

Part A

Report to: **Licensing Committee**

Date of meeting: **Wednesday, 15 January 2020**

Report author: **Environmental Health Manager (Business)**

Title: **Food Law Enforcement Service Plan 2020-2021 and 2021-2022**

1.0 Summary

- 1.1 This report and attachment contains the details of the Food Safety Law Enforcement Plan 2020-2021 and 2021-2022 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 members.

2.0 Risks

2.1

Nature of risk	Consequence	Suggested Control Measures	Response (treat, tolerate, terminate or transfer)	Risk Rating (combination of severity and likelihood)
Failure to meet the requirements of the Food Standards Agency in relation to delivery of food controls	Formal audit and monitoring by the FSA. Reputational and risk of legal challenge. Impact on food safety for consumers. Likely to lose competent officers.	<ul style="list-style-type: none">Implementation of the food plan as proposed, internal monitoring to ensure adequate delivery in accordance with the plan, the FSA audit findings and associated procedures and policies.	Treat	4
Insufficient resources to deliver food enforcement work	Poorer standard in food businesses, lower food hygiene ratings and more cases of infectious disease. Associated poor publicity and	<ul style="list-style-type: none">Recruitment and retention of competent staffOngoing monitoring of trends in food business numbers to ensure resources	Treat	6

	<p>increased scrutiny from the Food Standards</p>	<p>are sufficient to meet demand</p> <ul style="list-style-type: none"> • Performance monitoring through case reviews with officers carrying out official controls in food businesses 		
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3.0 Recommendations

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

Further information:

For further information on this report please contact:

Richard Brown, Environmental Health Manager (Business);

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Report approved by: Justine Hoy, Head of Community Protection

4.0 Detailed proposal

- 4.1 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.
- 4.2 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.
- 4.3 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.
- 4.4 The Service Plan covers the following areas of work:
- Proactive inspections of food premises

- Food Hygiene Ratings
 - 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
- 4.5 There have been several high profile food poisoning outbreaks nationally in recent years that have resulted in fatalities. These highlight the importance of a diligent and competent food safety function and team. The additional benefit to a skilled and competent food team is the work the officers do to support businesses in the town prosper. Offering advice to improve standards leads to higher food hygiene ratings. Improved ratings help make Watford food businesses more attractive to customers and also help them win contracts with other businesses if they are suppliers.
- 4.6 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.

5.0 **Implications**

5.1 **Financial**

- 5.1.1 The Shared Director of Finance comments that the plan is within current budgets. The latest budget forecast shows combined income of £24k compared to a budget of £20k.

5.2 **Legal Issues (Monitoring Officer)**

- 5.2.1 The Group Head of Democracy and Governance comments that it is a statutory requirement for the council to have a plan approved by members.

5.3 **Equalities, Human Rights and Data Protection**

- 5.3.1 Having had regard to the council's obligations under s149 of the Equality Act, it is considered that there are no human rights or equalities implications associated with the service plan as food law legislation applies equally to everyone regardless of any protected characteristic.

5.3.2 Having had regard to the council's obligations under the General Data Protection Regulation (GDPR) 2018, it is considered that officers are not required to undertake a Data Processing Impact Assessment (DPIA) for this report.

5.4 Staffing

5.4.1 There are no staffing implications associated with the service plan.

5.5 Accommodation

5.5.1 There are accommodation issues associated with the service plan.

5.6 Community Safety/Crime and Disorder

5.6.1 There are no community safety or crime and disorder implications associated with the service plan.

5.7 Sustainability

5.7.1 There are no sustainability issues associated with the service plan.

Appendices

Appendix 1: The Food Law Enforcement Service Plan 2020-2021 and 2021-2022

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 2016-2021
- Food Safety Act 1990 Code of Practice and Practice Guidance
- Food Standards Agency National Food Hygiene Rating Scheme Brand Standard