

<b>Report To:</b>	<b>Education &amp; Communities Committee</b>	<b>Date:</b>	<b>12 June 2012</b>
<b>Report By:</b>	<b>Corporate Director Education, Communities &amp; Organisational Development</b>	<b>Report No:</b>	<b>EDUCOM/12/12/MM</b>
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<b>Subject:</b>	<b>Official Food and Feed Controls Service Plan 2012-13</b>		

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## **1.0 PURPOSE**

- 1.1 The purpose of this report is to advise the Committee of the Official Feed and Food Service Plan for 2012/13 and to report on the achievements of the service in 2011/12.

## **2.0 SUMMARY**

- 2.1 Councils are required under the Framework Agreement on Official Feed and Food Controls by Local Authorities to publish an annual Service Plan documenting how they will deliver the service.
- 2.1 Authorities were formerly required to seek Committee approval for the plan but in recent years there has been flexibility in this requirement as reports were often for noting rather than requiring any actual committee decision.
- 2.2 As there are significant challenges changes to the service plan from previous years arising from the need to implement the Food Standards Agency's cross contamination guidance it is appropriate to bring the plan for 2012/13 to the Committee's attention.
- 2.3 The implementation of the Food Law Enforcement Policy if approved by Committee involves a significantly different inspection programme to that carried out in 2011/12.

## **3.0 RECOMMENDATIONS**

- 3.1 It is recommended that the Committee
1. Approves the Official Food and Feed Service Plan for 2012/13
  2. Notes the delivery against the 2011/12 plan
  3. Receives an update in due course on both progress in implementing the FSA Guidance on Cross Contamination and performance against this service plan.

**Albert Henderson**  
**Corporate Director**  
**Education, Communities & Organisational Development**

## **4.0 BACKGROUND INFORMATION**

- 4.1 The Official Feed and Food Controls Service Plan is a requirement of the Framework Agreement on Official Feed and Food Controls by Local Authorities. The Framework Agreement sets out what the Food Standards Agency expects from local authorities in their delivery of official controls on feed and food law. In addition to covering service planning the Framework Agreement also sets out delivery requirements and the monitoring and audit arrangements.
- 4.2 The Food Standards Agency is the UK's Central Competent Authority for Feed and Food Controls; however the bulk of delivery of controls is carried out by local authorities. The Framework Agreement therefore provides a basis for monitoring and audit of local authorities' delivery of these controls by the FSA.
- 4.3 The Service Plan addresses various aspects of service delivery under a number of headings specified by the Food Standards Agency.
- 4.4 Key aspects of the plan include
- \* Service Aims and Objectives
  - \* Background
  - \* Service Delivery
  - \* Resources
  - \* Quality Assessment
  - \* Review
- 4.5 This report details some of these key aspects together with a review of performance against the 2011/12 plan.

## **5.0 THE 2012/13 SERVICE PLAN**

- 5.1 The 2012/13 Service Plan projects a total of 359 food hygiene inspections to be completed under the programme to introduce the cross-contamination guidance. This includes an estimate of revisits and enforcement visits which will require two officers. This programme is largely condensed into a nine month period, the first three months of the year having been taken up with a partial inspection programme and preparation for implementation.
- 5.2 As the estimated inspection numbers involve a significant degree of guesswork into the time involved in the complete inspection process it is intended that the three year plan will be reviewed in April 2013 to allow the ongoing programme to be informed by the first year's experience. This will be reported to Committee in the May/June cycle next year.

## **6.0 Performance Against The 2010/11 Service Plan**

- 6.1 The 2011/12 Service Plan projected a total of 392 programmed food hygiene inspections and 109 programmed food standards inspections. In total there were 406 inspections and audits for food hygiene and 172 for food standards.
- 6.2 The performance of the food service is measured by two KPIs which are reported to the FSA. The first of these is the percentage of premises "Broadly Compliant" with food law. In Inverclyde this was 86.4% in 2011/12, broadly comparable with 87.0% in 2010/11. It must be noted however that a strict interpretation of the new FSA guidance will probably lead to a significant drop in this figure in future.
- 6.3 The second KPI is the percentage of food hygiene interventions due at 1 April achieved. In 2010/11 this stood at 98.3%. The provisional figure for 2011/12 is 95.0% against a performance target of 95%. This target was chosen as the maximum achievable without a significant distortion of the

output of the team. Two Scottish authorities achieved 100% in 2010/11, however to achieve such a target requires all other work regardless of risk or importance to be secondary to its pursuit. It is worth noting that of 34 interventions not carried out in 2011/12, 33 were in the very lowest risk category.

## **7.0 IMPLICATIONS**

### 7.1 Finance

There are no financial implications arising from this report.

### 7.2 Personnel

There are no personnel implications arising from this report.

### 7.3 Legal

There are no legal implications arising from this report.

### 7.4 Equalities

none

## **8.0 Background Papers**

### 8.1 1. Official Food and Feed Controls Service Plan – Inverclyde 2012/13

## Inverclyde Council Official Feed and Food Controls Service

### 1. Service Aims and Objectives

<p>1.1 Aims and Objectives</p>	<p>The aims of the Inverclyde Council's Safer &amp; Inclusive Communities Service in relation to Food and Feed Control are</p> <ul style="list-style-type: none"><li>• To carry out a risk based inspection programme for higher risk premises and to introduce the FSA's cross contamination guidance to all affected food businesses over a three year period commencing in 2012/13.</li><li>• To work with local businesses in as open and transparent a manner as possible in order to help them where necessary, improve the safety of food and level of compliance with relevant legislation.</li><li>• To respond efficiently to complaints about food quality, food premises, food labelling or food composition, originating from premises or purchases made within Inverclyde.</li><li>• To play a full role in the West of Scotland Food Liaison Group and to co-operate in full with the Scottish Food Enforcement Liaison Committee, the Food Standards Agency Scotland and The Royal Environmental Health Institute of Scotland to improve consistency and best practice in the role of food enforcement among Scottish local authorities.</li><li>• To continue to provide advice and guidance on all food safety matters to the businesses of Inverclyde.</li><li>• To ensure the safety and compliance of feeding stuffs in Inverclyde in line with the Code of Practice to reduce the risk arising to animal and human health.</li></ul>
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<p>1.2 Links to corporate objectives and plans</p>	<p>In carrying out the above effectively the service will contribute to the following wellbeing outcomes for Inverclyde's Citizens from the Inverclyde Alliance's Single Outcome Agreement 2012-17</p> <p><b>Safe</b>            Protected from abuse, neglect or harm and supported when at risk. Enabled to understand and take responsibility for actions and choices. Having access to a safe environment to live and learn in.</p> <p><b>Healthy</b>        Achieve high standards of physical and mental health and equality of access to suitable health care and protection, while being supported and encouraged to make healthy and safe choices.</p>
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## 2. Background

<p>2.1 Profile of the Local Authority</p>	<p>Inverclyde covers an area of 61 square miles stretching along the south bank of the estuary of the River Clyde. Inverclyde is one of the smaller local authorities in Scotland. The main towns of Greenock, Port Glasgow and Gourock sit on the Firth of Clyde. The towns provide a marked contrast to the coastal settlements of Inverkip and Wemyss Bay, which lie to the south west of the area, and the villages of Kilmacolm and Quarrier's Village which are located further inland.</p> <p>Demographic trends have shown a marked decrease in population in recent years with the majority of those leaving being young. Overall this is likely to result in a far higher proportion of over 60s in the population in the future. Inverclyde also has substantial areas of deprivation.</p> <p>In the 2009 Scottish Index of Multiple Deprivation 17 (15.5%) of Inverclyde's 110 datazones were in the 5% most deprived datazones in Scotland. This is the second highest local share of any authority in Scotland with obvious effects on the general health and life expectancy in the area.</p>
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<p>2.2 Organisational Structure</p>	<p>A full Council Structure is attached as Appendix 1. Specifically however the food &amp; feed service is part of the Food &amp; Health Team with responsibilities as follows:</p> <div style="text-align: center;"> <div data-bbox="569 293 1715 367" style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">Corporate Director Education &amp; Communities – Albert Henderson</div> <div style="text-align: center;">↓</div> <div data-bbox="569 412 1715 485" style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">Head of Safer &amp; Inclusive Communities – John Arthur (Head of Food Service)</div> <div style="text-align: center;">↓</div> <div data-bbox="569 557 1715 630" style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">Health Protection Manager – Martin McNab (Lead Officer Food Safety &amp; Standards)</div> <div style="text-align: center;">↓</div> <div data-bbox="569 675 1715 748" style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">Food &amp; Health Team leader – Michael Lapsley</div> <div style="text-align: center;">↓</div> <div data-bbox="569 794 1715 867" style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">Roisin Dillon Senior TSO (Lead Officer Feed)</div> </div> <p>As can be seen from the above Safer &amp; Inclusive Communities is part of the Education &amp; Communities Directorate reporting to the Education &amp; Communities Committee.</p>
<p>2.3 Scope of the Feed and Food Service</p>	<p>The Food and Health Team within Safer Communities is responsible for delivering all aspects of Food Safety and Standards enforcement within Inverclyde. The team also has responsibility for Trading Standards (including Animal Feed), Port Health, Infectious Disease Control, Animal Health and Private Water Supplies.</p> <p>The Food &amp; Health Team consists of a Team Leader, two Environmental Health Officers (both also working with the Environment &amp; Safety Team), a Food Safety Officer, a Senior Trading Standards Officer and a Trading Standards Officer.</p> <p>With the exception of the Trading Standards staff all are involved in Food Safety and Standards enforcement. The TSOs are involved in feed enforcement. Two further EHOs from other teams in the service contribute to food enforcement.</p>

<p>2.4 Demands on the Feed and Food Service</p>	<p>Within Inverclyde at 1st April 2012 there were 677 food premises of various types and sizes over which it has enforcement responsibility.</p> <p>This includes 2 premises approved under product specific legislation giving each of these businesses a unique Approval Number. Both are involved in meat products production with one producing meat preparations.</p> <p>Of the 677 premises by classification on 1 April 2012 there are 3 primary producers, 16 manufacturers/packers, 8 distributors, 165 retailers, 164 restaurants &amp; caterers, 98 caring establishments, 14 hotels/guest-houses, 24 mobile food units, 83 pubs/clubs, 68 take-aways and 34 schools/colleges.</p> <p>The food service is delivered from 40 West Stewart Street in Greenock and operates during normal working hours Monday to Friday. In the event of a food related emergency senior members of Safer Communities' staff are contactable out of hours. Contact numbers are available to both the FSAS and Greater Glasgow &amp; Clyde Health Board.</p> <p>There are no significant additional external factors impacting on the service. The percentage of business owners whose first language is not English is no greater than average. The number of manufacturers is small and, although Greenock has a busy port, at present no food or feed is imported.</p> <p>Possibly the most significant factor which could affect the authority's ability to deliver its food and feed control programme is the relatively small size of the service. This means that a large outbreak or event could have a disproportionate effect on the service. There is an agreement between the authorities constituting the Strathclyde Emergency Co-ordinating Group (SECG) to provide mutual aid however which should mitigate the effects of any such event.</p>
<p>2.5 Regulation Policy</p>	<p>The Food Service currently operates in line with a Food Safety Enforcement Policy to ensure that compliance with food law is achieved in a proportionate, transparent and consistent manner. The Enforcement Policy has been revised to take into account the new enforcement powers available to the service (Remedial Action Notices) and the impact of the agreement between the Scottish Food Enforcement Liaison Committee (SFELC) and the Food Standards Agency Scotland (FSAS).</p>

### 3. Service Delivery

<p>3.1 Interventions at Food and Feeding stuffs establishments</p>	<p>Programmed Food Hygiene interventions for 2012-13:</p> <p>The agreement between SFELC and FSAS allows local authorities in Scotland to change their enforcement priorities and programmes for a period of three years to allow the FSA's Cross Contamination Guidance to be introduced. This means that the programme for 2012/13 differs significantly from that for 2012/13. Additionally there are a number of factors which cannot fully be quantified at this stage, for example the percentage of premises which will require revisit etc. A programme of inspection with estimated numbers has therefore been prepared for the next three years (2012/13 is treated for the purposes of this exercise as a nine month period as this programme will not be launched until approved by committee, for the first three months of 2012/13 a "normal" inspection programme will be in place).</p> <p>The three year programme is reproduced below. This programme will be amended for 2013/14 and 14/15 as some of the estimates can be improved based upon experience in year 1.</p> <p>The full reasons for the programme and which premises will be exempt from inspection for this period are detailed in Appendix 1 to the Council's Food Law Enforcement Policy.</p> <p>Food Standards</p> <p>For the period covered by the revised inspection plan it is assumed that food hygiene inspections will be very much focussed on cross contamination issues, with the exception of inspections of category A and B food premises where the guidance does not apply. In Inverclyde food standards inspections are frequently carried out in concert with food hygiene inspections. In order to remain consistent in respect of risk, any Category A and B food standards inspections will be carried out. Category C food standards inspections will not be carried out for the duration of this policy. Complaints and investigations will be carried out as normal however and any food standards issues which come to light which have particular importance in relation to risk to consumers, e.g. unlabelled allergens likely to provoke a serious adverse reaction, will be dealt with appropriately.</p>
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**The Proposed Inspection Programme**

	<i>June 2012 – Mar 2013</i>	<i>2013-14</i>	<i>2014-15</i>
<i>1. Programmed A&amp; B Inspections</i>	<i>130</i>	<i>180</i>	<i>150</i>
<i>2. Projected secondary visits(a)</i>	<i>91</i>	<i>28(year 1) 75</i>	<i>15(y2)45</i>
<i>3. Projected Enforcement Visits(b)</i>	<i>46</i>	<i>14(y1) 30</i>	<i>6(y2)14</i>
<i>4. High Risk C Visits</i>	<i>50</i>	<i>60</i>	
<i>5. Projected Secondary(c)</i>	<i>30</i>	<i>8(y1)45</i>	
<i>6. Projected Enforcement Visits (d)</i>	<i>12</i>	<i>3(y1)18</i>	
<i>7. Medium Risk C</i>		<i>30</i>	<i>45</i>
<i>8. Projected Secondary(e)</i>		<i>15</i>	<i>3(y2) 27</i>
<i>9. Projected Enforcement Visits(f)</i>		<i>5</i>	<i>1 (y2)8</i>
<i>10. Low Risk C</i>			<i>85</i>
<i>11. Projected Secondary (g)</i>			<i>34</i>
<i>12. Projected Enforcement (h)</i>			<i>10</i>
<i>Total Inspections</i>	<i>359</i>	<i>511</i>	<i>443</i>
<i>Total Officer Visits (Secondary &amp; Enforcement requiring 2)</i>	<i>538</i>	<i>752</i>	<i>606</i>

(a) Estimated at 90% of 1 in year 1, 50% in year 2, 30% in year 3

	<p>(b) Estimated at 50% of 2 in year 1, 40% in year 2, 30% in year 3</p> <p>(c) Estimated at 75% of 4</p> <p>(d) Estimated at 40% of 5</p> <p>(e) Estimated at 60% of 7</p> <p>(f) Estimated at 30% of 8</p> <p>(g) Estimated at 40% of 10</p> <p>(h) Estimated at 30% of 11</p>
<p>3.2 Feed and Food Complaints</p>	<p>The food service deals with a varying number and type of food complaints from both members of the public about locally purchased food and from other enforcement authorities regarding locally produced food.</p> <p>All complaints are handled in line with our documented policy and are thoroughly investigated. The majority of complaints do not result in formal action; however they may be referred to the procurator fiscal in accordance with the Enforcement Policy.</p> <p>Last year the service dealt with 65 complaints of which 42 related to the hygiene of food premises.</p>
<p>3.3 Home Authority Principle and Primary Authority Scheme</p>	<p>At present Inverclyde Council has formal Home Authority agreements with two businesses based in the area. Informal arrangements however exist with a number of other businesses and we would always seek to respond to all enforcing authority questions on food produced and labelled within Inverclyde in accordance with our enforcement policy.</p>

<p>3.4 Advice to Business</p>	<p>The food service is proactive in advising businesses in the course of normal contacts. It is also happy to visit sites of proposed businesses on request to advise on layout and structural finishes. The service operates an open door policy and is happy to advise on any food related matters including labelling.</p> <p>The initial focussed inspections for cross contamination will be largely based on advice to businesses.</p>
<p>3.5 Feed and Food Sampling</p>	<p>Inverclyde participates in sampling programmes instituted by a number of bodies, such as the West of Scotland Food Liaison Group.</p> <p>All of the analysis is carried out by Glasgow Scientific Services which is a NAMAS accredited laboratory.</p> <p>Inverclyde has a documented policy for sampling. An annual sampling programme is produced as part of the policy.</p> <p>The chemical samples included food samples, food complaints and radiation samples. Sampling is carried out to monitor food poisoning incidents, complaints, manufacturing processes and general hygiene trends. It is strongly based on locally produced foods.</p> <p>Although Inverclyde has a major port in the Greenock Ocean Terminal, at the time of writing there is no food imported to the UK through the port. Were this to change a significant amount of our sampling effort would be redirected to address this.</p> <p>In 2011/12 approx 82 food samples were taken for bacteriological quality and 171 for composition.</p> <p>Annual sampling for feed is carried out in accordance with a planned programme devised jointly by the authorities in the West of Scotland.</p>
<p>3.6 Control and Investigation of Outbreaks and Food Related Infectious Disease</p>	<p>The Food Section liaises with Greater Glasgow &amp; Clyde Health Board through the Consultant in Public Health Medicine in the investigation of food poisoning incidents within Inverclyde. A protocol is in place dealing with the investigation of isolates. In case of a major outbreak an outbreak control plan is in place.</p> <p>A major outbreak of food poisoning would inevitably have a long term impact on the day to day work of the section given the relatively low staff numbers. Mutual aid agreements with other authorities in</p>

	SECG should mitigate the effects of this.
3.7 Feed/Food Safety Incidents	Inverclyde is part of an electronic alert system operated by Food Standards Agency Scotland. Contact can be made with the Head of Service or Service Managers on a 24 hour basis. The Food Section is committed to fully implement the Code of Practice with regard to food safety incidents. Incoming Food Alerts are automatically cascaded to all members of the team.
3.8 Liaison with Other Organisations	<p>To ensure that enforcement action taken by Inverclyde's Food Section is consistent with those of neighbouring authorities, the Food Section is involved with the following organisations; the West of Scotland Food Liaison Group which represents 14 of Scotland's 32 authorities and includes representatives from Glasgow Scientific Services, through the liaison group with the Scottish Food Enforcement Liaison Committee (SFELC) and the Food Standards Agency.</p> <p>The Trading Standards section liaises with other authorities through participation in SCOTSS (Society of Chief Officers of Trading Standards in Scotland) and its appropriate sub-groups.</p> <p>There is close Liaison with Greater Glasgow &amp; Clyde Health Board and the other authorities in its area at the Public Health (Health Protection) Liaison Working Group. This group include representatives from Animal Health, SEPA, Scottish water and Health Protection Scotland.</p>
3.9 Feed and Food Safety and Standards promotional work, and other non-official controls interventions	The need to undertake enforcement of the cross-contamination guidance in 2012/13 means that there will be very little resource available for additional promotional work or non-official interventions. Obviously should there be a perceived need it will be considered on its merits within these constraints.

#### 4. Resources

4.1 Financial Allocation	<p>Staffing Costs for 2012/13 - £135,000 (including approx £7,000 for admin support)</p> <p>Travel &amp; Subsistence - £1,200 (estimated)</p> <p>IT – There was substantial investment in a new back office system in 2008/09 (approx £80,000 of which the food safety element would have been approx £25,000) subsequently Food &amp; Feed enforcement’s share of annual licence fees is estimated at £2,000 per annum.</p> <p>Sampling – Overall the Service spent approx £100,000 on sampling in 2011/12 of which approximately 50% or £50,000 was spent on food &amp; feed sampling. In 2012 approximately £35,000 is budgeted for sampling.</p> <p>Other costs including property costs, printing etc. estimated at £10,000.</p> <p>No growth is expected in 2012/13 beyond any incremental increase in salary costs so the estimated cost of the service in 2012/13 is approximately £183,000.</p>
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4.2 Staffing Allocation	<p>At the time of writing there are a total of 2.9 qualified FTEs working in the Food &amp; Feed. These are made up of a proportion of the working time of 8 staff in total. Of those 8, 4 are authorised at the highest level (to serve EPN/HEPN, RAN etc) and 3 at a medium level (service of IN/HIN etc). One is fully authorised as the lead officer for feed.</p> <p>A further 0.25 FTEs contribute to the service as support staff.</p>
4.3 Staff Development Plan	<p>All staff members attend external events for CPD as far as availability allows. Being a relatively small service, staff CPD in food &amp; feed enforcement can largely be gained through a combination of FSA low cost training events and internal staff development e.g. consistency exercises. Full records are kept of staff training and these are reviewed regularly to ensure that staff with a need to attend particular courses (e.g. FSA HACCP auditing etc.) are identified and given preference when places become available.</p>

## 5. Quality Assessment

5.1 Quality assessment and internal monitoring	<p>The Food Section currently has a system for monitoring the quality of food hygiene inspection. These are reviewed on a regular basis to take account of any changes in external factors, e.g. Code of Practice requirements, or internal factors, for example the forthcoming launch of FHIS.</p> <p>As a small authority, the use of a formal quality system is considered to require a disproportionate amount of officer time and expense to achieve any benefit.</p>
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## 6. Review

6.1 Review against the Service Plan	<p>It is our intention to review service delivery and report on performance to committee on the 2012/13 Service Plan either via the directorate plan or via a separate report.</p>
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<p>6.2 Identification of any Variation from the Service Plan</p>	<p>The Team Leader Food and Health will identify any variance from the plan and identify the reasons e.g. large food poisoning outbreak or national food crisis. It is expected that the enforcement of the FSA cross contamination guidance may lead to significant additional workload and hence variance from the plan.</p>
<p>6.3 Areas of Improvement</p>	<p>Where a review of the service plan highlights an area for improvement this will be incorporated in the plan for the following year.</p>