



# **Food and Safety Unit Service Plan**

**2017-18**

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# **FOOD & SAFETY UNIT SERVICE PLAN 2017-18**

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You can contact the Food & Safety Service of South Somerset District Council by

-  Writing to the Food & Safety Service, The Council Offices, South Somerset District Council, Brympton Way, Yeovil, Somerset, BA20 2HT
-  Telephone on 01935 462462
-  Email to individual officers or via [food.safety@southsomerset.gov.uk](mailto:food.safety@southsomerset.gov.uk)
-  Visiting our website [www.southsomerset.gov.uk](http://www.southsomerset.gov.uk)

## **Introduction**

South Somerset District Council (SSDC) has the statutory responsibility to protect consumers and promote food safety as well as health and safety throughout the district. The Food & Safety Service Plan 2017-18 describes how this will be achieved using a combination of measures. These include enforcing food safety and hygiene, infectious disease, public health and health & safety laws, along with administration of the Food Hygiene Rating Scheme, sampling of food, water and the environment, proactive and reactive health and safety interventions and the investigation of infectious disease notifications.

In accordance with the Food Law Code of Practice (England), issued March 2017, local authorities are specifically required to draw up a service plan for food safety services. Likewise they should have well developed plans for health and safety enforcement. To clearly reflect this, this document has been split into two parts, Part 1 deals with Food Safety and Part 2 deals with Health and Safety. All work carried out in support of this is done by the Food and Safety Team.

## **Key Issues for 2017-18**

Priorities for the year include:

- Joint working with Public Health England to review and update of the Somerset Gastrointestinal Disease Policy.
- Supporting continued membership of the South Somerset Safety Advisory Group.
- Continue management of the Somerset Flexible Warrant Scheme.
- Supporting membership of the South West Regional Zoonoses Liaison Group.
- Ongoing delivery of the Food Hygiene Rating Scheme, with anticipated introduction of making a cost recovery charge for requested revisits for rescored purposes.
- Involvement with the Food Safety Week 2017 campaign.
- To maintain current service levels accounting for reducing resources.
- Continue membership with the Somerset Food, Safety and Health Group.
- Undertake peer review of health and safety.
- Engage with and support the Devon & Somerset 'Better Business for All' agenda.
- Maintain overview of the Food Standard Agency's Regulating Our Future programme.
- Continue support of the South West Illegal Meat Group.
- Work with the SSDC Transformation Board to develop the Council's Future Model.

## **Part 1- Food Safety**

### **1.0 Food Safety - Service Aims and Objectives**

#### **1.1 Scope, Aims & Objectives of the Food Safety Service**

The Food and Safety Service deals with the following key areas of Environmental Health:

- Food safety and hygiene targeted interventions of food businesses and the enforcement of relevant legislation.
- Management and promotion of the Food Hygiene Rating Scheme.
- Providing advice to business and domestic enquirers.
- Participating in local, regional and national sampling initiatives.

- Food and water related infectious disease control and investigation.
- The investigation of food complaints.
- Food hygiene training and promotional campaigns.
- Public Health promotional campaigns.
- Statutory consultation on relevant licensing and planning applications.

To help achieve much of the above, the service works towards and supports the Food Policy of the Chartered Institute of Environmental Health (CIEH) (See appendix 1).

## **1.2 Links to Corporate Objectives and Plans**

The Council's priorities are set out in the Corporate Plan entitled 'Tackling the Challenges' 2016-21. The priorities for this service are linked to the most appropriate corporate theme, which during this plan's term will focus heavily on Economy and Health & Communities.

The Council has a very clear framework that links together the Council's plans at all levels and allows both service teams and individuals to understand how their work contributes to corporate objectives.

South Somerset has developed a plan which includes our vision and mission, underpinned by aims, corporate objectives and critical activities. These set out in broad terms what the council is aiming to achieve for the District and its people - see [www.southsomerset.gov.uk/about-us/our-vision](http://www.southsomerset.gov.uk/about-us/our-vision)

The Food and Safety Service currently forms part of the Environmental Health Service, operating within the Environment Assistant Directorate. Service plans are used in the process of developing the Council's budget and later in the staff development and review scheme to assist in identifying key objectives for staff in the forthcoming year. The service has an ethos of continuous improvement, developing and meeting the challenge of the annual work programme and responding to periodic internal audit and inter-authority audit reports.

## **1.3 The Transformation Programme**

The Transformation Programme is a comprehensive approach to help the Council invest in a successful future instead of "salami slicing" services and future proofing the organisation and culture against anticipated changes. The move towards transforming the Council will accelerate during 2017-18 and as a front-line service, Environmental Health will be taking a full part in the programme. During the transition the service recognises it will need to manage its performance to minimise disruption to customer services and delivery of our current and ongoing work programmes.

## **2.0 Background**

### **2.1 Profile of South Somerset**

South Somerset is a large, mainly rural district council that borders Devon in the west, Wiltshire in the east and Dorset in the south. Some facts and figures about the District are as follows:

Total Area	370 sq. miles
Total Population (approx)	163,000
Number of dwellings (approx)	71,400
Number of Parishes	121
Political Composition	39 wards returning 60 Members: 29LD, 28C, 3Ind .
Characteristic	Rural, with Yeovil & 9 other market towns
Adopted Model	Cabinet with leader
<b>Main Towns</b>	<b>Population</b>
Yeovil	43,000
Chard	13,000

South Somerset is located in the County of Somerset and covers an area of 959 square kilometers. It is the largest of the five districts in the county. It consists of a mixture of both rural areas and a network of market towns. The main market town is Yeovil, and there are a further nine rural market towns including the larger centers of Chard, Ilminster, Wincanton and Crewkerne. A third of the population lives in the principal town of Yeovil and over 40 per cent live in settlements of fewer than 2,500 people.

South Somerset has a population of 163,000 that is expected to rise to around 180,000 over the next few years. The district has low-density rates at 1.7 persons per hectare which is half the national average. Seventy two per cent of the population lives in rural areas and 13 per cent of rural households do not have access to a car.

The population of the district has grown by one per cent each year over the last ten years and this is set to continue to increase. The proportion of elderly people is rising steadily with 25 per cent of the population over the age of 60 and a low number of people under nineteen compared to the national average. In the 2011 census 94.6% of the population described themselves as 'white British' which is well above the national average. The majority of new arrivals since 2007 are from eastern European countries with 91 per cent from Poland which is above the regional and national average. For further details and data on social, health and demographic trends in Somerset see the Somerset Intelligence website, <http://www.somersetintelligence.org.uk/>.

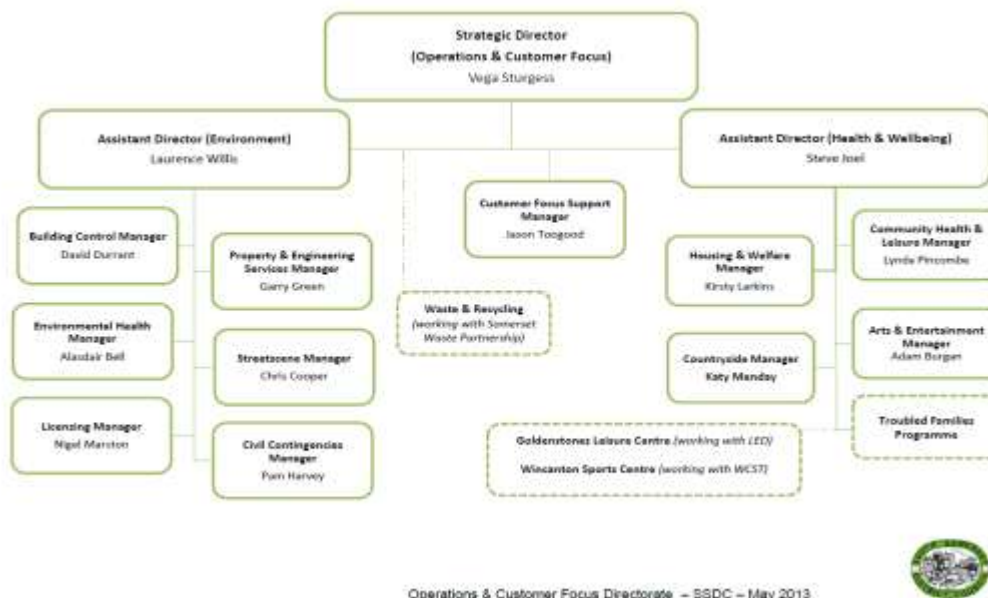
## 2.2 Organisational Structure

The Council has 60 seats: 30 Liberal Democrats, 26 Conservatives, and 4 Independant.

The Council has a strong leader model and its decision-making bodies include the Council, District Executive and the area committees. The District Executive consists of ten members including the chairs of the four area committees. The area committees (north, south, east and west) have executive decision making powers and delegated budgets. A network of six area and community offices provides residents with local access to Council services.

Policy matters affecting the whole service area are taken to the Executive or Full Council. Local issues (for example, involving a single food premises) are taken to the appropriate area committee. Most decisions concerning approval or enforcement issues have been delegated to the Assistant Director and on to the Environmental Health Manager. The

Food and Safety Service currently fits within Environmental Health as shown in the chart below. This will change with the development of the Transformation programme.



Where expertise or facilities cannot be provided from in-house resourcing, provision will be made by outsourcing such requirements to specialist services capable of delivering for the needs of the day, for example, by engaging specialist laboratory services or expert witnesses, such as those provided by Public Health England’s laboratory service at Porton Down, the Public Analyst Scientific Service or HSE’s Health & Safety Laboratory.

### 2.3 Scope and responsibilities of the Food & Safety Service

The overall aim of the Food and Safety Service is ‘To perform the duties of a competent authority for food safety for South Somerset, by promoting a healthy and safe supply of food for the consumer through education and enforcement action’. This is achieved by carrying out a range of functions with the following objectives:-

- To inspect food premises to check for compliance with food safety and hygiene law and to encourage good practice.
- To act as an approval authority for food manufacturers.
- To implement a food sampling and analysis programme to monitor the state of the local food supply, assist with national surveillance programmes and identify contamination problems.
- To operate inland imported food controls.
- To provide an appropriate and timely response to national and local food alerts.
- To investigate consumer complaints about food and food premises, taking into account the ‘Home and Primary Authority Principle’ where appropriate.
- To deliver (with partners) food hygiene training.
- To investigate outbreaks and incidents of food and water-borne communicable disease and infectious disease of public health significance.
- To provide an advice service to new and existing businesses and the general public on food safety, hygiene and infectious disease issues.
- To issue food export certificates.
- To participate in the Somerset Health, Safety and Food Liaison Group.
- Provide representation on working groups, e.g. SW Illegal Meat Group.

The service is also tasked with delivery of the Council's statutory health and safety enforcement function. Appropriately qualified, experienced and authorised staff within the service carry out these day-to-day health and safety functions alongside their food hygiene responsibilities (see section 4.2).

## 2.4 Demands on the Food Service

### Food Premises Profiles

The actual number of trading food businesses on 1<sup>st</sup> April 2017 is 2033 Businesses have been analysed by risk and trader category as follows:

FSA Category	Totals
Restaurants and Caterers - Other	434
Smaller Retailers	276
Restaurant/Cafe/Canteen	234
Caring Establishments	195
Pub/Club	206
Manufacturers & Packers	137
School/College	131
Hotel/Guest House	104
Takeaway	90
Mobile Food Unit	78
Retailer - Other	76
Supermarket/Hypermarket	32
Distributors/Transporters	34
Importers/Exporters	2
Primary Producer	4

Approved food manufacturers or packers account for 36 out of the 2033 food business. Key food industries in the district are associated with the handling and production of dairy and meat products. These bring a variety of complex processes requiring officers attaining additional specialist knowledge and understanding. Officers within the food safety team have a fair degree of expertise in this area of work, especially with the dairy industry.

The Council does not deal with high volumes of imported food as it is not a port authority, it does however maintain an eye on imported foods handled by specialist establishments. The Council continues to deal with seasonal work such as on-farm poultry slaughtering at Christmas and increased summer work related to the tourist industry and weekend music events and shows.

Although the number has been steadily rising in recent years, proprietors, whose primary language is not English, in general, operate less than 5% of food businesses. To assist this, food hygiene training courses have in the past been run in a variety of foreign languages.



## **Access to Services**

The service can be accessed in the following ways:

- Telephone – the Food and Safety team can be contacted via the Council’s call centre on 01935 462462 or direct to officers where known. Staff are issued with mobile phones enabling contact in an emergency.
- Area and Community Offices - South Somerset is a large geographical area and offices are currently located at Yeovil, Wincanton, Chard, Langport, Ilminster and Crewkerne. Offices are open during the normal working day and have established Public Information Points. Community advisors work from the area and community offices, and have been trained in all aspects of Council business, <http://www.southsomerset.gov.uk/contact-us>.
- Publicity/Leaflets - direct mailing and other forms of media have been used to contact most catering small and medium enterprises (SMEs). With the digital agenda this method will likely reduce.
- Website - [www.southsomerset.gov.uk](http://www.southsomerset.gov.uk)
- Email - to individual officers or via [food.safety@southsomerset.gov.uk](mailto:food.safety@southsomerset.gov.uk)

## **2.5 Regulation Policy**

### **Enforcement Policies**

The Council has adopted the Somerset District Authorities Regulatory Services Enforcement Policy 2015-20, which was developed in line with the Statutory Code of Practice for Regulators.

For further details see <http://www.southsomerset.gov.uk/environment/environmental-health/regulators'-code/>.

At the time of writing an additional Food Law Enforcement Policy is under draft. This is being developed in association with the Devon and Somerset Better Business for All group, the intention being that it will sit alongside the Council’s enforcement policy highlighted above.

Policies and procedures to ensure consistency are available to officers on the Regulatory Information Management System (RIAMS) website through subscription from RH Environmental Ltd.

## **3.0 Service Delivery**

### **3.1 Interventions at Food Establishments**

The Food Team follows the Food Standard Agency (FSA) Priorities for Local Authorities.

The top six priorities are:

- To support targeted, proportionate risk based enforcement action, including inspections.
- To take appropriate measures to safeguard the food supply chain from adulteration, contamination and fraud.
- To provide appropriate, targeted, and specific advice, support and incentives to maximise compliance with food law.
- To provide help, advice and support to consumers to protect public health and promote healthier lifestyles and consumer choice.
- To provide transparent, robust and consistent approaches to investigating and resolving consumer complaints about food and food businesses, in particular through adherence to the Primary Authority Principle.
- To provide an appropriate response to safety and hygiene issues in connection with food imported into South Somerset or in response to national issues. With foods now able to be freely moved around Europe, greater attention is being focussed on food imported from third countries.

### **Food Premises Inspections-numbers of inspections programmed**

South Somerset aims to visit and inspect all premises over which it has enforcement responsibility on a regular basis. Intervention frequency is based on risk, which is determined by the inspector using the food establishment intervention rating scheme set out in Chapter 5 of the Food Law Code of Practice. All officers are issued with six monthly programmes of interventions that ensure all premises are regularly subjected to an official control based on priority and need. All available official controls, including inspection, monitoring, surveillance, verification, audit and sampling will be considered and carried out during a visit by an Officer. Other interventions, including information and intelligence gathering, as well as education, advice and coaching will also be considered depending on circumstances.

Traditionally the service has aimed to complete 100% of all interventions due each year. The Local Authority Enforcement Monitoring System (LAEMS) return for 2016-17 showed a 100% completion rate. The resource allocation for 2016-17 is 5.2 full time equivalents (FTE), inclusive of time allocated to the service by the EH Manager and Principal Food & Safety Officer. With no unforeseen influences it is considered feasible for the service to reach the annual target of completing all interventions identified as due on the programme.

### **Alternative Enforcement Strategy (AES)**

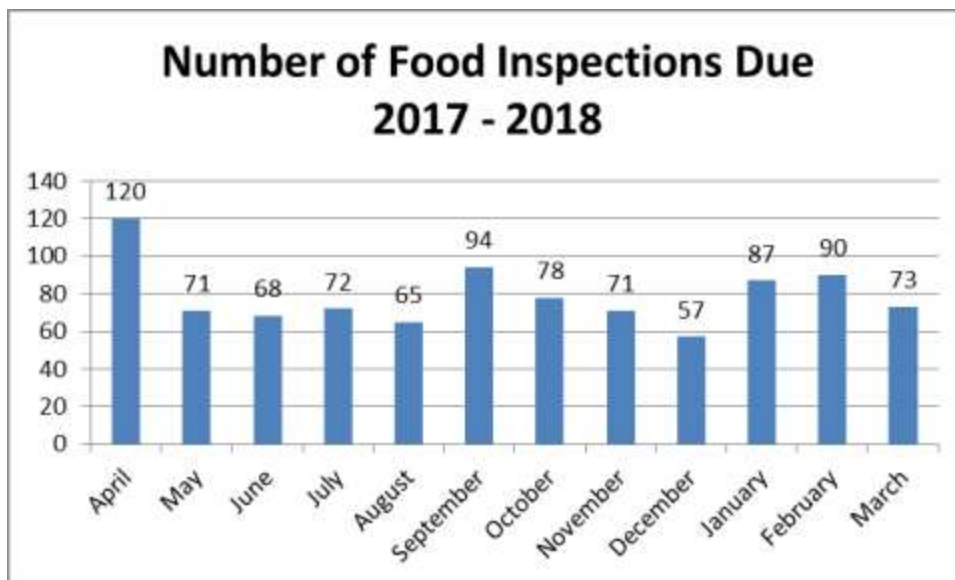
“Low-risk” establishments (category ‘E’) should be subject to an AES at least once during any three year period. The preferred surveillance option has traditionally been for the Food Technical Officer to undertake inspection visits with the aim of confirming relevant changes to the business food activities, along with assessment of hygiene conditions prevailing at the time. There are many benefits from taking this approach with low risk establishments, particularly in terms of maintaining assurances that the risk rating and Food Hygiene Rating score remains relevant.

The current AES applies to inspections of those category 'E' establishments that remain within the scope of the FHRS. Those establishments outside the scope of the FHRS no longer receive a visit and will be subject to a process of self-assessment. Review of the database indicates there are currently 817 category 'E' premises, with 212 of these outside the scope of the FHRS. In removing these low risk premises from the inspection process it is envisaged there will be a 23% reduction in the number of visits required to be undertaken during the next 3 year period.

The minimum frequency of inspection, or in some cases 'other intervention', is calculated as follows: -

Risk Rating	Range	Minimum Frequency of Intervention
A	92 or higher	At least every 6 months
B	72 - 91	At least every 12 months
C	52 - 71	At least every 18 months
D	31 - 51	At least every 24 months
E	0 - 30	Alternative inspection strategy

The number of inspections profiled for April 2017-March 2018 is as follows:



In addition to programmed interventions a number of revisits will be generated in order to check that significant contraventions, identified during the previous intervention, have been addressed. Since January 2011 the service has locally delivered the National Food Hygiene Rating Scheme (FHRS) - see Section 3.9. An inherent part of the scheme allows for businesses to request a revisit for re-scoring following an intervention. This continues

to generate additional work for the team. In 2016 -17 there were 81 Food Hygiene Rating Scheme re-scoring requests and appeals.

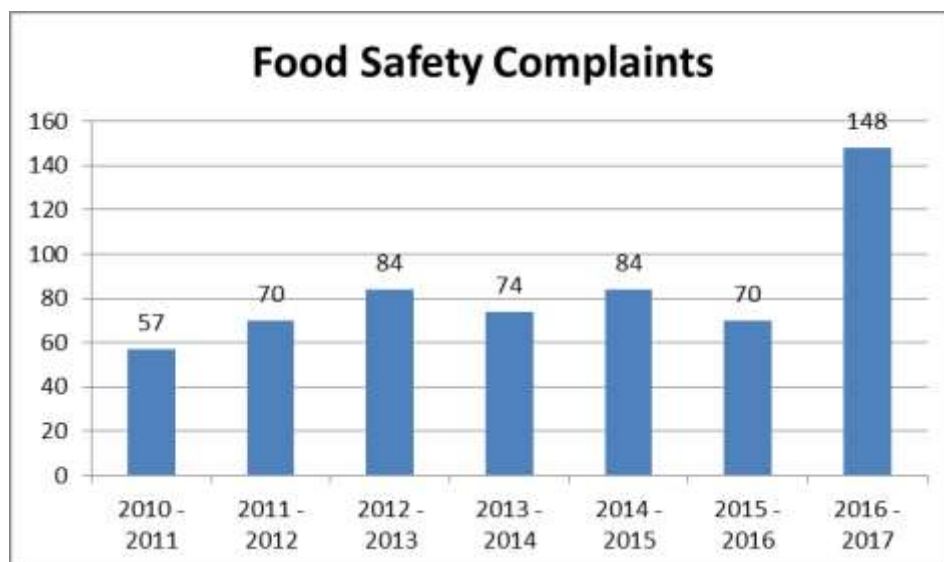
Throughout the year the service receives requests to register new food businesses. The Code of Practice requires new businesses to receive an intervention within 28 days of registration. During 2016-17 there were 297 additional new registrations received. In the same period a total of 172 food business registrations were closed.

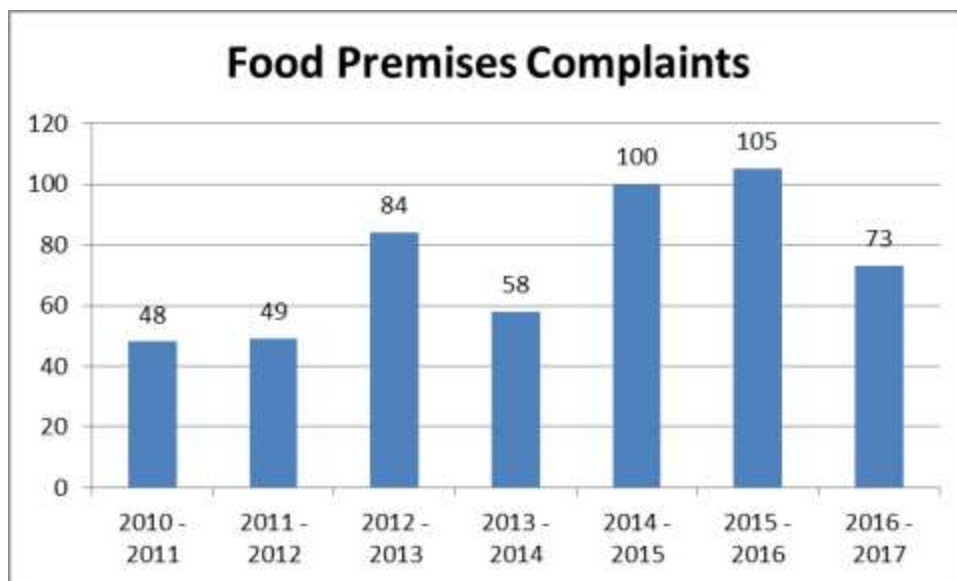
The Food and Safety team has regular team meetings where progress with interventions are reviewed and the need to identify staff resources to respond to new legislation/emergencies or other issues that impact on the work load. There is regular liaison and close ties with partner organisations including the FSA, DEFRA Veterinary and Egg Marketing Divisions, Somerset Scientific Services (SSS), Public Health England's (PHE) Food, Water & Environment (FWE) Laboratory Service and PHE's Health Protection team concerning a range of food and infectious disease matters. This assists the service in ensuring it has adequate access to appropriate expertise in relation to any specialised processes or tasks it may have to deal with.

### 3.2 Food Complaints

Complaints about the hygienic condition of a food premises, or of the hygiene practices carried out, receive an initial assessment within 48 hours of receipt. Complaints about the safety of food receive an initial assessment as soon as practicably possible, usually within 24 hours of receipt. Those assessed as non-urgent complaints concerning food and food premises will be dealt with within 5 working days of receipt. Discretion will be applied when anonymous complaints are received.

Based on trends from previous years the likely demand on the service is expected to be 75-100 complaints involving the hygiene of food premises and between 80-100 complaints involving the safety of foods purchased. These are not evenly spread across the district due to the nature of shopping patterns and the concentration of retail food shops in Yeovil and the larger towns. There is no discernible seasonal pattern connected with complaints. The upward trends may be explained by factors such as the increasing numbers of food businesses registering with the service, along with an increasing awareness by consumers on how and where to complain.





### 3.3 Home Authority and Primary Authority Principle Scheme

South Somerset is committed to the Home Authority Principle whereby one local authority sets the inspection criteria for food businesses that are found across the country and sees its home/originating role falling into two main areas, namely: -

- Our responsibilities towards food businesses based or operating in the South Somerset area.
- Our responsibilities towards other enforcing authorities in respect of food businesses operating in our area.

SSDC does not currently act as home authority for any premises but has a major role as originating authority for a number of large manufacturers of dairy and meat products.

#### The 'Primary Authority' Scheme

The Primary Authority (PA) scheme is overseen by the Regulatory Delivery section of the Department of Business, Energy and Industrial Strategy (BRDO). The scheme gives all businesses, including pre-start-ups, the right to form a statutory partnership with one Competent Authority, which then provides robust and reliable advice for other Authorities to take into account when carrying out inspections or dealing with non-compliance. Competent Authorities and individual officers must have regard to the scheme in their operations and planning.

The Council will support the PA scheme by routinely accessing the scheme's secure IT system to determine whether businesses with whom we are dealing have a PA partnership. We will also fulfil our statutory obligations under the scheme by notifying a PA of enforcement action, either in advance, or, where permitted, retrospectively; and by complying with the requirements of any published inspection plan.

### **3.4 Advice to Business**

The current policy of SSDC is to give advice to food businesses and the public on request in order to facilitate development in the food industry and domestic sectors. A full response is made to all enquiries within 5 working days of receipt. Officers follow guidelines for the time they should spend giving advice to business and in particular to new 'start-ups' and refurbishments to balance our roles as advisor and enforcer. Generally 1 hour's advice would be given to a new start up business although there is discretion to provide more for particularly complex businesses. Such advice amounts to approx. 0.25 FTE staff time a year.

### **3.5 Food Sampling and Testing**

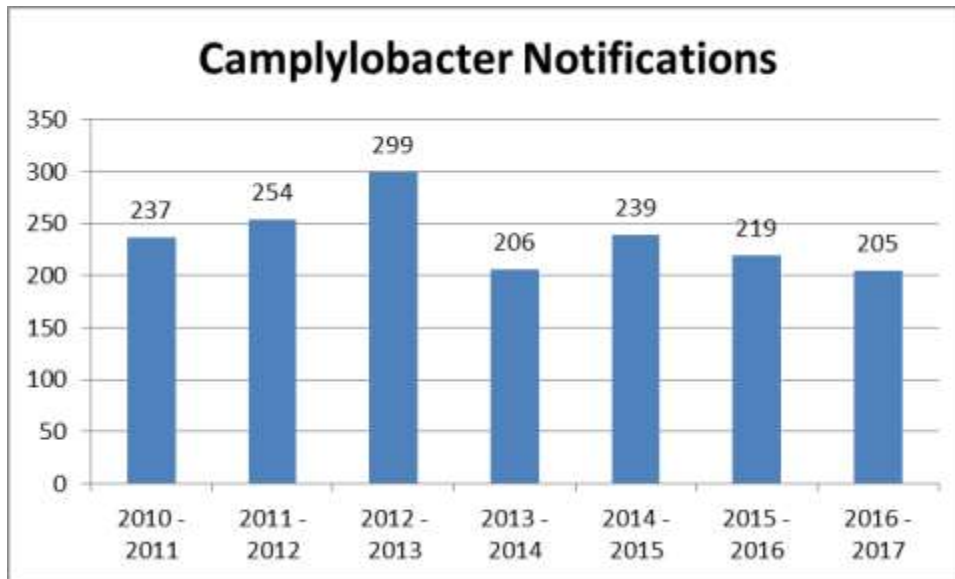
SSDC considers the sampling and testing of foods, handled and/or produced in the district, as a key area of work in relation to food safety. The service prepares and operates a food sampling programme that reflects EU and national requirements, as well as other local priorities agreed between the Somerset Health, Safety and Food Group (SHSFG). Any samples resulting in unsatisfactory microbial or other standard will receive further officer investigation to determine the cause and remove any risk to health. Whilst recent cutbacks have resulted in a reduction in the pro-active food sampling programme during 2016-17 we tested 233 food samples, requiring the use of 0.4 FTE Technical Officer. Samples are analysed by PHE's FW&E Laboratory at Porton Down using a system of credit allocation for the examination of samples. The baseline allocation for 2017-18 is £6,390, with a credit unit cost of £1.50 per credit.

For the examination and analysis of food complaints for physical and chemical contaminants an arrangement has been secured with the Public Analyst Scientific Service (PASS), Wolverhampton. Annual expenditure with PASS has been estimated at £500 per year.

### **3.6 Control and Investigation of Outbreaks and Food Related Infectious Disease**

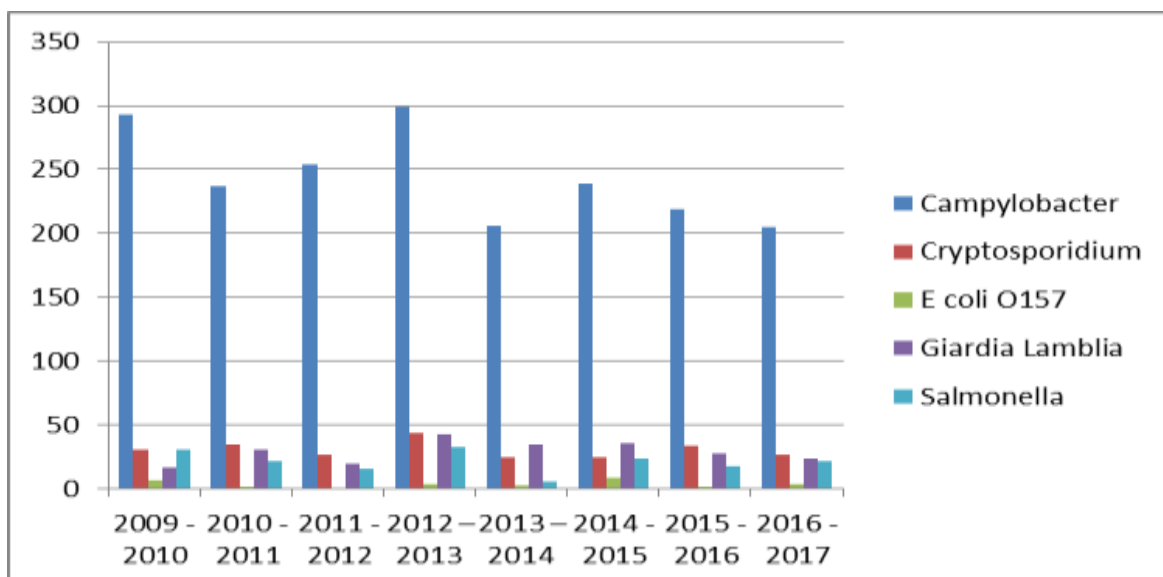
SSDC works closely with the Consultant in Communicable Disease Control (CCDC) and Public Health staff within PHE's Health Protection Service to investigate single cases and outbreaks of food borne and communicable disease.

The service also supports the South West Regional Zoonoses Liaison Group. We aim to investigate all notified diseases in line with the Somerset Gastrointestinal Disease Policy, which takes the time of approx. 1 FTE, although it is recognised that from time to time more resources do need to be found. In such cases we have the ability to access other council resources to help fund additional support. The following graphs show trends in reported cases investigated in South Somerset.



Campylobacter is by far the most commonly reported cause of food poisoning and is shown separately in the chart above. The reported incidence of this disease is far greater than other known infectious intestinal diseases. Undercooked meat (especially poultry) is often associated with illness, as is unpasteurised milk and untreated water. The FSA is spearheading a campaign to bring together the whole food chain to tackle the problem. The campaign is entitled 'Acting on Campylobacter Together'. Details can be found at <http://www.food.gov.uk/news-updates/campaigns/campylobacter>.

Of the other infections reported Salmonella, Cryptosporidium and Giardia Lamblia are most common. PHE has been aware for while that Somerset has a higher incidence of Giardia than elsewhere in the SW. One contributory factor is that the Porton Down lab is using a more sensitive test than elsewhere - but this doesn't account for all the difference. Foreign travel is also of interest as in the past about half of cases reported have been infected abroad.



Year	Campylobacter	Cryptosporidium	E coli O157	Giardia Lamblia	Salmonella
2009 - 2010	293	30	6	16	30
2010 - 2011	237	34	1	30	21
2011 - 2012	254	26	0	19	15
2012 – 2013	299	43	3	42	32
2013 – 2014	206	24	2	34	5
2014 - 2015	239	24	8	35	23
2015 - 2016	219	33	1	27	17
2016 - 2017	205	26	3	23	21

### 3.7 Food Safety Incidents

We regularly respond to national food incidents reported by the Food Standards Agency (FSA). A protocol for dealing with 'For Action' Food Alerts sent by the FSA has been developed by the SHSFG to enable a co-ordinated response by members across the county. The Chair of the group will liaise with a Trading Standards representative and discuss the approach to the alert. The agreed actions are followed through by the Somerset Local Authorities. 'For Information' Food Alerts are automatically e-mailed direct to all officers for consideration. Alerts are also received by text to the mobile phones of all food and 'out of hours' officers. We estimate that responding to such incidents can take 0.5 FTE officer time.

### 3.8 Liaison with Other Organisations

The Food and Safety Team has regular contact with a range of other organisations. There is a county wide Food Liaison Group (the Somerset Health, Safety & Food Group), attended by the Principal Food and Safety Officer, that coordinates food activity across the county. This group coordinates policies, arranges joint training, inter authority audits, student training as well as responding to new legislation consultations and other food related issues. Group members include colleagues from the regional office of the FSA, DEFRA Veterinary and Egg Marketing Divisions, Public Health England's CCDC and FWE laboratory service. The SHSFG also has a number of sub-groups who meet to coordinate work on specific matters such sampling and approved premises. Liaison also takes place with the BRDO Primary Authority unit, as well as with CIEH working groups where appropriate. The Council's Licensing, Building Control and Planning Officers will also be engaged with when new businesses come forward to register. It is estimated that 0.5 FTE officer time is taken in such liaison.

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

#### National Food Hygiene Rating Scheme

At the beginning of 2011 SSDC contractually signed an agreement to join the FSA's national 'Food Hygiene Rating' scheme so that consumers across the district can obtain information about their local food businesses. Under the scheme, each food outlet is given a risk rating score that reflects an inspection's findings. This score converts to a rating of between zero and five, which may then be displayed within the premises. SSDC will also upload the rating to the FSA's national website where consumers can see at-a-glance the hygiene standard the business has achieved. Experience with this popular scheme suggests that as well as providing information to consumers, it encourages businesses to



raise their hygiene standards. The service will seek to promote the scheme whenever an opportunity presents itself, both through the press and social media. Further details about the scheme are available on the SSDC website at: <http://www.southsomerset.gov.uk/food>

### **Cost Recovery for Requested FHRs Re-Inspections**

During March 2017, following a national trial of charging for requested FHRs re-inspections, the FSA confirmed a change in policy allowing the use of powers under the Localism Act (2011) to introduce cost recovery for these visits. There is a desire across the Somerset authorities to pursue the introduction of cost recovery and we will engage with them to determine a unified way forward to roll-out a policy during the year.

### **Food Hygiene Training**

The Food and Safety Team has recognised the need locally for food hygiene training to intermediate level or above, particularly for those involved in small manufacturing businesses. This also includes the training of ethnic minorities. Where possible the service signposts businesses to outsourced Level 2, 3 and 4 courses being run locally by various trainers.

### **Other promotional opportunities**

The Council's website, local press and social media are used where appropriate to promote and publicise the Food and Safety service and to raise awareness of forthcoming food and health and safety initiatives.

Where resource allows the service supports the FSA's annual Food Safety Week campaign. This year the focus for Food Safety Week (19-25 June) will be on Safe Summer Food.

Customer satisfaction surveys are undertaken throughout the year and posted onto the Council's website for public access

## **4.0 Resources**

### **4.1 Financial Allocation**

The annual budget for the Food and Safety Service in 2017-18 is £292,94 This figure includes staff costs of £249,910, books and publication costs of £383, equipment costs of £1,004 and travelling allowances for staff of £19,080.

### **4.2 Staffing Allocation**

#### **Management arrangements**

The Food and Safety service is part of the Environmental Health Service which is part of the Environment Assistant Directorate. The Environmental Health service is managed by the Environmental Health Manager, with the Principal Food and Safety Officer being authorised as Lead Officer for food safety matters.

#### **Staffing arrangements**

The Food Safety team comprises:

- Principal Food and Safety Officer (1 FTE),
- Environmental Health Officers (EHO) (3.0 FTE),

- Food Safety Officer (1.0 FTE), qualified to the higher level in food premises inspection'
- Technical Officer (0.8 FTE). The Technical Officer's duties include food sampling, as well as visits to premises identified in the alternative enforcement strategy.

**Note:** It should be recognised that officer's day-to-day workload will include time spent on specific health and safety matters as well. Therefore the FTE's noted should be viewed as covering both Food and Health and Safety.

By area the district remains one of the largest in the country, bringing inherent logistical issues and costs to the service. Division of work throughout the district follows the traditional committee areas of North, South, East and West. Each area is allocated to one of the four officers' who will focus on servicing the work generated by that area. There is flexibility to this model depending on the needs of the day. Officers also provide additional lead roles in various aspects of the service including approvals, infectious disease, sampling, catering, legal and health and safety matters.

The Principal Food and Safety Officer acts as the Council's Lead Food Officer in accordance with the Code of Practice and is the operational manager for all day-to-day food safety matters, co-ordinating food activities across the four areas of the district. A support officer based with the team collates the statistical returns required by the FSA and the Health and Safety Executive (HSE), and administers the Civica APP (formerly FLARE) software system. The Health and Safety function is led by and initially dealt with by one of the EHOs. The workload is divided up as shown in the sections above (the FTE allocation per work area). There is considered to be sufficient flexibility and experience in the team to deal with any emergencies that may arise, however, it is also recognised that resilience may be tested dependent on the circumstances of the event.

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### **4.3 Staff Development Plan**

The council is committed to ongoing staff training and development and is proud to have achieved the Investors in People Gold standard in 2015. All staff undertake regular Staff Development Review (SDR) where training needs are identified and attend training courses to ensure they have the necessary skills to effectively do their jobs. Both in-house and external training is provided. With the recent announcement by the FSA to reduce classroom based training opportunities, it is recognised that methods of training delivery will change leading to a greater reliance on seeking out online and in-house opportunities such as Webinars. The service also recognises the district is home to a sizable dairy industry requiring specialist knowledge and skills. It therefore strives to ensure staff are provided with opportunities to attend relevant specialist courses when available. Training and shadow work opportunities are, when appropriate, provided for student EHOs and people interested in becoming food officers.

### **4.4 Qualifications and Experience**

During 2015-16 the service reviewed Officer competency in accordance with the Code for Competent Authorities set out within the Food Law Code of Practice – Chapter 4. Competency will be reviewed on an ongoing basis, i.e. as part of the Authority's SDR process. In addition, with ever changing regulations a national scheme has been introduced to act as a framework to ensure officers have sufficient skills to deal with all enforcement work. This is known as the Regulators Development Needs Analysis scheme (RDNA), see <http://rdna-tool.bis.gov.uk/>, and enables officers to identify their own training needs.

## **5.0 Quality Assessment**

### **5.1 Quality assessment and internal monitoring**

The council has an on-going programme to monitor performance against targets. All staff have personal development and corporate and service objectives set in their SDR's to ensure that the team targets are met. Team and individual performance targets are regularly reviewed at team meetings. In addition inter-authority auditing is organised and carried out between the SHSFG authorities. During 2015-16 the local inter-authority audit undertook a review and assessment of consistency within the Food Hygiene Rating Scheme. Shadow visits and staff peer reviews are undertaken throughout the year to assist consistency. Risk assessment decisions also receive a management review following occasions when a score improves or deteriorates. This assists consistency as well as helping ensure standards are maintained. Satisfaction surveys are also regularly undertaken by random selection of customers having contact with the service.

## **6.0 Review**

### **6.1 Review against the Service Plan**

#### **Outturn of Programmed Inspections for 2016-17**

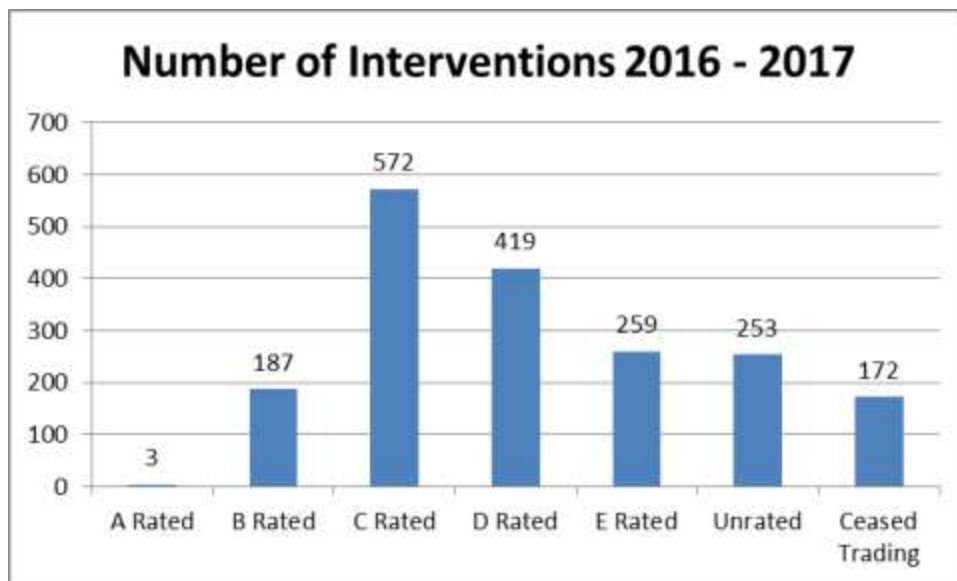
Following the introduction of the Food Law Code of Practice "inspections" are now officially referred to as "interventions" and can include the following categories:

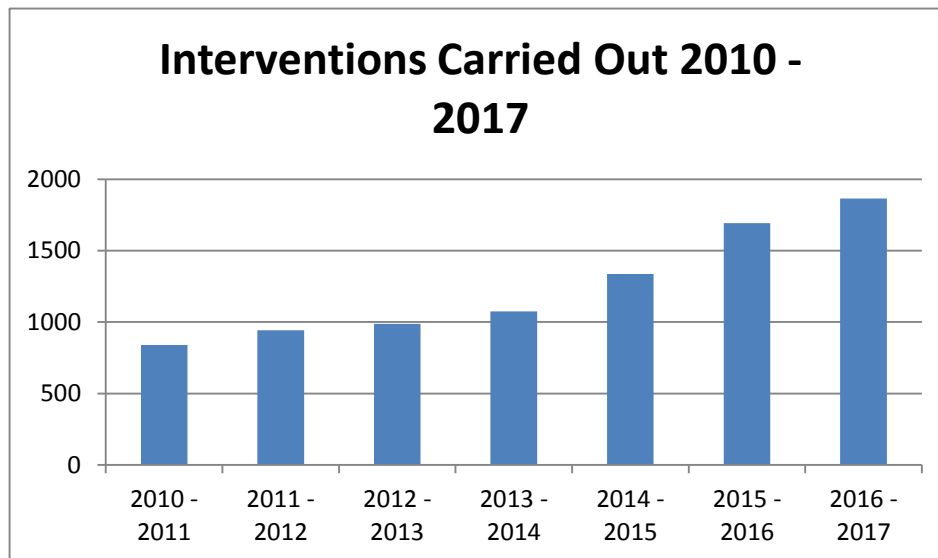
- Inspections and audits
- Verification and surveillance
- Sampling visits
- Advice and education
- Information/intelligence gathering

The number of interventions in 2016-17 was as follows:

Risk Rating	Number of Interventions
A Rated	3
B Rated	187
C Rated	572
D Rated	419
E Rated	259
Unrated	253
Ceased Trading	172

Trend data for food premises inspections





## 6.2 Identification of any variation from the service plan

During the course of last year we have at times struggled to meet inspection targets due to demand and available resources. Where peaks in demand develop, officers' pull together with a sound team ethic involving regular communication of early concerns and offers of assistance to help with the needs of the day. This approach has meant inspection targets and associated workloads throughout all areas have largely been met.

It should be highlighted that officers carried out 81 additional visits during 2016-17 following requests for re-scoring from businesses looking to improve their Food Hygiene Rating score. In accordance with the enforcement policy, an additional 444 revisits also took place in the course of normal follow-up enforcement action to poorer performing establishments. Also of note is the marked increase over the last 2-3 years in new premises registrations being submitted. A high proportion of these unforeseen registrations are from sole traders setting up cake-making type businesses within the domestic home setting. A performance indicator exists requiring a first intervention visit to all new businesses within 28 days of the registration being received.

The following additional work and projects were carried out during the year:

- Review of Officer Competency and Authorisation under the Code for Competent Authorities.
- Delivering in-house training sessions on the National FHRS Consistency Exercise.
- Supporting a multi-agency initiative covering illegal meat and wild game poaching across the South West.
- Assisting review of the Street Trading Licensing policy.
- Delivering food safety lectures to catering students of Yeovil College's.
- Hosting a business mentoring training session via the Better Business for All group.
- Supporting St Margaret's Hospice catering staff with officer shadow visits.

## 6.3 Areas of Improvement

We are constantly seeking ways to improve service delivery. Whilst we are confident we are providing a good service to the public we recognise that there is always more that can

be done. We constantly review what we do at team meetings and use the opportunity of meetings with other authorities to look at better, more efficient ways of working.

## **6.4 Looking Ahead**

Along with other Councils, South Somerset District faces considerable financial, managerial and technological challenges. These will not be met effectively through uncoordinated and incremental improvements. To help tackle these circumstances a “Future Model” Transformation Programme is progressing to radically redesign the way the whole council operates. It is anticipated resource will be required to be redirected to assist the development of the Transformation blueprint.

The Brexit vote brings with it much uncertainty on how local authorities, the regulatory scene and food industry will look in the short to medium term. We will however prepare ourselves to meet the various changes and challenges as they arise.

The Food Standards Agency has commenced consultation on the development of a new future model to regulating food businesses, called Regulating Our Future. The model has a 3-5 year delivery target and has the ambition of creating radical changes to the way we will engage with the food industry. First indications suggest a lower level of regulatory involvement with those businesses that demonstrate good assurance of compliance within the framework of food safety rules.

The service is working towards building a local partnership between businesses and regulators across Devon and Somerset to promote local economic prosperity. The programme, known as ‘Better Business for All’, is in line with the national pathfinder programme endorsed by the Regulatory Delivery office and will continue into the year ahead.

## **Appendix 1**

The Chartered Institute of Environmental Health (CIEH) believes that access to a secure supply of safe and nutritious food is an essential requirement for a healthy society and that a sustainable food chain is a requirement for a healthy environment. The Food Team supports the policy (follow link below) and seeks towards helping deliver the policy. A copy of the policy is available from the Food and Safety Service on request.

<http://www.cieh.org/assets/0/72/1126/1212/1216/1218/35a40ab1-598b-41c3-a8d4-97957866deb4.pdf>

## **Part 2- Health & Safety**

### **Introduction**

The enforcement of Health and Safety at Work and associated legislation is undertaken by the Food & Safety Team. All references to Corporate Aims and Objectives, Organisational Structure etc. that apply to the Food Safety Service above also apply to Health and Safety and the staff involved.

### **1.0 Background to Local Authority Health & Safety Enforcement**

Local Authorities are required to make adequate arrangements for the enforcement of health and safety law. During 2013-14 the HSE delivered a new National Local Authority Enforcement Code to replace the Section 18 Standard that existed at that time. The Code sets out what is meant by 'adequate arrangements for enforcement' and concentrates on the following four objectives to assist LA's take a more consistent and proportionate approach to enforcement:

- Clarifying the roles and responsibilities of business, regulators and professional bodies to ensure shared understanding on the management of risk;
- Outlining the risk-based regulatory approach that LAs should adopt with reference to the Regulator's Compliance Code, HSE's Enforcement Policy Statement and the need to target relevant and effective interventions that focus on influencing behaviours and improving the management of risk;
- Setting out the need for the training and competence of LA regulators linked to the authorisation and use of HSWA powers; and
- Explaining the arrangements for collection and publication of LA data and peer review to give assurance on meeting the requirements of the Code.

In terms of service planning the following extract sets out the key issues which are followed by SSDC:

#### **Commitment**

Enforcing Authorities (EAs) shall make a clear statement, endorsed by senior management, on their commitment to improving health and safety outcomes. This service plan should be seen as that clear statement of commitment.

#### **Priorities and Planning**

Every EA shall set out its priorities and plan of interventions for the current year. These should take into account:

- HSE's priorities
- National & regional priorities, targets and plans
- Locally derived objectives
- Recent policy developments and guidance



## **2.0 H & S- Aims & Objectives**

### **2.1 Work Plans for Health & Safety**

SSDC works in partnership with the Health & Safety Executive (both as part of their strategy above and in response to local priorities) and with the other local authorities in Somerset through the Somerset Health, Safety and Food Liaison Group (SHSFG). These joint working arrangements are reflected in the work plans found in Appendix 2. The work plan for 2017-18 consists of work from three principal sources:

- (1) Work decided through the SHSFG as joint projects
- (2) Work decided by the SHSFG to be carried out by each individual authority
- (3) Local proactive and reactive work decided on by SSDC

All the above are determined in relation to national guidance and policy of which the following operational guidance is of key importance:

#### **LAC 67/2 (rev6) Setting Priorities and Targeting Interventions Targeting Interventions in South Somerset**

SSDC will now target health and safety interventions on higher-risk areas and on dealing with serious breaches of health and safety regulation.

In determining priorities we shall consider both the diversity of individual businesses and that work activities will have different levels of hazard and risk depending on the nature of the work undertaken. There are a range of work activities, where the level of risk is either inherently low and/or the duty holders manage the residual risk so well, that the risk profile of the business/sector does not warrant further proactive intervention.

Our inspectors will be able to deal reactively with matters of evident or potential major health and safety concern when visiting any premises which has been targeted for other purposes e.g. gas safety issues observed during a food safety inspection.

Where there is a significant risk gap or a duty holder does not manage significant risks well further proactive health & safety intervention may be necessary.

We shall plan and target health and safety interventions by considering the risks that we are trying to address and having regard to the range of interventions available, the risk profile of the business/sector, national information (accident statistics, national priorities, Primary/Lead Authority inspection plans) and local knowledge and priorities.

Inspection plans for businesses keen to adopt “earned recognition” within a Primary Authority (PA) scheme are an example of this co-regulatory approach whereby regulators take account of the businesses’ efforts to comply with regulations and adjust their enforcement plans accordingly. Where PA arrangements are in place we shall follow the agreed inspection plans where such plans exist.

In summary, we will target our health & safety interventions for premises using the most appropriate option from the full range of interventions available. LAC67/2 (rev6) outlines the national priorities for proactive and reactive interventions. This document will be refreshed annually by HSE to coincide with the LA planning cycle and LAs should use this alongside their local intelligence and local priorities to develop their intervention plans. In

setting and delivering our priorities our planned regulatory activity will focus on outcomes, using the flexibility of the Code to address local priorities alongside those national priorities set by the HSE.

## **2.2 Other influences on our work plans**

### **Smoke-free legislation**

This came into force in England in 2007 and was one of the most important pieces of new health-related legislation to be dealt with by the Food and Safety Team in recent years. Generally implementation of the legislation has been a great success with virtually full compliance by businesses across the district. There is still on-going work across the county to ensure that standards do not slip and to target hard to reach groups. SSDC is a member of the Somerset Smoke-Free Alliance and will continue to support work in this area.

### **Officer Development- Health & Safety**

With ever changing regulations a national scheme has been introduced to act as a framework to ensure officers have sufficient skills to deal with all enforcement work. This is known as the Regulators Development Needs Analysis scheme (RDNA), see <http://rdna-tool.bis.gov.uk/>, and enables officers to identify their own training needs. The RDNA tool also directs the user to appropriate on-line advice and guidance at the HSE's Guidance for Regulators Information Point, see [www.hse.gov.uk/grip/index2.htm](http://www.hse.gov.uk/grip/index2.htm), helping ensure they are sufficiently capable of dealing with all Health and Safety issues that they may come across. This is an on-going process that will help keep skills fully up to date.

### **The 'Primary Authority' scheme – Regulatory Delivery Directorate, BIS**

This is a national initiative aimed at securing more effective enforcement of larger organisations across a range of legislation including food safety, health & safety, trading standards and licensing. It is based on other existing schemes including Home Authority (food safety) and Lead Authority (health and safety). Primary Authority has a statutory basis and is operated by Regulatory Delivery, a unit of the Dept. for Business, Energy and Industrial Strategy, see <https://www.gov.uk/government/organisations/regulatory-delivery>.

Similar to previous comments, the Council will support the PA scheme by routinely accessing the scheme's secure IT system to determine whether businesses with whom we are dealing have a PA partnership with a health and safety focus. We will also fulfil our statutory obligations under the scheme by notifying a PA of enforcement action, either in advance, or, where permitted, retrospectively; and by complying with the requirements of any published inspection plan.

## **3.0 Health & Safety Premises Inspections**

### **3.1 Health & Safety Premises Profiles**

The actual number of occupied premises for which the council is the enforcing authority at 1<sup>st</sup> April 2017 is 3039. As of May 2017, there is no longer a requirement for LAs to report to HSE details of the risk rating of the premises that have been visited. Accordingly the process of maintaining our database with allocated risk ratings has now ceased.

## Business types – as per national Health & Safety Executive classifications

HSE Category	Number of Premises
1 H&S Retail Shops	751
2 H&S Wholesale Shops	142
3 H&S Offices	412
4 H&S Catering Services	602
5 H&S Hotels/Short Stay	89
6 H&S Residential Care	60
7 H&S Leisure etc	208
8 H&S Consumer Services	570
9 H&S Other Premises	205
<b>Total</b>	<b>3039</b>

The district's trading environment is gradually changing to reflect national trends. These changes include longer opening hours, transactions over the telephone and the internet.

### 3.2 The Health & Safety Work Plan 2017-18

The Health and Safety Work Plan 2017-18 can be found by following the link: <http://www.southsomerset.gov.uk/environment/environmental-health/environmental-health-report/>. A copy is also available from the Food and Safety Service upon request.

### 3.3 Health & Safety Work streams 2017-18

The following work streams will be dealt with as part of the on-going Health and Safety work programme this year:

- On-going management support of the Somerset Health, Safety and Food Group's Flexible Warranting Scheme.
- On-going maintenance of the business premises database.
- County-wide peer review programme.

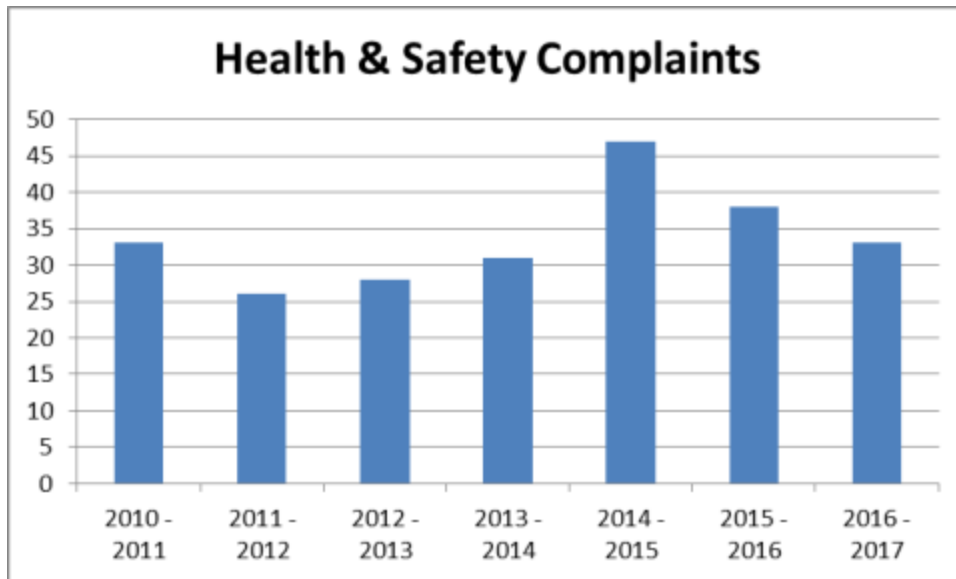
### 3.4 Health & Safety Complaints

The service has adopted the SHSFG's policy for a risk based approach to selecting H&S complaints. The policy provides direction on the selection of complaints for investigation on the basis of the health and safety risk they present. Low risk incidents may not now be investigated. A change to a risk based approach will better align with the Government's reforms and guidance on targeting interventions given in Local Authority Circular 67/2, reducing time spent on low risk or trivial issues where investigation does not result in an improvement to general health and safety.

To support the procedure guidance has also been developed in the form of a process decision-tree, along with additional poor performer descriptor information.

Based on previous years we can anticipate around 50 complaints during 2017-18.

### 3.5 Accident Notifications

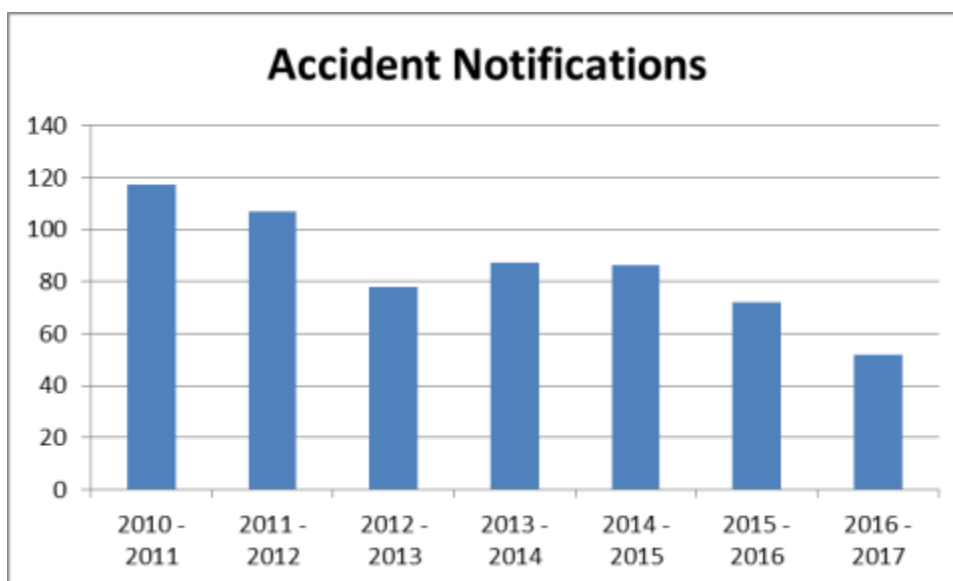


Employers are under an obligation to report specified types of accidents and dangerous occurrences plus some cases of occupational ill health. These are notified via the national RIDDOR reporting system. The RIDDOR system will be interrogated at least once per week for new notifications. It is acknowledged by HSE that it is not possible to investigate all incidents and that a systematic approach should be adopted to ensure the more serious receive appropriate attention. Incoming reports are assessed in accordance with the Incident Investigation Selection Criteria, which has been developed and adopted by the SHSFG. The criteria prioritises against 'mandatory' and discretionary' incidents. When deciding which incidents to investigate and the level of resource to be allocated to the investigation, account will be taken of:

- Severity and scale of potential harm or actual harm;
- Seriousness of any potential breach of the law;
- Duty holder's known past health and safety performance;
- Enforcement priorities, considered in relation to the Council's enforcement policy;
- Practicality of achieving results;
- Wider relevance of the event, including serious public concern;
- National guidance on targeting interventions (LAC 67/2).

Investigations may take the form of a site visit or follow-up intervention via phone, e-mail or letter.

Accident trends are not monitored at district level as the degree of under reporting by employers and the limited numbers mean the dataset is too small to draw valid conclusions. An eye will be maintained for those operations where similar incidents are identified as regularly occurring over a period of time, with appropriate follow-up taking place where such examples occur. It is anticipated that 80-100 accidents will be reported during year.



### **3.6 Advice to businesses – Health & Safety**

A similar policy to the above applies to the provision of health and safety advice to businesses and members of the public. There is no specific time limit that an officer will spend with a business but the same considerations are applied regarding the balance of our roles. Business support to help with compliance is also available in the form of the 'Safer Workplace, Better Business' guide for small businesses. This is available on the Council's website.

### **4.0 Review**

During the year the service targeted resource on a strategy to improve management of working at height in high risk sectors. This intervention derived from the national list published in the LAC 67/2 document and the key sectors included high volume warehousing where working at height would be undertaken. Steps taken in support of the intervention included updating the public website with advice and links to the HSE's work at height pages. Pro-active visits were made to 21 premises. A site questionnaire was completed at the time and a graduated approach to enforcement, in line with the Council's enforcement policy was taken. This commenced with the provision of advice to rectify non-compliance.

The swimming pool water testing programme was completed. This service is managed by the Environmental Monitoring Officer based within the Environmental Protection team. Test failures are reported back through to the area officer by the Environmental Monitoring Officer for follow-up action where required.

### **5.0 Partnership Working and Health Promotion**

Local Authorities share the responsibility for enforcing health & safety legislation with the Health & Safety Executive – the division of responsibilities is based mainly around the type of activity in which a business is involved. Nationally, there is a programme of ensuring increased liaison and consistency between LAs and HSE. Local authorities are expected to take part in joint approaches with HSE to tackle some of the national priority health and

safety topics. Partnership working is included in the SSDC programme of work for the year.

Local authorities are also expected to liaise with neighbouring local authorities, laboratories etc. to share in enforcement work, both to ensure that a consistent message is being delivered to businesses and to avoid duplication in the preparation of materials needed for projects. This will be done where appropriate through the Somerset Health and Safety and Food Liaison Group (SHSFG).

To aid such partnership working, a scheme known as 'Flexible Warranting' was introduced in 2012 as a collaboration between the five members of the SHSFG, with South Somerset taking the management lead. The scheme allows each authority to appoint and indemnify suitably qualified inspectors from each of the other group members' authorities, to undertake work within that authority's field of responsibility. The scheme will require review during 2017-18 as the 5 year authorisation cycle comes to an end.

## **6.0 Food & Safety Equality Assessment Impact Action Plan**

The Food & Safety Equality Impact Assessment Action Plan comprises part of the Environmental Health EIAAP and can be found in the EH Service plan available on the SSDC website [www.southsomerset.gov.uk](http://www.southsomerset.gov.uk)

### **Further sources of information on national guidance from HSE**

HSE's Enforcement Policy Statement  
<http://www.hse.gov.uk/enforce/index.htm>

HSE Enforcement Guide  
<http://www.hse.gov.uk/enforce/enforcementguide/index.htm>

Working With Victims: HSE Policy Statement  
<http://www.hse.gov.uk/enforce/victimspolicy.htm>

LA National Code  
<http://www.hse.gov.uk/lau/la-enforcement-code.htm>

HSE's Enforcement Website  
<http://www.hse.gov.uk/enforce/index.htm>

Code for Crown Prosecutors  
[http://www.cps.gov.uk/publications/code\\_for\\_crown\\_prosecutors/](http://www.cps.gov.uk/publications/code_for_crown_prosecutors/)

HSE Operational Procedures  
<http://www.hse.gov.uk/foi/internalops/og/ogprocedures/index.htm>

Sensible health and safety at work – The regulatory methods used in Great Britain  
<http://www.hse.gov.uk/aboutus/strategiesandplans/sensiblehealthandsafety.pdf>

BRDO Regulators Compliance Code  
<https://www.gov.uk/government/publications/regulators-code>



