



ARTICLE NO: 2A

**CORPORATE & ENVIRONMENTAL
OVERVIEW & SCRUTINY COMMITTEE**

**MEMBERS UPDATE 2012/13
ISSUE: 3**

Article of: Assistant Director Community Services

Relevant Managing Director: Managing Director (People and Places)

Relevant Portfolio Holder: Councillor D Sudworth

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SUBJECT: FOOD SAFETY SERVICE PLAN 2012-2013

1.0 PURPOSE OF ARTICLE

- 1.1 To provide Members with information about the Food Safety Service Plan for 2012/13.
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2.0 BACKGROUND

- 2.1 Members will be aware that the Food Standards Agency (FSA) is an independent Government department responsible for food safety and hygiene across the UK. The FSA works with businesses to help them produce safe food and with Local Authorities to enforce food safety regulations.
- 2.2 Food safety enforcement is primarily the responsibility of Local Authorities. Accordingly, this Council fulfils these duties through its Food Safety Service (the Service) which aims to ensure all commercial food production in the Borough is carried out safely and is fit for human consumption - thereby protecting the health of West Lancashire residents and the wider community.
- 2.3 One of the key roles of the FSA is to set and monitor enforcement standards within Local Authorities and to audit against these standards to ensure an effective and consistent approach. The FSA 'Framework Agreement on Local Authority Food Law Enforcement' (the Framework Agreement) specifies the arrangements that should be established and maintained by a Local Authority to enforce food hygiene legislation. It is

this document that requires the Council to formulate and implement a service delivery plan in accordance with FSA guidance.

- 2.4 Accordingly, the FSA places significant emphasis Food Safety Service Plans as a means to:
- Ensure Local Authorities address national priorities and standards, so these can be delivered locally;
 - Focus debate on key delivery issues;
 - Provide an essential link with financial planning;
 - Set objectives for the future and identify major issues that cross service boundaries; and
 - Provide a method of managing performance and making performance comparisons.
- 2.5 FSA guidance also states that Service Plans should have a common format. This enables the FSA to assess service delivery nationwide and allows Local Authorities to compare performance. Service Plans are also seen by the FSA as an expression of a Local Authority's own commitment to the development of its Food Safety Service.

3.0 CURRENT POSITION

- 3.1 The Food Safety Service Plan for 2011/12 has been implemented. Performance against that Service Plan has been reviewed and the conclusions of the review are contained in the Food Safety Service Plan for 2012/13 (the Plan), which is attached to this update at Appendix 1.
- 3.2 The Plan provides information on all aspects of the Service, including priorities, resources, workload and performance. During 2011/12, the Service achieved 77% of all food premises inspections that were due during the same period. This compares against a target of 90%. However, 35 inspections were carried out of those food premises due for inspection during previous Service Plans and 37 new businesses were also inspected during 2011/12.
- 3.3 The level of achievement reflects the pro-rata absence of a part time Environmental Health Officer post due to maternity leave for the majority of 2011/2012. The premises that have not received a routine inspection during 2011/12 are mainly low risk (category D to F). However, a number of category C premises inspections are also outstanding.
- 3.4 The target inspection rate for the 2012/2013 Inspection Programme remains at 90% for all high risk premises (category A to C). However, lower risk premises (category D to F) will receive an alternative intervention.

3.5 To address the back log of inspections and to focus resources in accordance with the risk profile of food premises, an alternative enforcement strategy will be implemented in accordance with FSA guidance. This will be as follows:

- Greater use of Non-Conformance Reports, which are issued to food business operators at the time of inspection. This will remove the need to compile and issue a formal letter following the inspection.
- Category C premises will receive a 'partial inspection', focusing on temperature control, cross contamination and training. A full inspection will only be carried out where Officers find evidence of an additional risk(s) to food safety.
- Category D, E and F premises will receive a written intervention to:
 - i) Confirm the food business operator contact details;
 - ii) Provide a source of food safety advice and information;
 - iii) To ascertain that there have been no material changes in the food business that would impact on the risk rating allocated to that business (where a potential risk to food safety is evident, a more targeted intervention will take place).

4.0 ISSUES

4.1 It is also a requirement of the Framework Agreement that the Plan is submitted for appropriate Member approval. Accordingly, the Constitution requires the Plan to be approved by the Portfolio Holder for Health, Leisure and Community Safety and be submitted to the Corporate and Environmental Overview and Scrutiny Committee for information.

4.2 The Plan was approved by Portfolio Holder for Health, Leisure and Community Safety on 2 November 2012.

4.3 In order to provide local transparency and accountability, a copy of the Plan will be placed on the Council's website and sent to the Consultant in Health Protection for the West Lancashire area, to the HPA Food, Water & Environmental Microbiology Network (Preston laboratory) and to the Lancashire County Analyst.

5.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

5.1 The Plan provides an expression of the Council's commitment to the development of the Service, which contributes significantly toward improving the health of the local communities within West Lancashire.

6.0 FINANCIAL AND RESOURCE IMPLICATIONS

6.1 The costs associated with production of the Plan and the work detailed in the Plan for 2012/13 can be met within existing resources.

7.0 RISK ASSESSMENT

7.1 The Plan describes the financial and resource implications for the Service. If adequate resources are not made available to deliver an effective food safety service as required by the FSA, the Council may be open to criticism and/or potential audit by the FSA.

Background Documents

The following background documents (as defined in Section 100D (5) of the Local Government Act 1972) have been relied on to a material extent in preparing this Report.

Date	Document
April 2010 on Local	Food Standards Agency 'Framework Agreement Authority Food Law Enforcement'
June 2008 Practice	Food Standards Agency "Food Law" Code of Practice

Equality Impact Assessment

The Article is for information only and does not have any direct impact on members of the public, employees, elected members and / or stakeholders. Therefore no Equality Impact Assessment is required.

Appendices

Appendix 1 – Annual Food Safety Service Plan 2012/13