service planning to ensure that national priorities and standards are addressed and delivered locally.

Our Service Plan has been drawn up in accordance with the guidance in the Framework Agreement and follows a service plan template. This is to enable the FSA to assess our delivery of the service and to allow local authorities to easily compare service plans.

The FSA audit assessed our Service Plan and our delivery of food controls against the Framework Agreement during an audit in 2015 and is discussed in more detail later.

The Framework Agreement requires Service Plans to be approved at the relevant level established for that local authority, to help to ensure local transparency and accountability, and to show their contribution to the authority's corporate plan. In Watford the Service Plan is approved at Licensing Committee.

Key developments and changes since the last Service Plan (2015-2017):

1. A restructure within the Environment Health and Licensing Section (see section 2.2)
2. Receiving a Food Standards Agency Audit (see section 2.6)
3. Participation in an Inter-Authority Audit covering the implementation of the national Food Hygiene Rating Scheme (see section 3.2)
4. Continued support for new businesses, including the offer of an optional advisory visit for new businesses that do not have the benefit of Head Office support, when they proactively register with us (see section 3.4)
5. A wider roll-out of our in-house Food Hygiene training course, with continued high levels of positive feedback (see section 3.9)

6. As part of internal quality assurance protocols, improvements to the schedule of accompanied inspections and the development of a peer review system, designed to monitor competency and ensure consistency. We will also be making greater use of our inspection and complaint database to assist with this (see section 5.1).
7. Participation in the national consistency exercises (see section 3.1)
8. Increased sampling activity (see section 3.5)
9. A reduction in the number of unrated food businesses (see section 3.1)
10. Implementation of changes to the Food Standards Agency's Code of Practice (see section 4.3)

Key challenges for the years

In addition to normal planned service delivery there are a number of key issues for the service to take forward over the next year:

1. Further changes to the Food Standards Agency's Code of Practice

Revisions to the Food Standards Agency's Code of Practice will come into force. In addition to updating references to legislation, additional guidance, there are two main focuses to the changes:

1. *To provide additional guidance on the qualification and competency requirements for officers carrying out specific aspects of food law enforcement.*

We are well prepared for this as we have detailed procedures covering the authorisation of our officers, and can demonstrate that all officers are appropriately authorised and competent in the areas of food enforcement work that they are carrying out,

2. *To enhance consistency of approach by authorised officers in delivering official controls.*

Ensuring that a business is given the correct risk rating, and therefore the correct Food Hygiene Rating, is extremely important and this section gives more detail on how to score businesses.

We anticipate no issues monitoring compliance with the scoring regimes as we already have a documented schedule of accompanied inspections as well as a peer review regime.

We also participate in the national consistency exercises.

2. Possible changes to the European Hygiene legislative framework

Many of the food hygiene regulations, as well as the legislation that we enforce have their roots in European Directives. Following the result of the European Union referendum in 2016 we are awaiting details of any impact on requirements for food businesses and how they are enforced.

3. **The possible allowance of third party audits of food businesses to count as official controls and therefore contribute towards the risk rating and food hygiene rating of a food business.**

When we inspect some businesses, typically the larger restaurant chains, it is evident that in addition to checks being carried out by the local authority, the business is subject to third party audits. The Food Standards Agency is currently considering whether some aspects of these third party audits could be used by the local authority to assess compliance levels in businesses.

4. Possible charging for Food Hygiene Rating reassessment visits.

Early in 2017 the Food Standards Agency confirmed that in some circumstances, Local Authorities could charge for Food Hygiene Rating reassessment visits. We will be considering the advantages and disadvantages of taking this approach.

1. Service Aims and Objectives

1.1 Vision

The Vision of the Environmental Health and Licensing Section is:

“To improve the health, quality, safety and economic prosperity of our town through a high performing efficient team delivering excellent outcome and customer focussed services.”

1.2 Links to corporate objectives and plans

The council’s current corporate objectives as laid out in the 2017-18 version of the Corporate Plan to 2020 are:

1. Identify ways to manage the borough’s housing needs
2. Champion smart growth and economic prosperity
3. Provide for our vulnerable and disadvantaged communities
4. Deliver a digital Watford to empower our community
5. Secure our own financial future

The food work that we do contributes to the second objective when we work with new businesses to support and advise them.

The Corporate Plan also lists three key areas that underpin everything that we do, making us a successful organisation that is in touch with its residents and delivers in a way that they expect:

- Effective two-way engagement and communication
- Sound management and high performance
- Improving the town’s environment.

The correspondence that we send to businesses and residents, and the way that we monitor the food law enforcement work that we do contributes to the first two of these themes. Our work with officers dealing with envirocrime and waste enforcement contributes to the third.

1.3 Links to the Watford 2020 project

The Watford 2020 project is relevant to the food law enforcement work that we do in two ways:

Digitisation

We are exploring ways to use technology to make the process of carrying out inspection and other enforcement work easier, for example by using tablets to log inspections whilst on site, and using more of the functionality contained within our premises and inspection database to aid efficiency, consistency and workflow.

Commercialisation

Officers are used to offering advice to businesses on how they should comply with the law or improve their rating, and to carrying out advisory visits to new businesses that register with us. We are researching whether there are any circumstances under which this advice should be chargeable.

2. Background

2.1 Profile of the Local Authority

Watford is a major town, situated in the South West of Hertfordshire. It has developed into a sub-regional shopping centre and an important centre for cultural and recreational facilities. It now boasts a number of nationally known firms locating their headquarters in the town.

The current 2016 mid-year census population estimate for Watford is 96,400. This is a 8% increase in population since 2011 and a 21% increase in population since 2001.

The White British population in Watford continues to decrease and is now 62% of the Watford population. All ethnic categories except for White British and White Irish have increased in this period, with notable percentage increases in White Other, Indian, Pakistani and Black African.

2.2 Organisational Structure

The food service is within the Environmental Health and Licensing Section of Community and Environmental Services.

Overall co-ordination of the Council's food enforcement is the responsibility of the Environmental Health and Licensing Section Head who reports to the Head of Community and Environmental Services.

The Environmental Health Manager (Business) has the portfolio for food and infectious disease has been nominated as the Lead Officer with responsibility for food hygiene and safety. The Environmental Health Manager (Business) also now has the responsibility for delivering licensing functions and it is hoped that this will lead to joined up work in the two areas.

Formal microbiological analysis of food samples and faecal samples is carried out by Public Health England.

Physical and chemical analysis of food is carried out by Kent Scientific Services, who have been nominated as our Food Examiner by Hertfordshire County Council Trading Standards Department.

2.3 Scope of the Food Service

The food service covers the following specific areas: -

- Food safety and hygiene enforcement.
- Infectious disease investigations.

The food service is provided by generic Environmental Health Officers spread across three teams, who also deal with housing, health and safety, environmental protection and public health. Service delivery is supported by an Environmental Health Technical Officer and the section's Support Team.

Use of Contractors

Contractors are used to carry out programmed food hygiene inspections, subject to the following conditions: -

- There is a backlog of inspections, which cannot be completed by the existing officers, due to sickness, vacancies or other unforeseen pressures on the service.
- The external contractor meets the requirements of The Food Safety Act 1990 Code of Practice.
- The contractor is also subject to the monitoring and auditing regime for inspections and proves satisfactory competence.
- The contractor's programmed inspections are concentrated on lower risk inspections, Category C and below.
- The cost of the work is met within existing budgets.

In recent years, the number of inspections carried out by contractors has been as follows:

2011/12	79
2012/13	114
2013/14	71
2014/15	33
2015/16	65
2016/17	76

2.4 Demands on the Food Service

On 31st March 2017, there were 852 food premises registered with the Authority. The follow table shows the breakdown along with previous figures:

	31 st March 2014	31 st March 2015	31 st March 2016	31 st March 2017
Primary Producers	1	0	0	0
Manufacturers and Packers	13	10	11	10
Importers / Exporters	0	0	0	3
Distributors / Transporters	10	15	16	16
Retailers	203	196	195	186
Caterers	592	628	651	637

Total	819	849	873	852
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The number of food businesses has increased in recent years due to legislation requiring childminders to register, the popularity of home caterers such as cake makers, and market stalls. It may be that the increasing trend has now stopped.

It should be noted that we are beginning to see an increase in Importers and Exporters, as well as businesses selling food via the internet.

Approved Premises

Some premises that manufacture food, typically using meat fish or dairy products need specific approval to undertake such activities and must to have detailed procedures in place. On 31st March 2017 there were three such approved premises in the borough, a sausage manufacturer, a cheese manufacturer and a large scale kitchen supplying meals to restaurants.

Access to the Food Service

The food service is located at Wiggshall Depot, Wiggshall Road, Watford. The Environmental Health Section's Duty Environmental Health Officer is situated in the Customer Service Centre at the Town Hall and remains the first point of contact for food safety matters. Customers of our service can contact us by the following means: -

- In person, at the Customer Service Centre from 0845 to 1715 (1645 on Fridays).
- By telephone to the Customer Service Centre: 01923 226400 or 01923 278503.
- By fax: 01923 278627
- By e-mail: envhealth@watford.gov.uk.
- Through the Council's website: www.watford.gov.uk
- For emergencies, i.e. a food poisoning outbreak or notification of a Serious Food Incident, the Out of Hours Service on 01923 226400.

2.5 Regulation Policy

The 2016-2021 compliance policy covering all aspects of Environmental Health & Licensing regulatory activity received Member approval in September 2016 at the Environmental Health & Licensing Committee.

The Food Law Enforcement aspect of this policy takes account of the Food Standards Agency's Code of Practice and the Regulators' Code issued under the Regulatory and Effective Sanctions Act 2008.

The key points are that:

- all enforcement decisions will be fair, independent and objective.
- they will not be influenced by age, ethnicity, national origin, gender, religious or political belief, disabilities or sexual orientation.
- due regard will be taken when dealing with juveniles or other vulnerable people.
- decisions will not be affected by improper or undue pressure from any source, including councillors.

As part of our work under the Better Business For All agenda we have also adopted a county-wide Regulator's Charter. This is shown in Appendix B.

2.6 Food Standards Agency Audit, May 2015

The council received a wide-ranging three day audit from the Food Standards Agency in May 2015, which looked at, amongst other things, our procedures, officer competencies and record keeping.

The audit found that:

- we were delivering very high level of planned program of inspections / interventions required by the food law code of practice
- our procedures were in general found to be well documented
- the service plan was well structured and followed the framework objective
- appropriate enforcement, investigations and actions had been carried out
- a good regime of accompanied inspections to assess officer competence

In addition, good practice was identified for the seizure and detention of food and the undertaking of prohibition procedures

We were asked to:

- Ensure that sufficient records of interventions and enforcement were always made
- Improve / introduce a limited a number of procedures
- Ensure that we kept to the intervention frequency laid out in the Code of Practice
- Implement the paperwork peer review regime that was being developed at the time of the audit.

The Audit team revisited us in May 2016 to check progress. They were satisfied with the improvements we had made and signed off the audit.

3. Service Delivery

3.1 Interventions at Food and Feedingstuffs establishments

Risk Based Inspection Programme

Food Businesses are risk rated from A (high risk) through to E (low risk) according to the type of the operation being carried out, who the business supplies, and the standard of food hygiene at the premises. Businesses that carry out a complicated operation, or supply a large number of people (or people in vulnerable groups such as young children or the elderly) or have poor standards of hygiene, are likely to fall in one of the higher risk categories. Smaller, simple operations, and those where hygiene standards are good, are likely to fall in one of the lower risk categories.

Examples of premises in these categories, with the recommended inspection frequencies laid down in the Food Standards Agency's Code of Practice are:

- A A poorly run restaurant or takeaway
- B A residential care home
- C A well run restaurant
- D A public house that doesn't serve food
- E A well run newsagent selling only pre-packed drinks, crisps and sweets

On 31st March 2017, the 852 registered food businesses were risk rated as follows:

A	B	C	D	E	Unrated	
0	27	175	255	390	6	852

On 31st March 2017 there were 6 unrated businesses.

The Food Standards Agency's Code of Practice specifies the frequency that businesses should be proactively inspected as follows:

Premises Category	Inspection Frequency
A	Every 6 months
B	Every year
C	Every 18 months
D	Every 2 years
E	Every 3 years, using an Alternative Enforcement Strategy

It is the Council's policy to ensure that food premises inspections are concentrated on high-risk premises and that they are carried out in accordance with the Food Standards Agency's Code of Practice and Practice Guidance.

For some businesses rated C and D that are consistently well run and compliant with the law, lighter touch 'verification' inspections can be alternated with full inspections.

Also for low risk food businesses such as newsagents, some other small retailers, and some home caterers, local authorities can assess compliance with food hygiene legislation by means other than inspection. These businesses are generally exempt from the national Food Hygiene Rating scheme. Over the last two years we have implemented out an 'Alternative Enforcement Strategy (AES) for these businesses, involving some degree of self-assessment as well as some validation inspections.

Based on the current premises profile it is estimated that the number of full and verification inspections that will be carried out in 2017-2018 will be:

Premises Category	Number of Full Inspections	Number of Verification / Advisory Inspections
A	6	0
B	41	0
C	90	30
D	65	65
E	30*	0
NEW	137	50
Total	369	95

**as part of the alternative enforcement strategy, self-assessment questionnaires will also be sent to approximately 120 businesses rated E*

The inspections themselves consider three main areas:

- The hygiene controls in the business; how food is prepared, cooked, re-heated, cooled and stored
- The structure of the premises; cleanliness, pest proofing, layout, lighting, ventilation and other facilities such as toilets and wash hand basin

- The procedures and controls that are in place to ensure that the food produced and sold is safe, and the recording keeping that is in place. The training and supervision of food handlers is also considered here.

The Food Standards Agency E.coli Guidance which focuses on avoiding cross-contamination between raw and ready to eat foods and effective cleaning is now integral to the food inspections that we carry out.

Enforcement approach

There are a number of enforcement options available to local authorities, ranging from advice and written warning through to closing premises down using prohibition powers and taking prosecution proceedings. It is anticipated that the following enforcement action will be taken in 2017-18:

Written Warnings	175
Improvement Notices	5
Voluntary Closures or Prohibition Procedures	3
Seizure and Detention of Food	3
Revisits following inspection	45

Food Hygiene Rating Scheme

The council has been running the national Food Hygiene Rating Scheme since 1st April 2012. The scheme allows consumers to check the hygiene of a business before choosing where to eat or buy their food.

Businesses are awarded a rating from 5 (very good) to zero (urgent improvement necessary) after a food inspection. The ratings of businesses in Watford can be seen at:

<http://ratings.food.gov.uk/authority-search/watford>

The national scheme allows businesses to appeal against the rating they have been given, as well as request a re-rating visit once they have completed any work that may be needed following an inspection.

It is anticipated that 12 appeals or requests for re-ratings will be handled each year although this may go up as the familiarity of the scheme grows.

On 31st March 2017, 618 of the 852 food businesses registered with the council fell within the scheme. The spread of ratings, as well as comparable figures from 2015 are shown below:

Food Hygiene Rating	Description	March 15	Percentage of rated premises	March 17	Percentage of rated premises
5	Very Good	314	54.7	411	66.5
4	Good	127	22.1	126	20.4
3	Generally Satisfactory	53	9.2	43	7.0
2	Improvement Required	28	4.9	15	2.4
1	Major Improvement Required	47	8.2	23	3.7
0	Urgent Improvement Required	5	0.9	0	0

	Total rated	574		618	
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It can be seen that the percentage of businesses with good ratings (4 and 5) has increased from 78.8% to 86.9% and the percentage with poor ratings (0, 1 and 2) has decreased from 14.0% to 6.1% in this period.

Analysis of the reasons for this has not been undertaken but it may be that the section's approach of working with businesses to help them comply with the law, as well as our policy of offering advisory visits to smaller new food businesses when they register with us is having an effect.

Whenever a business receives a rating of zero we work closely with them to ensure that there are no health risks associated with its operation.

Currently the display of rating stickers awarded following a food inspection is not legally required although there is national pressure for this to change and the food service supports this view.

In 2015, the council participated in a regional inter-authority auditing exercise, designed to improve consistency when awarding Food Hygiene Ratings. The audit found the scheme to be well run with good procedures in place. It recommended that:

- standard reports provided by the Food Standard Agency be run regularly so that it could be ensured that businesses were correctly scoped within our database, so the Food Hygiene Rating website was always correct
- the inspection frequency laid out in the Code of Practice be adhered to
- peer review of inspection paperwork be carried out to ensure consistency of ratings

These recommendations were implemented shortly after the audit itself.

Possible charging for Food Hygiene Rating reassessment visits.

Early in 2017 the Food Standards Agency confirmed that in some circumstances, Local Authorities could charge for Food Hygiene Rating reassessment visits. We will be looking at the advantages and disadvantages of taking this approach.

Resources needed for food hygiene inspection activity

Year	2013-14	2014-15	2015-16	2016-17	2017-18 estimate
No. of inspections	447	506	566	502	514
FTE needed			1.60	1.42	1.45

3.2 Feed and Food Complaints

The Environmental Health and Licensing Section deals with the following types of food complaint:

- Foreign body, unfit or mouldy food that has been bought or eaten
- Complaints about the hygiene of food businesses, such as food handling practices, refuse, drainage, etc.

We prioritise foreign body, unfit and mouldy food complaints that pose a risk to public

health rather than purely a quality issue.

We prioritise complaints about food businesses that pose a high risk to public health rather than those that present a low risk.

Complaints about the quality rather than the safety of food are dealt with by Hertfordshire County Council's Trading Standards Section, with whom we liaise on a regular basis.

Year	2013-2014	2014-15	2015-16	2016-17	2017-18 estimate
Food complaints	17	18	10	28	19
Premises complaints	68	76	69	87	75
FTE needed	-	-		0.15	0.13

3.3 Primary Authority Scheme

The council has been the Primary Authority for TJX Europe (who trade as T K Maxx and Homesense in the UK) since December 2009. The Primary Authority Agreement covers food hygiene and health and safety.

The council feels that the Agreement with TJX Europe has been positive and beneficial for both parties and we would welcome the opportunity to enter into more agreements.

The resources needed to deliver the Primary Authority Agreement are paid for by the company on a cost recovery basis so this work does not impact on the service's ability to deliver the rest of its food enforcement work.

3.4 Advice to Businesses

In addition to carrying out enforcement, the service is committed to working with businesses to help them be successful, comply with the law and to encourage the use of good practice.

On an operational basis, this is achieved through a range of mechanisms:

- Giving advice during the course of inspections and other visits
- Directing businesses to other sources of information such as the Food Standards Agency website
- Provision of 'Safer Food, Better Business' packs in a variety of languages to help small businesses with their Food Safety Management Systems
- Responding to business requests for advice and assistance
- Providing detailed food safety advice to new businesses as part of the registration procedure, as well as an optional visit.

Our practice of offering advisory visits was examined in detail during the Food Standards Agency audit of May 2015 as they were concerned that this approach was contrary to the Code of Practice as the visits were not unannounced. Officers felt that being supportive to new businesses and offering them advice to help them be successful was important and also consistent with the approach sought by the Department of Business Innovation and Skills so clarification was sought.

Following the audit the FSA confirmed that providing a scheduled unannounced

inspection was not changed to an advisory visit should standards be found to be poor, our approach was acceptable.

We have amended our procedures to include the guidance from the FSA and made sure that officers are aware of the need for timely inspections following advisory visits, and also introduced a monitoring regime for this work.

In addition, acting as the strategic lead for Watford's sustainable economic growth, the service has also:

- Played a key role in developing the 'Better Business For All' forum, a local partnership between Businesses and Regulatory Services to promote growth through improved regulation. This has been done in partnership with all the other local authorities in Hertfordshire, national as well as local regulators and various business organisations such as the Federation of Small Business, Local Economic Partnership and Chambers of Commerce. The Food Standards Agency and the Better Regulation Delivery Office have both been involved in this initiative
- Played a key role in the development and implementation of 'Hertfordshire Charter' for all Regulatory Partners
- Put together a Hertfordshire wide course on Commercial Awareness Training for Regulatory Officers and made sure all our officer attended one of the courses
- As mentioned in section 2.5, we have adopted the statutory Regulators' Code issued under the Regulatory and Effective Sanctions Act 2008.
- Reviewed our enforcement policy to become a compliance policy

The estimates increase in FTE needed to deliver this aspect of the plan is due to the anticipated increase in advice to businesses, linking to the Corporate Plan objective of championing smart growth and economic prosperity.

	2013-14	2014-15	2015-16	2016-17	2017-18 estimate
No. requests for advice	260	105	248	95	150
No. advisory visits	-	60	60	60	60
FTE needed				0.15	0.20

3.5 Feed and Food Sampling

The food sampling budget for consists of two parts:

1. Funding allocation from Public Health England for approximately 115 microbiological samples. These samples are sent to their laboratory in Colindale.
2. A departmental allocation of £1750 to allow for more complex physical and chemical sample analysis. These samples are sent to our designated Food Examiner, Kent Scientific Services.

In 2013 we purchased a handheld 'ATP' unit that allows us to monitor the effectiveness of cleaning in food premises, giving an instant result within the premises which we can share with the business. In 2016 we added sampling equipment that allowed us to check for meat residue on a surface. This helps us assess whether controls in place to prevent cross contamination are being effective

In recent years we have looked at the microbiological quality of the following:

- Products made by our Approved Premises
- Hygiene swabs on ready to eat platters to serve food
- Ready to eat salads
- Jacket potato and sandwich fillings
- Hygiene in catering premises
- Sauces from catering premises

We have increased the amount of sampling work that we undertake as officers have found that discussed sampling results and the reason for them is a valuable tool in educating food business operators about food hygiene and improving standards.

We will target our food sampling on the following criteria:

- Approved Premises within the Borough
- Businesses with a risk rating of A or B
- Businesses identified for sampling as part of a national, regional or local programmes
- Sampling initiatives co-ordinated by Public Health England
- Local intelligence

We will also use the 'ATP' monitor as a tool to educate Food Business Operators about cleaning and cross-contamination.

We will also be undertaking a project on 'imported food', aimed at ensuring food imported from 'third countries' is legal and safe.

	2013-2014	2014-15	2015-16	2016-17	2017-2018 estimate
No. samples	19	25	40	91	100
FTE needed	-	-		0.05	0.07

3.6 Control and Investigation of Outbreaks and Food Related Infectious Disease

The Food Service will investigate notifications of food related infectious disease in accordance with the East of England Standard's Approach to Investigating Gastrointestinal Disease cases. This prioritises possible diseases into High, Medium and Low categories for investigation, for example:

- High:** E.Coli O157, Typhoid, Botulism
Medium: Salmonella, Listeria
Low: Campylobacter, suspected food poisoning

It also takes account of risk groups such as children under 6 months old, those over 65, these who are unwell, and those working in the food industry.

Investigations will be carried out in partnership with Public Health England.

Investigations of outbreaks will be undertaken in accordance with Public Health England's Communicable Disease Outbreak Management Guide. In the event that there is a major outbreak, the staff resources will be significantly increased due to the intense resource implications. Informal mutual aid agreements are in place with neighbouring councils to support any resource needs in these emergency cases.

	2013-2014	2014-15	2015-16	2016-17	2017-18
No. notifications	40	25	30	41	35
FTE	-	-		0.10	0.09

3.7 Feed/Food Safety Alerts

Food Alerts, Allergy Alerts and Product Recall notifications are sent to local authorities when there are serious public health implications concerning a type of food. Recent examples include the substitution of beef for horsemeat and the chemical contamination of baby milk powder. They are split into Action and Information Alerts. Action Alerts can require Local Authorities to issue a press release or visit food outlets to ensure that certain foods are not sold to the general public.

All Alerts are sent to the generic environmental health email inbox which is monitored daily. Action Alerts are also sent to the office pager during office hours, and out of hours the Out of Hours pager is used.

Alerts are dealt with in accordance with the Food Standards Agency Code of Practice and the action required by the alert itself.

	2013-2014	2014-15	2015-16	2016-17	2017-18 estimate
No. of alerts	90	59	78	58	65
FTE needed	-	-	0.06	0.06	0.06

3.8 Liaison with Other Organisations

Officers from the Food Service currently attend the following forums: -

- Heads of Service Food Liaison Group
- Public Health England Liaison Committee
- Herts & Beds Sampling Group
- Hertfordshire Regulators Forum
- Better Business For All Steering Group

Officers have been regular contributors to the Food Liaison Group, with the council's Lead Officer for Food participating in various working groups in recent years and also holding the post of secretary for 4 of the last 8 years. This role has also meant regularly attending the Food Standards Agency's Regional Update meeting for liaison group Chairs and Secretaries.

Officers have an effective working relationship with Hertfordshire County Council's Trading Standards team, and have liaised regularly with the Better Regulation Delivery Office as part of the Better Business for All initiative outlined in section 3.4.

	2013-2014	2014-15	2015-16	2016-17	2016-17 estimate
FTE needed	-	-	0.05	0.05	0.05

3.9 Feed and Food Safety and Standards promotional work, and other non-official controls interventions

Promotional work carried out by the service includes:

- Informal food hygiene talks to a variety of audiences such as hospitals and schools
- Regular informative press releases
- Giving advice during the course of inspections and other visits
- Provision of 'Safer Food, Better Business' packs in a variety of languages to help small businesses with their Food Safety Management Systems
- Providing detailed food safety advice to new businesses as part of the registration procedure
- Running small projects to assist particular types of business, such as the Butchers Project running in 2014 and 2015
- Targeted food safety information and advice to particular business sectors

Food Hygiene Course Training

The service has been registered with the Chartered Institute of Environmental Health as a Training Centre for food hygiene courses.

Currently, the Level 2 Food Hygiene in Catering course is delivered in house by an officer who is an accredited food hygiene trainer. Administration of the course is undertaken by a member of the service's Support Team. Needs of the diverse community are served by course books and exam papers being provided in languages other than English and exams being taken orally when required.

At least 6 courses are scheduled each year, holding a maximum of 20 candidates each.

We also accommodate additional course requests, for example where a business would like to train a number of their staff at their own premises, where possible.

Each training course is assessed using an evaluation sheet completed by candidates at the end of the course.

The delivery of the course was audited by the Chartered Institute of Environmental Health in November 2011 and we were awarded a score 84%. We devised an Action Plan to take forward the few issues that were identified and the audit was fully signed off in 2012. We continue to review the way the course is run.

In 2016 the Chartered Institute of Environmental Health voluntarily surrendered their OFQUAL accreditation, at short notice.

As no replacement regime was outlined, we have registered with the Royal Society for Public Health and will be delivering course under this registration going forward.

Over the next year we will look to expand the range of courses that we offer, as well as food hygiene consultancy services.

	2013-2014	2014-15	2015-16	2016-17	2017-18 estimate
FTE needed	-	-	-	0.19	0.21

3.10 Issuing Health Certificates for Export

When businesses want to export food they may need the product to be accompanied by an appropriate 'Health Certificate' declaring that the food has been produced and or stored hygienically. A fee is charged for these certificates, which are issued by local authorities.

In Watford we issue about 200 Health Certificates every year.

	2013-2014	2014-15	2015-16	2016-17	2017-18 estimate
FTE needed	-	-	-	0.02	0.02

4. Resources

4.1 Financial Allocation

The 2017/18 budget associated with delivering the food law enforcement plan is as follows:

Non fixed costs*	£233,160
Equipment	£1,500
Sampling	£1,750
Delivery of food hygiene training course	£500
Additional food inspections by contractors if needed	£4,250

**officer salaries, building overheads, transport costs, provision of corporate services such as IT, Human Resources, Finance and Legal Services. This figure also relates to 2016/17*

Where legal action becomes necessary, and we need to instruct Counsel then the financial costs will not act as a barrier to any necessary action.

The following income is expected:

Food Hygiene Training Courses	£4,000
Issuing of Health Certificates	£6,000

In recent year income has varied depending on demand for health certificates and the number of food hygiene training courses delivered. It is not anticipated that the budget allocation for food enforcement work will change significantly over the next two years.

4.2 Staffing Allocation

Food law enforcement work is carried out by generic Officers undertaking the full range of environmental health functions. Support Officers also work across all environmental health areas.

In 2017/18 a Full Time Equivalent (FTE) of 1.95 is allocated for professional food law enforcement work. An FTE of 0.28 was allocated for administrative food law enforcement work. Staffing resources for the activities listed in sections 3 are shown in Appendix A.

The projected shortfall in FTE available may be made up by external contractors if needed; a budget exists to enable this if needed (see section 4.1).

4.3 Staff Development Plan

The Service will ensure that authorised officers undertaking food work are appropriately qualified and receive regular food related training to enable them to carry out effective food hygiene inspections and enforcement.

We will also make sure that they receive a minimum of 10 hours training in line with the Food Standards Agency's Code of Practice and the principles of Continued Professional Development (CPD) scheme administered by the Chartered Institute of Environmental Health. Training needs will be identified in one-to-one meetings with officers and through the annual appraisal process.

Training may take the form of in-house training, formal courses or vocational visits, and recent training undertaken by officers includes

- 'Sous Vide' cooking
- Consistency exercises
- Dealing with imported food
- E. Coli guidance and control
- Food allergens and labelling

The Food Standards Agency Audit in 2015 concluded that officers involved in Food Law Enforcement work were up to date with their CPD.

Changes to the competency and qualification sections of the Code of Practice came into force in April 2016. These, together with the FSA audit have led us to review officer competencies with the section and details of staff having a direct role in food enforcement, as well as competency levels are shown in Appendix A.

5. Quality Assessment

5.1 Quality Assessment and internal monitoring

The service has established the following monitoring arrangements to assess the quality of the service provided: -

- Documented sign-off procedure for new staff undertaking food duties
- Regular review of inspection, case and infectious disease paperwork
- A schedule of accompanied inspections involving by the Lead Officer for Food

In recent years we have worked with our database provider (IDOX) to produce a number of reports that allow us to check the integrity of the Food Premises database and compliance with the proactive inspection plan. Reports are also run to check that the Food Hygiene Rating Scheme is working correctly.

2017/18 will see further work on the functionality of the database to help ensure that food law enforcement work is carried out efficiently and consistently.

Finally, to ensure quality, procedures are kept under regular review.

6. Review

6.1 Annual Review against the Service Plan

Reviews against the service plan will be taken annually. Progress against the inspection program and the sampling policy is checked at individual officer 1-1s.

DETAILED RESOURCE ALLOCATION AND LEVELS OF COMPETANCY**Staffing Resources Required Available in 2017-18**

Activity	Full Time Equivalent required
Food Premises Inspections (section 3.1)	1.45
Food Complaints (section 3.2)	0.13
Primary Authority Principle (section 3.3)	0.00
Advice to Businesses (section 3.4)	0.20
Food Inspection and Sampling (section 3.5)	0.07
Food Related Infectious Disease (section 3.6)	0.09
Food Safety Incidents (section 3.7)	0.06
Liaison with other Organisations (section 3.8)	0.05
Food Safety Promotion (section 3.9)	0.21
Health Certificates (see section 3.10)	0.02
Total	2.28

Staffing Resources Available in 2017-18

Designation	Full Time Equivalent Available
Environmental Health Officers	1.40
Environmental Health Technical Officers	0.20
Environmental Health Managers	0.30
Support Officers	0.28
Environmental Health Section Head	0.05
Total	2.23*

*the projected shortfall in FTE available may be made up by external contractors

Levels of competency

Levels of competencies are expressed with reference to the Food Standards Agency Code of Practice. Numbers are in terms of number of officers and not FTE's.

Competency Level	No. of officers
Inspection of HACCP based management control systems	9
Inspection of Category A-C	9
Inspection of substantial manufacturers	4
Inspection of Category D-F	9
Service of Improvement Notices	9
Service of Emergency Prohibition Notices (EPN) or voluntary agreements	9
Inspect, detain and seize foodstuff	9
Taking of informal samples	10
Taking of formal samples	9
Support activities	12

HERTFORDSHIRE REGULATORS CHARTER



Hertfordshire Charter

Better Business for All Partnership Charter

This is a voluntary undertaking between Hertfordshire Regulatory Services and all local businesses, irrespective of size or resources.

Aim

To support a relationship between businesses and regulators built upon trust, understanding and a desire to improve together in terms of compliance with regulation and support of business growth.

Purpose

Hertfordshire Regulatory Services are committed to working with businesses to help them meet their statutory requirements and to prosper. This Charter sets out the actions and responsibilities of Hertfordshire Regulatory Services and businesses within Hertfordshire.

Regulatory Partners will:

- Support and promote the local economy by supporting local businesses
- Make it easy to seek advice
- Make information and advice easy to understand
- Explain the reason for their visit to businesses
- Carry out regulatory activity in a fair, helpful, transparent, proportionate and consistent way
- Be accountable

- Minimise the cost of compliance for businesses by ensuring that any action taken is proportionate to risk
- Coordinate services to minimise unnecessary overlaps and duplication
- Wherever possible reduce regulatory burden on businesses
- Consult with businesses through groups representing local businesses, when developing policies, plans and service standards
- Promote Better Business for All to businesses and consumers

The Federation of Small Businesses (FSB), Chambers' of Commerce (CoC) and Hertfordshire Local Enterprise Partnership (LEP) will encourage local businesses to:

- Seek advice from Hertfordshire Regulatory Services on matters of compliance
- Encourage other businesses to contact Hertfordshire Regulatory Services for advice
- Work with Hertfordshire Regulatory Services to achieve a satisfactory outcome and put problems right quickly
- Take part in publicity about positive experiences with regulators
- Be fair, helpful and transparent in dealing with Hertfordshire Regulatory Services staff
- Provide feedback to Hertfordshire Regulatory Services on improvements to the local regulatory system



