

Food Safety Service Delivery Plan 2021-2024



Date:	1 st November
Agenda Item:	Food Safety Service Delivery Plan 2021-24
Contact Officer:	Fiona West/Gareth Davies
Tel Number:	01543 308744/308741
Email:	Fiona.west@lichfielddc.gov.uk
Key Decision?	YES
Local Ward Members	All Wards

REGULATORY AND LICENSING COMMITTEE

1. Executive Summary

- 1.1 It is essential the delivery of Food Safety enforcement is undertaken in an approved and regulated manner in compliance with Government requirements.
- 1.2 Service delivery plans for food safety enforcement are a fundamental part of the process to ensure national priorities and standards are addressed and delivered locally, taking account of local needs.
- 1.3 The Food Safety Service Plan for 2021-24 is detailed in **Appendix A** for consideration.
- 1.4 The areas of work we intend to deliver and improve upon in 2021-24 includes:-
 - The undertaking of interventions in food premises, which includes routine inspections, revisits, advisory visits and sampling visits etc.
 - To deliver on the key target dates as set out in the Food Standards Agency (FSA) Recovery Plan.
 - To improve the percentage of broadly compliant premises in the District
 - To improve the poorer performing businesses with 0,1 & 2 Food Hygiene Ratings through support, advice and regulation
 - Dealing with complaints, requests for advice, food alerts and infectious disease control
 - Carrying out food sampling in line with national and cross regional sampling plans and locally determined high risk priorities
 - To enhance food allergen awareness in food premises by delivering advice interventions during routine inspections as well as working alongside Staffordshire Trading Standards to implement the Staffordshire Allergen Enforcement Memorandum of Understanding MoU.
 - To further develop our existing '**Primary Authority**' relationships by enhancing the work we undertake with our business partners.
- 1.5 The **main changes** to how the food safety service has operated in comparison to previous years are: -

FSA Recovery Plan – The food safety service at Lichfield District Council along with all other authorities across the country has been significantly impacted by COVID-19 pandemic. Food safety resources were diverted to the COVID response to deliver outbreak management and COVID compliance and enforcement. As a consequence a large proportion of the food safety inspection programme was not undertaken in 2020-21 and there is now a backlog of overdue inspections. We intend to comply with the Food Standards Agency (FSA) Recovery Plan which sets out guidance and advice to local authorities for the period from 1 July 2021 to 2023/24. The guidance and advice aim to ensure that during the period of recovery from the impact of COVID-19, local authority resources are targeted where they add greatest value in providing safeguards for public health and consumer protection in relation to food. It also aims to safeguard the credibility of the Food Hygiene Rating Scheme (FHRS).

The Recovery Plan provides a framework for re-starting the delivery system in line with the Food Law Codes of Practice for new food establishments and for high-risk and/or non-compliant establishments while providing flexibility for lower risk establishments.

COVID-19 Pandemic – The pandemic continues to present challenges. It is recognised that ongoing uncertainties related to the course of the pandemic may have consequences for deployment of resources and delivery of food controls. There will continue to be additional demands and expectations on the Environmental Health Commercial Team in relation to outbreak management and depending on the direction the government choose to take we could be required to once again undertake further compliance and enforcement of COVID in certain business sectors. For example if Part B of the Winter Plan is implemented requiring mandatory face mask wearing and COVID passport schemes. This could end up taking priority over food safety services.

2. Recommendations

- 2.1 The Regulatory & Licensing Committee consider and recommend the Food Safety Service Delivery Plan for 2021-24 for approval by the Cabinet Member for Regulatory, Housing and Health.

3. Background

- 3.1 The delivery of our food service helps protect and improve the public health of those living and visiting our District in connection with the consumption of food and to protect the interest of consumers.
- 3.2 The Environmental Health Commercial Team is responsible for delivering all the Authority's Food Safety Service as relevant to a District Council. This includes:-
- programmed and intelligence led food hygiene interventions and revisits
 - the investigation of complaints regarding food sold or prepared in the District
 - the investigation of complaints regarding hygiene standards or practices
 - infectious disease control including food poisoning and food borne disease
 - responding to food alerts issued by the Food Standards Agency
 - the provision of advice and information on food safety issues
 - the monitoring of existing approved premises as well as granting new approval applications.
 - consideration of the environmental aspects of planning and licensing applications in food premises
 - routine/planned sampling programmes organised in liaison with the Central England Food Coordinators Group and national studies organised by the FSA/Public Health England and local priorities.
 - imported food control
 - waste duty of care checks in food premises
- 3.3 All the officers who deliver services within our Food and Health and Safety Team also undertake certain duties in relation to the delivery of our Occupational Health & Safety Service, certain licensing functions and take part in the Council's Emergency Planning roles.

Alternative Options

1. We are obliged to meet the requirements of the Food Law Code of Practice which sets out how we should carry out food safety interventions and enforcement.
2. We could choose not to have a plan but this is a requirement of the Food Standards Agency (FSA) as part of its national 'Framework Agreement on Local Authority Food Law Enforcement'. If they are not satisfied with how we

	deliver this service they have the authority to take over the delivery of this service and charge the Council for any costs incurred in doing so.
Consultation	<ol style="list-style-type: none"> 1. Regular feedback about our service is received from our stakeholders through customer satisfaction surveys, comments during and after inspections and through emails or letters sent to the service. 2. Comments are welcomed and these will be considered and taken into account during the following years planning process.
Financial Implications	<ol style="list-style-type: none"> 1. There are no additional implications. Appropriate financial provision for Food Safety enforcement work is provided within the current Budget for the Food Safety Service. 2. The Financial expenditure for the Food and Health Safety Team is outlined in the Service Delivery Plan.
Approved by Section 151 Officer	Yes
Legal Implications	<ol style="list-style-type: none"> 1. Legal advice has not been sought. There have not been any legal changes which will impact how the food safety service is delivered. The food safety service is experienced at delivering the requirements outlined in the food safety plan and producing the food service delivery plan is undertaken every 2 years – so is not a new process in itself. 2. The activities in this plan are a statutory requirement. This includes carrying out effective and appropriate official controls and having sufficient numbers of suitably qualified and experienced staff. 3. As part of its duties the FSA is responsible for monitoring and reporting the performance of food safety authorities. The Framework Agreement for audit scheme sets out how the FSA will audit authorities whereby an action plan will be outlined. Failure to implement the action plan to deliver suitable improvements could result in subsequent actions being taken, which will be considered on a case by case basis.
Approved by Monitoring Officer	Yes

Contribution to the Delivery of the Strategic Plan	<p>The proposals set out in the report support and contribute to the themes and aims set out in the District Council’s Strategic Plan 2020 -2024 in the following way: -</p> <ol style="list-style-type: none"> 1. Enabling People – by carrying out interventions that are prioritised by risk, providing help and support to consumers to protect health and promote healthier lifestyles, working towards increasing the overall compliance of food businesses thereby protecting food consumers within the District. 2. Shaping Places - Ensuring that adequate provisions are in place for Waste management within food businesses, supporting events where food plays a major role to help protect the Districts growing reputation for providing food events. 3. Developing Prosperity - providing support to ‘start up’ food businesses in the form of advisory visits, implementing a consistent, proportionate and a fair approach to enforcement, supporting improvement in non-complaint food businesses to help them improve their reputation and appeal to customers. 4. A Good Council – by demonstrating how we will implement the proposed action plan and demonstrating our performance through measurable targets.
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Equality, Diversity and Human Rights Implications	<p>We will protect the rights of individuals and businesses by:-</p> <ol style="list-style-type: none"> 1. Ensuring we are delivering services to all communities equitably, proportionally and consistently, taking into account the personal beliefs, race, age, disability, gender and sexuality of all our customers. 2. By applying a consistent, proportionate and fair approach to enforcement across the District. 3. An Equality Impact Assessment has been completed for this service plan.
Crime & Safety Issues	<ol style="list-style-type: none"> 1. By carrying out functions around food safety we strive to protect the public health of those living in our community and the interests of consumers in connection with the consumption of food. This will impact positively on our duty to prevent crime and disorder within the District (Section 17 of the Crime and Disorder Act, 1988).
Environmental Impact	<ol style="list-style-type: none"> 1. There are no direct avoidable environmental impacts from this decision. The primary regulatory functions of this service don't extend to the environmental impacts of the businesses it regulates.
GDPR / Privacy Impact Assessment	<ol style="list-style-type: none"> 1. The Food Service Delivery plan has no direct impact on GDPR. 2. The service handles some sensitive information but in a compliant manner.

	Risk Description & Risk Owner	Original Score (RYG)	How We Manage It	Current Score (RYG)
A	Failure to implement plan because of other resource requirements. (e.g. Covid outbreak management)	Impact - yellow Likelihood – yellow Overall Score - yellow	<p>Continually monitor performance and resource levels –</p> <p>National requirements to complete food safety controls are likely to be amended if a significant impact on resource demands is created by a resurgence of infectious disease control related work.</p>	Impact - yellow Likelihood – yellow Overall Score - yellow
B	Staff shortages	Impact - yellow Likelihood – yellow Overall Score - yellow	<p>Continually monitor performance and resource levels –</p> <p>National shortage of qualified staff in this area would make recruitment challenging if staff shortages emerge.</p>	Impact - yellow Likelihood – yellow Overall Score - yellow

All relevant information is found within the service plan	<p>Background documents</p> <p>Food+Law+Code+of+Practice+(England) (5).pdf</p>
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Not yet on website	<p>Relevant web links</p> <p>Food Safety Service Delivery Plan 2021-2024 – link TBC</p>
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