

# **West Lancashire Borough Council**

## **Food Safety Service Plan**

**2015/16**

## Contents

Introduction.....	2
1.0 Aims and Objectives.....	3
2.0 Background.....	4
3.0 Resources .....	5
4.0 Service demands and performance during 2014/15.....	6
5.0 Intervention Programme for 2015/16 .....	8
6.0 Scope and responsibilities of the Service.....	10
Appendix 1: Structure of Community Services.....	16
Appendix 2: Useful contacts.....	17

## **Introduction**

Welcome to the West Lancashire Borough Council Food Safety Service Plan, which covers all elements of food safety and hygiene for which the Authority has enforcement responsibility. It also covers those objectives relating to non-enforcement activity, including food hygiene education/health promotion and partnership working.

This Food Safety Service Plan is a requirement of the Food Standards Agency and has been drawn up in accordance with the Food Standards Agency's Framework Agreement (Amendment 5, April 2010). This ensures a consistent approach across England and Wales, which enables the Food Standards Agency to assess how we are doing and allows other Local Authorities to compare and contrast performance and service delivery.

This Plan is also an expression of the Council's on-going commitment to food safety in the Borough and the importance of its Food Safety Service.

I hope you find it helpful and interesting.

A handwritten signature in black ink, appearing to read 'D P Tilleray', with a large, stylized flourish underneath.

**D P Tilleray**

Assistant Director Community Services

Approved by the Portfolio Holder for Health & Community Safety on 9 September 2015.

## **1.0 Aims and Objectives**

### *Service aims and objectives*

- 1.1 West Lancashire Borough Council (the Council) is responsible for food safety enforcement of relevant food businesses under the Food Safety 1990 (the Act), associated legislation and guidance. These duties are discharged by the Food Safety Service (the Service), which is part of the Commercial, Safety and Licensing Section (the Section).
- 1.2 The aim of the Service is to protect the health of residents and the wider community by ensuring that all commercial production of food in the Borough is carried out safely and is fit for human consumption. The work of the Service is supplemented by the Health Promotion unit, which provides a range of promotional and educational roles in respect of food safety matters.
- 1.3 In order to achieve these aims, the objectives of the Service are to:
  - Ensure that it acts in accordance with the relevant Food Standards Agency (FSA) Code of Practice and other official guidance;
  - Encourage food businesses to comply with the law by offering advice;
  - Apply the principle of continuous improvement by comparing and measuring its performance and rectifying any shortcomings;
  - Responding to local need and ensuring the Service is accessible to everyone;
- 1.4 This Food Safety Service Plan (the Plan) is produced annually by the Assistant Director Community Services and the Commercial, Safety and Licensing Manager. The Plan was approved by the Portfolio Holder for Health & Community Safety on 9 September 2015 and was also presented as a Member's Update to the Council's Corporate and Environmental Overview and Scrutiny Committee. Performance reviews are undertaken on a monthly basis and related performance indicators are reported to Cabinet.

## 2.0 Background

### *Profile of the Borough*

2.1 West Lancashire is the most southerly of the Local Authorities within Lancashire. It has a population of 110,700 (National Census 2011) and covers an area of over 34,000 hectares, a large proportion of which is good and versatile agricultural land. The Borough has two market towns: Ormskirk and Burscough, with mainly rural parishes and villages to the north and the former New Town of Skelmersdale to the east.

2.2 Based on current available data, the breakdown of businesses within West Lancashire is as follows:

Agriculture and fishing	13.6%
Mining, energy and water	0.1%
Manufacturing	8.6%
Construction	12.5%
Wholesale and retail	21.4%
Hotels and catering	6.2%
Transport and communications	6.7%
Financial intermediation	0.7%
Business services	23.2%
Public administration and other services	5.7%
Education and health	1.2%
<b>All industries and services</b>	<b>100.0%</b>

### *Organisational and team structure*

2.3 A structural chart of Community Services is provided at Appendix 1.

### *Enforcement policy*

2.4 A Corporate Enforcement Policy was agreed by Council in October 2009. The aim of this Policy is to promote consistency across the Council and it provides the principles of the Council's approaches to enforcement. The Community Services Enforcement Policy, also agreed by Council in October 2009, is positioned below the Corporate Policy and contains more service specific information relating to legislation, approach etc. Both Policies include aspects of the FSA Service Plan requirement, which is implemented by the Plan. Accordingly, all recipients of letters and notices relating to food safety issues are advised of the Enforcement Policy.

### 3.0 Resources

#### *Financial allocation*

3.1 The total cost of the Service is £106,270 comprising of the following:

Staff and associated costs	£97,930
Equipment, materials, sampling etc.	£8,430

#### *Staffing allocation*

3.2 Therefore, the resources allocated within the Section for food safety matters currently equate to 3.3 FTE. This is comprised of the following:

- Commercial, Safety and Licensing Manager (0.2 FTE);
- Senior Environmental Health Officers (2.1 FTE);
- Environmental Health Assistants (1.0 FTE).

#### *Staff development plan*

3.3 The Service, in accordance with the most recent version of the FSA Food Law Code of Practice, is committed to providing each member of the Food Safety Service with a minimum of 10 hours of on-going / updating training each year. Records of training needs and competency levels are kept as part of the Environmental Health Service Quality System. Attendance on appropriate training courses is undertaken and is complemented by in-house training on specific developments during meetings or workshops.

3.4 The qualifications, experience and training of staff is sufficient to ensure that the Authority has the expertise to ensure competent intervention in the food businesses and processes in the Borough. Staff development is primarily assessed through the Employee Development Appraisal Interview, which is undertaken annually. The Service also participates in the Environmental Health Lancashire (EHL) Food Safety Annual Training and Inter Authority Auditing Programmes. EHL is represented by each local authority in Lancashire and meets to coordinate environmental health services across the county.

#### 4.0 Service demands and performance during 2014/15

##### *Demands on the service*

4.1 There are a total of 920 registered food businesses in the Borough for which the Service has enforcement responsibility. These businesses can be divided into the following classifications:

FSA food business type	Total
Producer	22
Slaughterhouses (seasonal)	2
Manufacturers / processors	17
Packers	13
Importer	3
Distributors	19
Supermarket / hypermarket	19
Small retailers	119
Retail other	34
Restaurant / café / canteen	137
Hotel / guest house	9
Pub / club	119
Take away	67
Caring establishment	58
School / college	120
Mobile food unit	37
Restaurant / caterer other	85
<b>TOTAL</b>	<b>918</b>

4.2 The current food safety risk rating profile of the above food businesses is:

Food safety risk rating	Total
Category A (intervention required every 6 months)	5
Category B (intervention required every 12 months)	103
Category C (intervention required every 18 months)	306
Category D (intervention required every 2 years)	237
Category E (alternative enforcement strategy every 3 years)	226
Outside of programme (not inspected by WLBC)	5
Unrated as at 01/04/15	36
<b>TOTAL</b>	<b>918</b>

4.3 The current National Food Hygiene Rating (NFHR) profile of the above food businesses is:

NFHR		Total
0	Urgent improvement necessary	0
1	Major improvement necessary	38
2	Improvement necessary	17
3	Generally satisfactory	128
4	Good	185
5	Very good	444
<b>TOTAL</b>		<b>801*</b>

\*The difference between total premises and total NFHR rated premises is due to those premises as yet unrated and/or are exempt from the NFHR.

- 4.4 Those premises identified as requiring improvement (i.e. allocated a NFHR of 0 to 2) have received appropriate enforcement action. Any food hygiene rating remains in place until the next routine intervention or the food businesses operator formally requests that their business be re-assessed.
- 4.5 The food safety risk rating issued to any food businesses depends upon the nature and type of the business, as well as how well it controls the risks to food hygiene. Whilst there will be some correlation between the food safety risk rating and the NFHR issued to any business, this does not mean that a low NFHR relates to a high risk rated food businesses and vice versa.

*Performance against the Service Plan 2014/2015*

4.6 The number of interventions conducted in 2014/15 was:

Total Premises at 31 Mar 2015	919
Inspections and audits	376
Verification and surveillance	211
Sampling visits	85
Advice and education	28
Information/intelligence gathering	51
<b>Total premises subject to official control</b>	<b>449</b>

- 4.7 100% of the higher risk food businesses (Category A, B and non-complaint C) due for intervention during 2014/2015 received an appropriate intervention, against a target of 100%.
- 4.8 77% of low risk food businesses (compliant Category C, D and E) food businesses due for intervention during 2014/2015 received an appropriate intervention, against a target of 80%.
- 4.9 Accordingly, 61 food businesses did not receive a routine intervention during 2014/2015. These are low risk (compliant Category C, D and E) rated premises. The approach detailed in paragraph 5.1 is aims to address this backlog of interventions.
- 4.10 93% of relevant food premises in the Borough are broadly compliant with food safety requirements, which represents an increase of 1% on 2013/14.



## 5.0 Intervention Programme for 2015/16

### *Targets for 2015/2016*

5.1 The Service will aim to carry out an intervention in:

- All Category A, B or non-compliant C food businesses;
- All new high risk food businesses;
- 80% of compliant Category C food businesses;
- 80% of Category D and E food businesses;
- 80% of all new low risk food businesses / unrated food businesses.

5.2 Interventions will be targeted in accordance with FSA guidance, as follows:

- Monthly performance monitoring of Food Safety Officer's work, including targeting of those food businesses that are not deemed to be 'broadly compliant';
- Complaint Category C food businesses will receive a partial intervention focusing on hazard analysis, temperature control, cross contamination and training. A full intervention will only be carried out where Officers find evidence of an additional risk to food safety;
- Category D food businesses will receive a surveillance visit to determine that the food business operator remains unchanged and 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;
- Category E food businesses will receive a written intervention to:
  - (i) confirm the food business operator's contact details;
  - (ii) provide a source of food safety advice and information;
  - (iii) 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.
- To work with the Public Health England laboratory service and Lancashire Authorities to use the UKFSS system implemented in 2014/15 so as to provide a more efficient method of sharing of sampling information;
- To maintain the FSA Local Authority Enforcement Monitoring System (LAEMS).

5.3 The Service will respond to 95% of requests for service within 3 working days.

### *Food business interventions*

5.4 Programmed interventions in food businesses will be carried out in accordance with:

- The minimum intervention frequencies and requirements detailed in the current version of the FSA Food Law Code of Practice;
- The Council's and Community Services Enforcement Policies.

5.5 The Intervention Programme for 2014/2015 is as follows:

Food Business Risk Category	No. of Food Businesses at 01/04/15	No. of outstanding interventions at 01/04/15	No. of interventions due 01/04/15-31/03/16	Estimated no. of revisits 01/04/15-31/03/16
A	5	0	9	4
B	103	0	92	52
C	306	18	199	113
D	237	18	91	12
E	226	25	10	5
Outside	5	-	-	-
<b>Total</b>	<b>918</b>	<b>61</b>	<b>401</b>	<b>186</b>
Non-rated	36	-	-	-

5.6 Performance against the intervention programme will be monitored in the following ways:

- Monthly performance figures for the Food Safety Business Intervention Programme;
- Performance data provided to the FSA on an annual basis;
- Performance reviewed at regular Team Meetings.

## 6.0 Scope and responsibilities of the Service

### *Scope of the Service*

6.1 In respect of food safety matters, the Service will:

- Carry out a programme of food hygiene interventions in accordance with the Food Safety Act 1990 Code of Practice;
- Investigate and resolve complaints about food and food hygiene, practices and procedures;
- Take informal or statutory action including the service of notices, food seizure, premises closure or prosecution (amongst other available actions) in accordance with the Community Services Enforcement Policy to secure compliance with food safety legislation;
- Identify and assess businesses requiring approval in respect of specific food products or processes and to ensure that they are granted conditional or full approval as necessary;
- Ensure that all food businesses located or trading within the Borough are registered, and to maintain an accurate database of food businesses in the Borough;
- Record intervention information and enable performance data to be provided to the FSA;
- Receive and investigate all relevant FSA Food Alerts for action and their updates as appropriate, and to communicate with food business to disseminate relevant information concerning relevant food risks;
- Provide advice and assistance to food businesses and consumers on food related issues;
- Investigate incidences of food borne disease and take action, including liaison with other bodies to identify the source and prevent further infection;
- Implement the Food Sampling Programme for survey and monitoring purposes;
- Provide guidance and advice on food law requirements and compliance to meet local needs;
- Provide and review systems and procedures in line with FSA Framework Agreement;
- Act as Primary Authority and implement Service Level Agreements where appropriate;
- Maintain the FSA NFHRS to publish the hygiene ratings for those food businesses within the Borough;
- Comment on proposed food legislation codes of practice and other official documents as necessary and as requested;
- Issue Health Certificates for food to be exported to countries outside of the EU;
- Monitor the shellfish beds within the Borough;
- Operate imported food controls;
- Promote food safety through education and promotional events;
- Notify the FSA of any serious local food problem;
- Provide input to various licensing processes on food safety matters;
- Maintain an internal Quality System relating to food safety matters.

### *Additional commitments*

6.2 This Plan also provides commitment for the following:

#### *General*

- Ensure the food business database is an accurate reflection of the businesses in the West Lancashire area;
- Maintain a quality management system for the Service as part of the Council's Environmental Health Service Quality System;
- Further develop service information on the Council's website.

#### *Training*

- Undertake annual training needs analysis. Ensure adequate resources are available to meet training needs;
- Maintain competency of all Officers involved in food safety enforcement work;
- Implement food safety training programme;
- Commercial, Safety & Licensing Manager to undertake at least 8 accompanied interventions with Officers per year. This is to ensure Officers maintain a consistency of approach and compliance with relevant statute and codes of practice.

#### *Food safety education/promotion*

- Continue to provide the CIEH Level 2 Award in Food Safety in Catering Course;
- Continue to make available a full range of food safety leaflets;
- Where feasible, provide at least one seminar for local businesses, annually;
- Participate in at least one food safety campaign, annually during National Food Safety Week.

#### *Communication with stakeholders*

- Maintain and improve consultation with both businesses and the wider public.

### *Imported food controls*

6.3 The Service also enforces the legislation relating to imported foods. Documented procedures are in place for the enforcement of the legislation relating to imported Products of Animal Origin (POAO) and imported Food Not of Animal Origin (FNOA). This includes the following legislation:

- Food Safety Act 1990;
- European Communities Act 1972;
- The General Food Regulations 2004;
- The Official Feed and Food Controls (England) Regulations 2006 (as amended);
- Products of Animal Origin (Third Country Imports) (England) Regulations 2006 (as amended);
- Products of Animal Origin (Import and Export) Regulations 1996 as amended;
- EU Regulation 882/2004, 178/2002 and 852/2004;
- Contaminants in Food (England) Regulations 2007;
- The organic products (Imports from Third countries) Regulations 2003;
- The Food Hygiene (England) Regulations 2006 (as amended).

*Visits to new food businesses / non programmed interventions*

6.4 Allowance has been made in the Plan for the initial intervention in new food businesses. Once such businesses have been visited and risk rated, they will be included in the overall general Intervention Programme.

*Revisits to check compliance*

6.5 Revisits are undertaken if a further visit is needed to assess compliance with an enforcement notice or if contraventions found during an intervention are of such a risk that enforcement action may be required before the next programmed intervention.

*Food and food business complaints*

6.6 Food complaints (for example where the food contains a foreign body, is contaminated or is not cooked properly) are investigated in line with procedures laid down in the Environmental Health Quality System. Action is determined by the nature of the complaint and the potential threat posed to public health.

6.7 Similarly, complaints about food hygiene practices or the condition of food businesses are also investigated according to the potential to cause harm. Follow up action may be immediate or delayed to the next programmed intervention provided the time period is not excessive.

6.8 Based on previous data, the Service receives approximately 25 food complaints and 50 complaints about food businesses each year. Whilst the Service aims to give a first response to all such complaints within 3 working days, the length of time taken to resolve a complaint can vary considerably.

*EC Approved Premises*

6.9 Regulation EC 853/2004 requires wholesale businesses that handle, store or produce products of animal origin to be approved by the Local Authority and be issued with an EC approval number. With the exception of catering butchers, responsibility for the approval and inspection of such premises rests with the Local Authority. The list of approved premises is published on the FSA website. The EC Commission annually arranges audits of selected approved premises in member states of the EC to ensure that the controls are being applied and implemented by local authorities to a satisfactory standard. The number of current approved premises are:

Fishery Products	4
Meat Products	1
Dairy Products	5
<b>TOTAL</b>	<b>10</b>

*Primary Authority Scheme and Home Authority Principle*

6.10 The Primary Authority Scheme (PAS) has been in operation since 2009, when the Regulatory Enforcement and Sanctions Act 2008, came into force. This scheme ensures a consistent approach between local authorities and companies having a number of outlets throughout the country.

- 6.11 The PAS enables companies to form a statutory partnership with a single Local Authority, which then provides robust and reliable advice for other Local Authorities to take account of when carrying out interventions or dealing with non-compliance. Accordingly, Local Authorities are required to contact the relevant Primary Authority for a company covered by the PAS before taking any enforcement action.
- 6.12 The Service subscribes to the current LGR Home Authority Principle (HAP). At present, the Service has not been approached by, nor is aware of, any local company who wish to enter into a formal agreement within the remit of the HAP. However, the Service does take on the role of “Originating” Authority for several businesses that operate on a regional and/or national basis and gives advice on food safety matters. Accordingly, much of the input from the Service is generated by requests for service from other enforcement authorities. Based on previous data, the Service receives approximately 4 originating authority referrals and 4 enquiries each year.

#### *Advice to food businesses*

- 6.13 The Service is committed to providing advice to any food business within the Borough or to members of the public. Based on previous data, it is anticipated that approximately 80 such requests will be dealt with each year. The response time for such requests is 10 working days.

#### *Food sampling*

- 6.14 The food and drink supplied, produced and sold within the Borough is sampled to assess its safety and quality. The Service carries out this responsibility in accordance with a planned sampling programme and where necessary, in response to food complaints/investigations. The Service also participates in regional, national and European sampling programmes. Further details can be found in the Council’s Food Sampling Policy for 2015/2016.
- 6.15 Samples are analysed by the Public Health England Food, Water and Environmental Microbiology Network (Preston Laboratory) for microbiological content and the Public Analyst Laboratory in Preston for chemical and/or other content.
- 6.16 Additional sampling is required for the cockle and mussel production beds, which are located in the Ribble to the North of the Borough. Routine microbiological and algal toxin samples are taken and monitored through the Centre for Environment and Aquamarine Culture and Science (CEFAS). The beds are officially classified according to the quality and safety standards for potential harvesting. The national classification Scheme ensures shellfish used for food is fit for human consumption.
- 6.17 There are a small number of private water supplies monitored by the Service. These are routinely sampled and any complaints are investigated. The Service is working to ensure these comply with the Private Water Supplies Regulations 2009, which requires full compliance during 2015.

#### *Control and investigation of outbreak and incidents of food related infectious disease*

6.18 This work is undertaken by the Service and involves contact with Consultants in Health Protection, Directors of Public Health and Control of Infection Teams. Investigations and outbreak controls are undertaken in line with agreed written procedures and documentation between these organisations.

#### *Food safety incidents and requests*

6.19 The Service will comply with the FSA Code of Practice in relation to the handling of food alerts. Accordingly, documented procedures are in place as part of the Environmental Health Quality system. The number of notifications has increased since the commencement of the FSA, and based on previous data, that the Service will respond to approximately 70 such alerts each year.

#### *Liaison with other organisations*

6.20 In order to implement the Plan, the Service works closely with a number of other agencies and organisations to ensure a consistent approach to enforcement action. Accordingly, the Service will disseminate information to other regulators where there is a wider regulatory interest. These organisations include:

- The FSA;
- Local Government Regulation (LGR);
- Local Better Regulation Office (LBRO);
- Public Health England including, Food, Water and Environmental Microbiology Network (based at Preston laboratory);
- Environmental Health Lancashire (EHL);
- EHL Food Officers Group;
- Lancashire County Council Scientific Services;
- United Utilities Plc;
- Lancashire County Council Trading Standards;
- Other Local Authorities to ensure a comprehensive and consistent approach to food law enforcement.

#### *Food safety promotion*

6.21 The Service recognises the importance of food safety promotional work to improve hygiene standards. The Health Promotion Unit provides this function and routinely engages in the following activities:

- Food Safety Week;
- CIEH Level 2 Award in Food Safety in Catering Courses;
- CIEH Level 2 Award in Healthier Food and Special Diets Courses;
- CIEH Level 1 Award in Nutrition;
- CIEH Level 2 Award in Food Allergen Awareness;
- Specific seminars / initiatives as appropriate;
- Promotion of the FSA's Safer Food Better Business Scheme.

#### *National Food Hygiene Rating System*

6.22 Introduced by the Council on 1<sup>st</sup> June 2011, the NFHRS provides a rating of 0 to 5 for each registered food business to which the public would normally have access. The rating for each premise is based on the risk rating that Council Officers have determined on the most

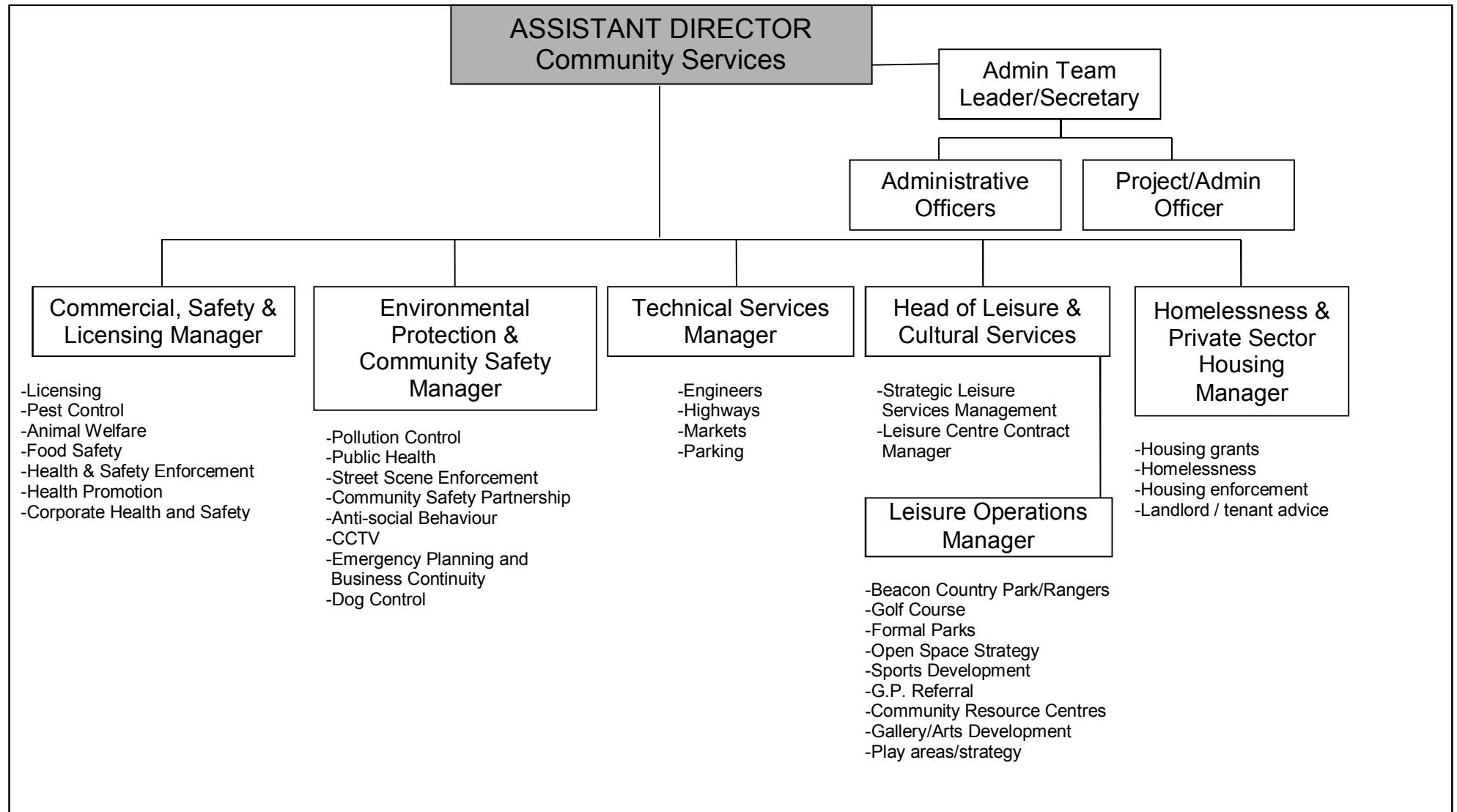
recent relevant food hygiene intervention. The Scheme aims to help consumers make informed choices about where to eat or buy food by allowing them to easily compare one food business with another within their own area or more widely. The Scheme also aims to benefit food businesses by providing an incentive for them to improve standards and do better than their competitors - i.e. a good food hygiene rating will be good for business, whilst a poor food hygiene rating may make their customers decide to purchase food elsewhere. Food Hygiene Ratings for all relevant food businesses in West Lancashire is published on the FSA website ([www.food.gov.uk](http://www.food.gov.uk)) or via the Council's website – see Appendix 2: Useful Contacts.

#### *Quality assessment*

- 6.23 It is our policy to undertake all functions of the Service in accordance with the procedures laid down in the Environmental Health Service Quality System.
- 6.24 The Service is an active member of EHL and the Food Officers Group (FOG) and is committed to developing FOG's liaison, training, peer review, inter-authority auditing, benchmarking and consistency processes. Through FOG, the Authority participates in inter authority auditing of the Food Safety Services in Lancashire against the standard laid down by the FSA.



**Appendix 1: Structure of Community Services**



## **Appendix 2: Useful contacts**

### West Lancashire Borough Council Food Safety Service

Address: Robert Hodge Centre, Stanley Way, Skelmersdale, Lancashire WN8 8EE  
Telephone: 01695 577177  
Fax: 01695 585126  
Email: envhealth.admin@westlancls.gov.uk  
Web: www.westlancls.gov.uk

Opening Hours: 09:00 – 17.00 (Monday-Thursday)  
09:00 – 16.45 (Friday)

Out of Hours: 01695 577177

### Food Standards Agency

Address: Aviation House, 125 Kingsway, London WC2B 6NH  
Telephone: 020 7276 8829  
Email: helpline@foodstandards.gsi.gov.uk  
Web: www.food.gov.uk  
Out of hours incidents: 0345 051 8486

### Chartered Institute of Environmental Health

Address: Chadwick Court, 15 Hatfields, London SE1 8DJ  
Telephone: 020 7928 6006  
Web: www.cieh.org