



Policy and Resources Committee – 23 March 2015

Food Law Enforcement Service Plan and Health and Safety Service Plans 2015/16.

Purpose of report

Food Law Enforcement Service Plan and a Health and Safety Service Plan are requirements of the Food Standards Agency and the Health and Safety Commission respectively. These plans are produced from the frameworks provided by these Agencies.

Attachment(s)

Appendix 1 - Food Safety and Health and Safety Service Plan 2015/16

1.0 Background

- 1.1 The Food Law Enforcement Plan and Health and Safety Service Plan are statutorily required and, whilst separate from the Environmental Services Service Plan, contributes towards its aims and objectives. The Service Plan is included at Appendix 1.
- 1.2 The Council's Constitution (Article 4.02) requires Council approval of the Food Law Enforcement Service Plan Service Plan.
- 1.3 The Health and Safety (Enforcing Authority) Regulations 1998 – Section 18 requirements place a duty on the Council to monitor and enforce the requirements of the Health & Safety at Work, etc Act, 1974 on premises identified under the above Regulations.

2.0 Statutory Plans

- 2.1 The Food Safety Service has a challenging year ahead to improve food safety and deal with the number of new and growing businesses. The health and safety service will focus on risk-based projects including workplace transport, workplace violence and slips, trips and falls. The key focus through these plans is to support business and provide a business friendly service.

3.0 Equality and Diversity Implications

- 3.1 There are no equality and diversity implications arising from the proposals.

4.0 Legal Implications

- 4.1 There are no legal implications arising from the proposals.

5.0 Risk Management

- 5.1 There are no identified risks arising from the proposals.

6.0 Financial Implications

- 6.1 There are no financial implications arising from the proposals.

7.0 Corporate Outcomes

- 7.1 The Corporate Outcomes affected by this policy are:
- Good Quality of Life

8.0 Recommendation

- 8.1 The Committee is recommended to resolve to recommend to Council that the Food Safety and the Health and Safety Service Plan 2015/16 be approved by Council.

(Reason: To ensure that the Council complies with its legal obligations in respect of food safety and health and safety)

Legal	Power: Food Safety Act 1990 and the Health and Safety at Work etc. Act 1974.				
	Other considerations:				
Background Papers:	Health and Safety Commission – “Section 18” guidance Food Safety Act Codes of Practice Food Standards Agency Framework Agreement				
Person Originating Report:	Julia Smith Health Protection Manager jsmith@east-northamptonshire.gov.uk 01832 742066				
Date: 20 February 2015					
CFO		MO		CX	

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East
Northamptonshire
Council

Appendix 1

Food Safety and Health and Safety Service Plan



2015/16

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CMT	
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Links to other documents

Document	Link
Environmental Services Service Plan 2015/16	

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Executive Summary

The food and health and safety functions play a vital role in ensuring the health of those that live, work and visit our district. We do this through ensuring safe food is produced, workplaces are safe and supporting businesses. We are key to ensuring regulation is supportive of growth and can help businesses in our district thrive.

We do this through a range of different interventions from advice, coaching and more rarely enforcement activity.

The plan explains the background to the food safety and health and safety regulatory services, identifies the scope of the service and resources that have been allocated to meet the services requirements.

The Council is committed to improving health and safety and food safety outcomes from the interventions that it undertakes. We target these interventions on those stakeholders and duty holders that can most influence the reduction of health and safety and food safety risk with an emphasis on stopping those who seek to take economic advantage from non compliance with legislation. At all times we will give priority to those activities giving rise to the most serious risk and where the risks are most poorly controlled.

We also seek to engage with a variety of partners in the public and private sector in order to deliver this plan.

Regulation is often perceived to be a barrier to business development and growth, the key focus is to breakdown both actual and perceived barriers and support business development. This includes utilising the contact we have with businesses to help support and signpost them to other support networks.

This document is approved by CMT and Councilors and as such demonstrates our commitment to improving health and safety and food safety outcomes.

1. Overview of Key Service Challenges in 2015/16

- 1.1 The aim is to ensure a risk-based, proportionate and targeted approach to regulatory inspection and enforcement, whilst supporting businesses.
- 1.2 This year will see a food safety focus on those poor performing premises that are not broadly compliant and those highlighted as a risk in our red, amber and green matrix system.
- 1.3 The team will continue to develop its food sampling programme and its successful environmental sampling initiative to highlight problem premises and focus on improving their food safety standards.
- 1.4 The team will continue to support businesses especially at start up and growth to encourage growth.
- 1.5 Northamptonshire Local Authorities have agreed a set of health and safety priorities that have been based on National and Regional data when establishing this years work plan.
- 1.6 We will be fully utilising the ATP machines as an educational tool to improve cleaning in food businesses.
- 1.7 Eat Out Eat Well is a new health eating award that will be rolled out across the district this year replacing the existing heartbeat award.
- 1.8 There will be a focus on slips, trips and falls particularly in the elderly to help reduce the need for acute care.
- 1.9 A tattoo hygiene rating scheme will be introduced with the aim of improving hygiene in tattoo parlours.
- 1.10 We will be supporting businesses through working with trading Standards to introduce new legislation for allergens in food.
- 1.11 The team will be exploring opportunities to develop a primary authority partnership this year through the BRDO scheme.
- 1.12 The Better Business Northamptonshire project will be a key focus this year and is aimed at breaking down both perceived and real barriers to business development. We will continue to develop our case studies and be instrumental in the County programme and effectively linking with NEP and the Growth Hub.

2 Background

- 2.1. East Northamptonshire is a large rural district in the East Midlands made up of six towns and 55 villages with a population of 86,900 (estimated).



- 2.2. It is served by major road networks such as the A14, which continues to impact on the district by increasing the number of food businesses, in particular manufacturers. We have also seen an increase in smaller businesses and existing businesses diversifying.
- 2.3. For food safety and health and safety services, Members will receive reports through the Policy and Resources Committee and the service may also be reviewed by the Scrutiny Committee.

2.4. The Health Protection Team is structured as follows:



2.5. **Food** - The service inspects and audits food premises, takes food samples, provides advice, provides training, undertakes food poisoning investigations and education to food businesses and the public. Complaints about food and food businesses are investigated as are individual cases and outbreaks of food poisoning.

Health and Safety - The service undertakes a range of interventions with local businesses, investigates accidents, investigates complaints and provides advice and education to businesses and employees.

We will target our interventions on organisations and stakeholders that can influence risk reduction.

2.6. The officers involved in the food safety and health and safety functions, also deliver infectious disease control, licensing, health promotion and advice for planning applications. This team is also responsible through Northamptonshire Safety and Resilience Partnership (NNSRP), for corporate health and safety, emergency planning and business continuity which is distinct from the health and safety enforcement which is contained within this plan.

3. Links to other Strategies, Plans and Programmes

3.1. This service plan should be read in conjunction with the Environmental Services Service Plan as this document is integral to service delivery.

3.2. This plan supports the corporate plan in the following areas:

Clean - through the correct disposal of food waste, and the control of odour from food businesses.

Healthy - diet and nutrition is central to any strategy to prevent deaths from heart disease, diabetes and cancer. Food is a key marker of social inclusion and as such this plan has the potential to impact on reducing health inequalities. Reducing incidences of food poisoning has a positive impact on the community's health. There are various health promotion initiatives aimed at improving the health of the workforce.

Prosperous - by providing low cost training, business start up packs, business coaching, leaflets and advice, the service assists the economy in complying with legislation and encourages the provision of healthier choices through the heartbeat award. In addition, it tackles businesses which are not investing to the same degree as those who are responsible and diligent.

By making sure that businesses are compliant with regulation in a way that is consistent and intelligent and which avoids unnecessary burdens, we contribute significantly to the conditions for sustainable economic growth.

The Better Business Northamptonshire Project will be a key focus this year and will be breaking down the barriers regulation poses to business start up and growth both actual and perceived.

Safe – through the inspection, initiatives and investigation of complaints and accidents to ensure the safety of workers and those affected by work activities.

Good value for money – providing an efficient and effective service and low cost training opportunities.

High quality service delivery – providing a quality service to both businesses and consumers to ensure the provision of safe food and a safe working environment within the community.

Effective partnership working – working with other local authorities, Northamptonshire County Council, Trading Standards, County Council, BRDO, NEP, Knowledge Hub, Chamber of Commerce, local businesses, HSE, FSA, Serve and consumers.

3.3. This plan complements the following corporate strategies:

- Corporate Plan
- Performance Management Framework
- Licensing Policy Statement
- Economic Growth Strategy

3.4. This plan complements the following Regional and National Strategies:

- Health and Wellbeing Strategy
- Public Health Outcomes
- Choosing Health

It also supports the priorities identified by the local fora for health and wellbeing.

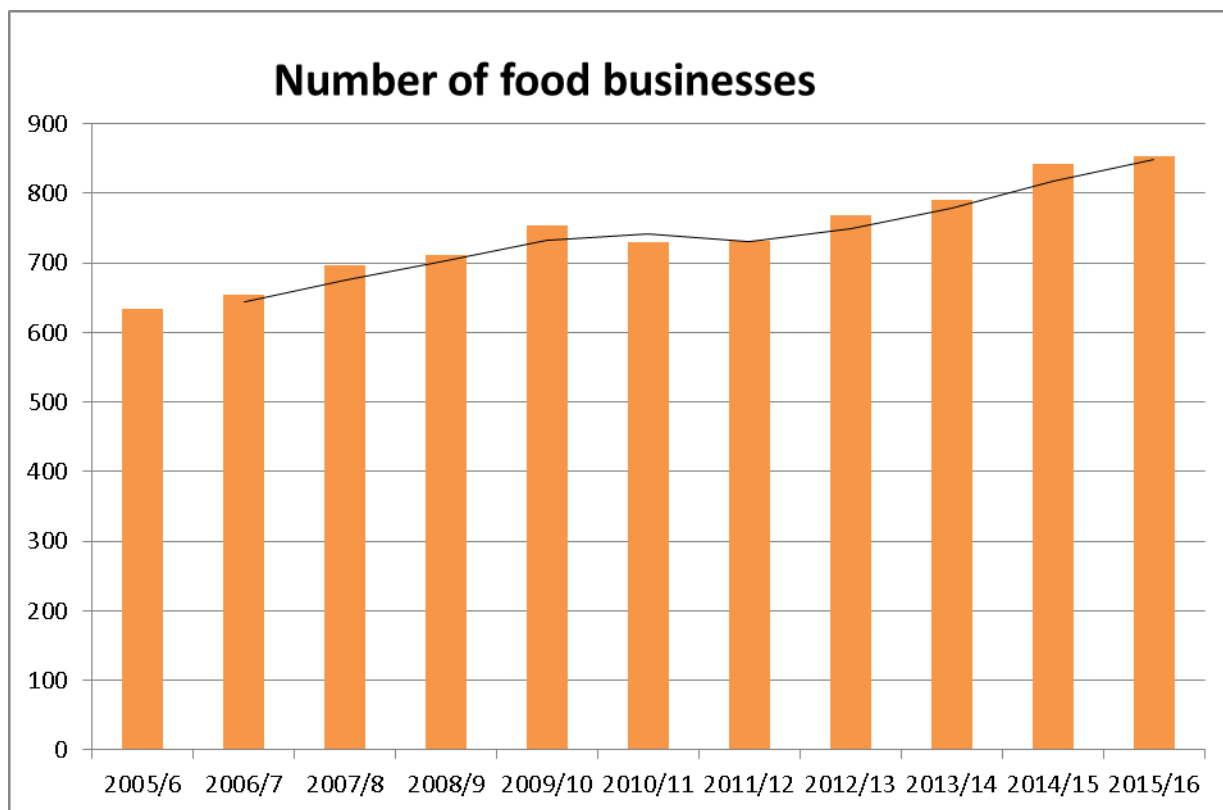
4.0 Service Specific Information - Food Safety

4.1 The team currently act as a Home Authority for Farrington Oils, Whitworths Limited and Tilleys Sweets Limited, we are actively trying to engage with the Primary Authority Partnership scheme.

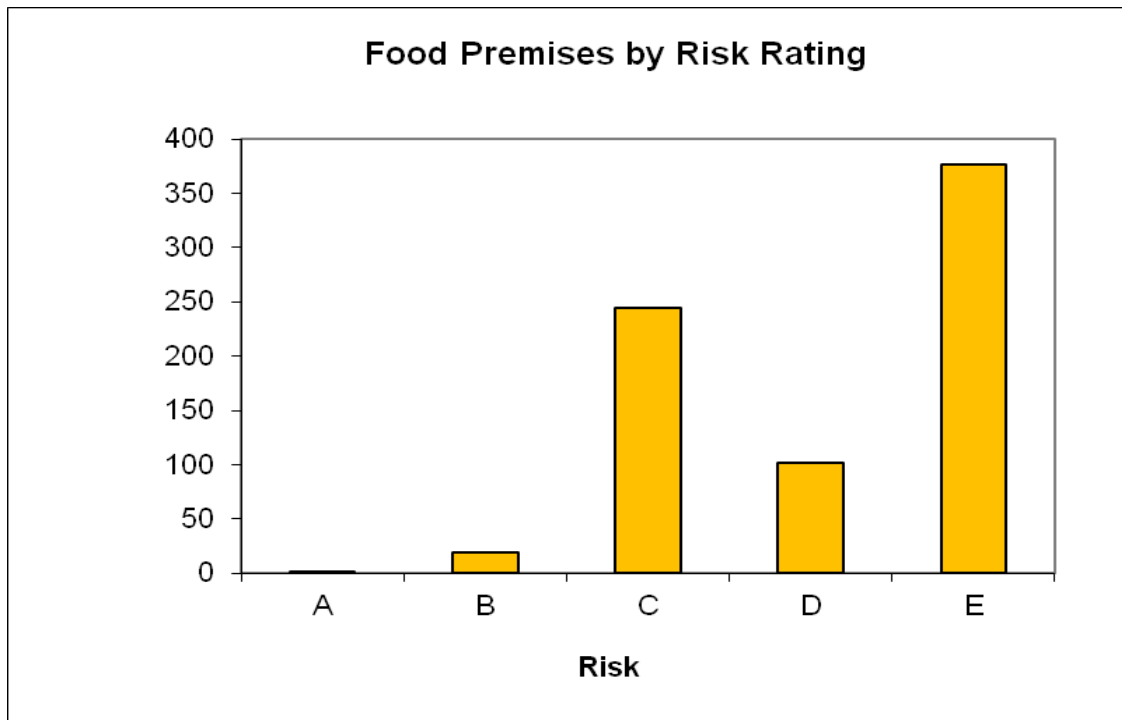
4.2 The current statistics for food businesses in East Northamptonshire are as follows:

The total number of premises for food inspection is 852 an overall increase of 9. However there have been 53 new businesses this year, and 44 have closed. Of our food businesses 92% are rated as broadly compliant. In addition there is 1 Approved Premises (Polebrook Farm).

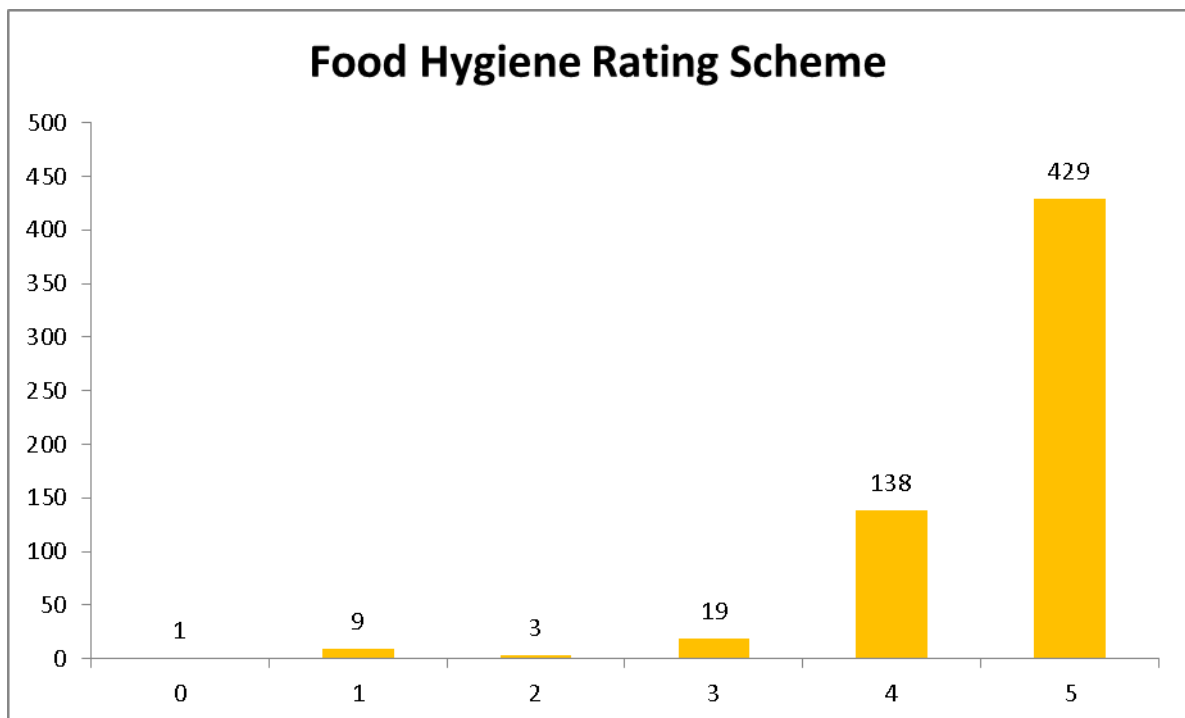
The graph below highlights the growing food business sector within East Northamptonshire over the last 10 years.



There are also other specialist premises in the district including a micro brewery, oil producer and a confectionary manufacturer. The following graph details the risk ratings for the premises within our district, A being highest risk and E being the lowest.



4.3 The food hygiene rating scheme gives each premises a numerical rating based on their food safety management systems, structure and confidence in management. The ratings range from 0 to 5, and are publicly available www.food.gov.uk/ratings. The following graph shows the ratings for our premises that are included within the scheme.



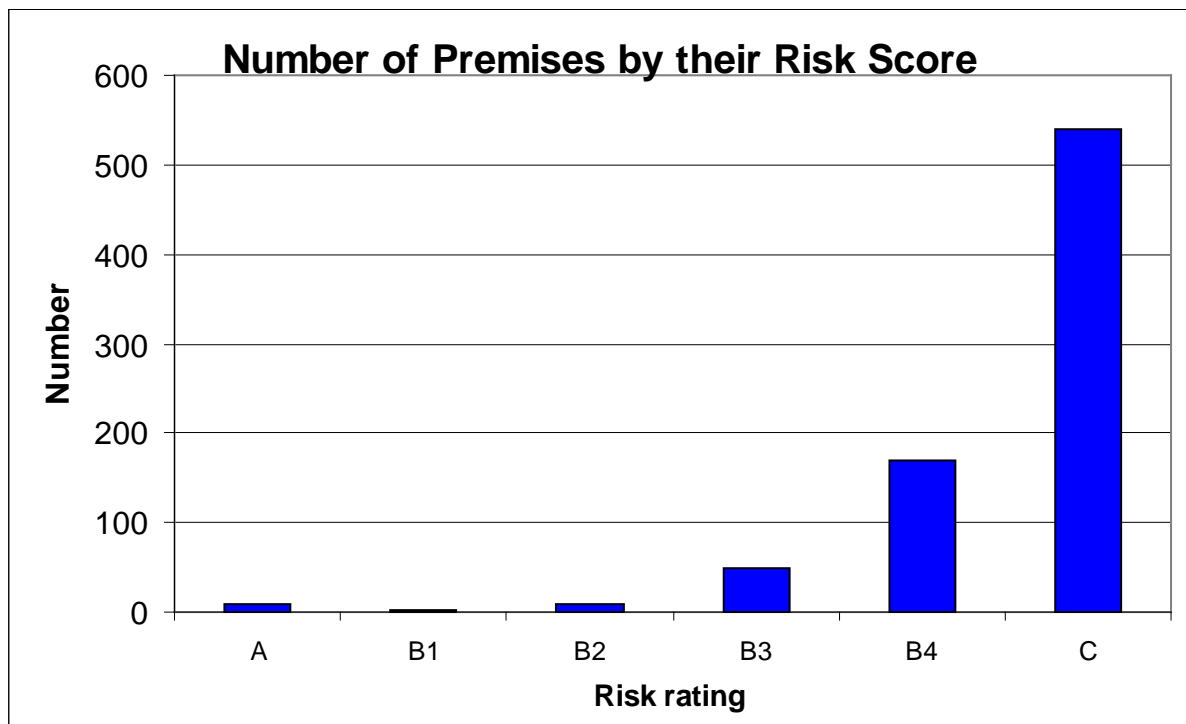
4.4 The service is delivered both in and out of normal office hours to ensure premises are inspected whilst they are operational. There is also a 24 hour call out system for emergencies at the weekends. It is the policy for food inspections, unless in

exceptional circumstances, to be carried out unannounced to allow the actual business operations to be observed.

- 4.5. The rural nature of the district accounts for the high percentage of caterers due to the majority of villages having public houses and the continual growth of the catering industry. Seasonal slaughterhouses can impact on the number of inspections carried out in a year as they have irregular operating periods, as do many premises that only open in the summer for short periods of time. These premises opening times do not always coincide with programmed inspection dates. Also for the efficient use of resources interventions in the remoter areas for lower priority premises may take place when other premises in the same area require an intervention.
- 4.6 Environmental Services has a general enforcement policy. All enforcement action will be taken in line with this policy. In addition to this there are comprehensive procedures available to ensure consistency of service.

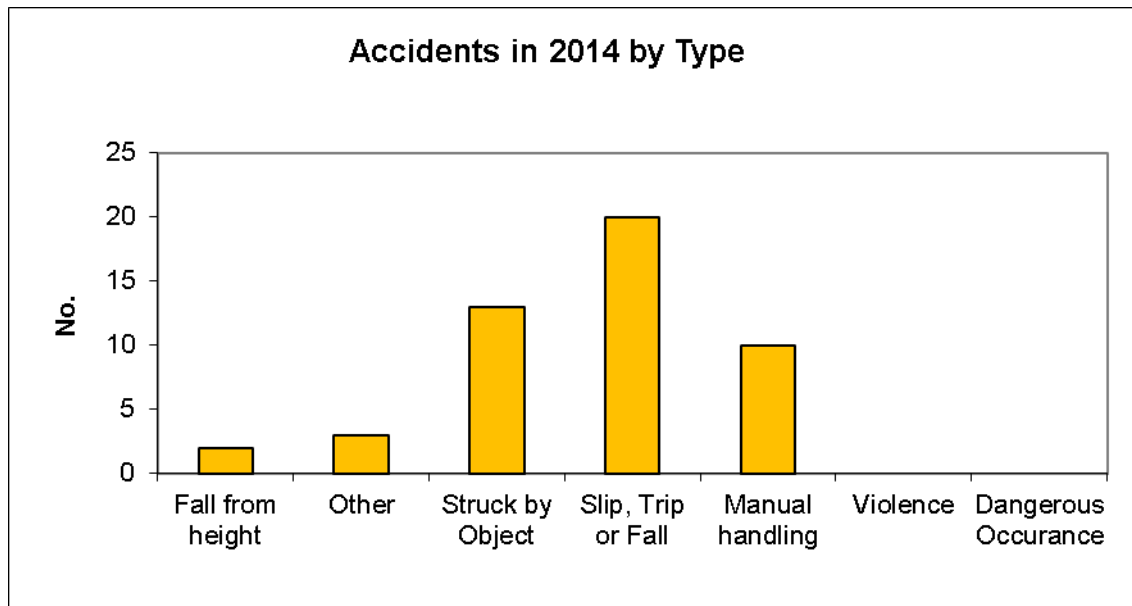
5.0 Service Specific Information - Health and Safety

- 5.1 The total number of businesses where health and safety is enforced by East Northamptonshire Council is currently around 1129. This is not an accurate figure as the statutory requirement to register with your local authority has been removed.
- 5.2 The graph below details the risk categories of the health and safety premises that the Health Protection team enforce, A being the highest risk and C being the lowest. These ratings will change category over the next year as a revised risk rating scheme is implemented. There are also a large number of unrated premises on the database.



- 5.3 The service is delivered both in and out of normal office hours to ensure premises are inspected whilst operational. There is also a 24 hour call out system at weekends for emergencies.

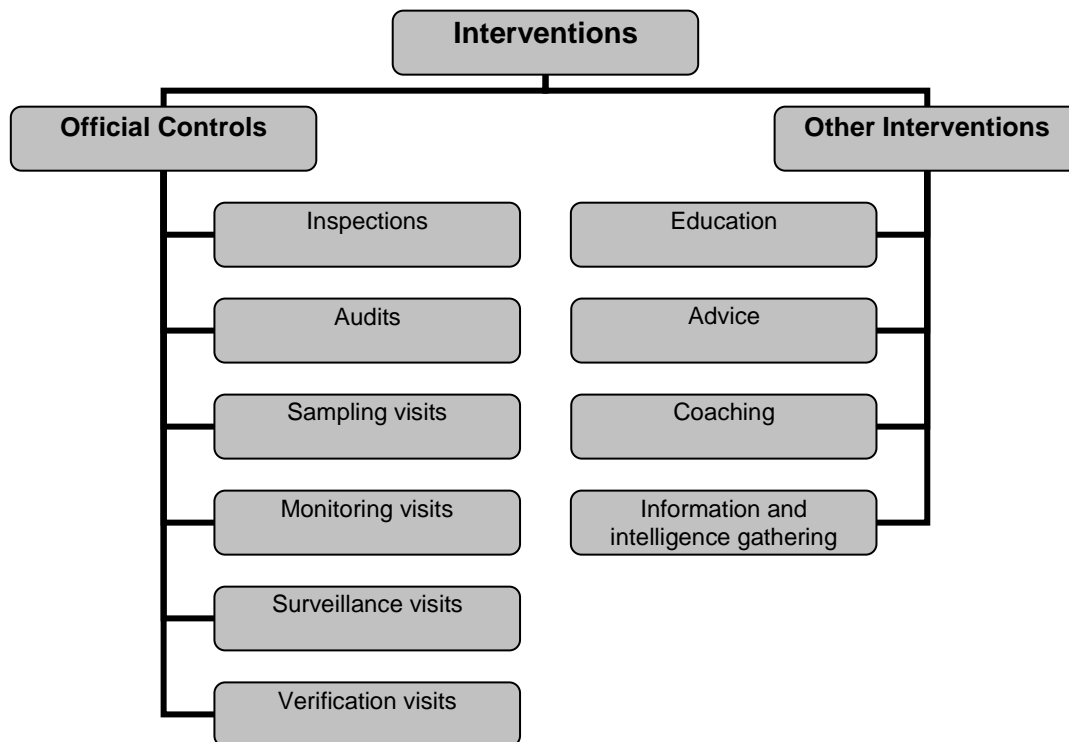
5.4 Accidents are investigated following an incident investigation criteria that is applied nationally. In general terms serious accidents would be investigated but more minor accidents are recorded and used as local intelligence on the safety performance of individual companies/duty holders. They also help to plan interventions for the most common types of accident. There has been an increase of 25% from 36 to 48 in terms of accidents. We need to identify the reasons why we have seen an increase and target our resources on problem premises and areas. This is proving difficult due to the direction to reduce proactive visits for health and safety.



5.5 Environmental Services has a general enforcement policy and a specific health and safety enforcement policy. All enforcement action will be taken in line with these policies.

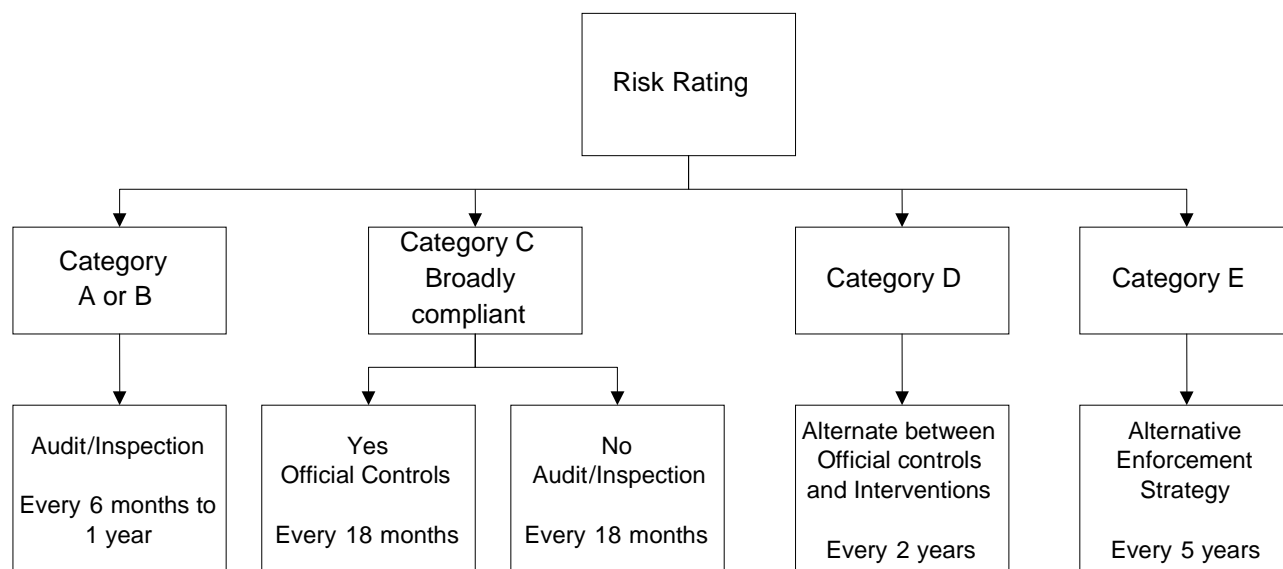
6.0 Service Delivery – Food Safety

6.1 For premises in the risk groups A-D there are a number of interventions that can be used. All of these interventions must take place on the premises concerned at the specified intervals.



For risk group E alternative strategies may be used such as surveys, and as such these do not require a visit to the premises.

6.2 Selection of Interventions- the diagram below illustrates the broad outline of the interventions that might be selected,



As a rural authority we strive to reduce the burden on businesses by carrying out other regulatory and improvement services for a business at the same time as the food safety service is delivered. This is in line with the “Hampton” principles of better regulation.

- 6.3. The following table shows the interventions that will need to be carried out in the year 2014/15. These figures include inspections outstanding from the previous year.

Risk Rating	Number of Interventions 12/13	Number of Interventions 13/14	Number of Interventions 14/15	Number Interventions 15/16	Number of revisits
A	4	4	2	0	4
B	21	19	19	18	12
C	162	165	164	170	60
D	150	111	102	44	15
E	35	42	72	83	0
Unallocated	69	93	45	44	3

The unallocated premises relate to some new premises that now require food registration as a result of legislative changes, such as childminders. Guidance will be produced nationally to detail the interventions required for these premises types.

We have had 53 new businesses start up this year which has affected our ability to undertake our routine inspections. If businesses continue to grow at this rate this may affect our ability to complete the above inspections. We do prioritise new businesses as they need support when setting up to ensure food safety compliance.

- 6.4. It is a target that 95% of the A-C interventions are completed. Interventions for the A, B, C and D categories have to be determined at the time of the previous visit to the business. These are as follows:-

A&B premises.

These premises will be inspected or audited, the exact intervention will be determined by the officer at the time of the visit.

Compliant C premises

Will receive either an audit or an inspection followed by programmed monitoring, surveillance or a verification intervention alternately.

Non compliant C premises

Alternate audit and inspection.

D Premises

They will receive focussed inspections or where it is appropriate a monitoring, surveillance or verification visit. These will alternate with advisory and education/coaching visits.

E Premises

In 2015/16 those due will receive a questionnaire to complete and return. Non returns will receive an advisory visit.

All premises will receive an advisory newsletter twice a year.

- 6.5. All new businesses will receive an advisory visit prior to starting their businesses to provide coaching on how to comply with food safety requirements with a focus on management systems. This appears to seriously affect how the businesses operate resulting in better hygiene and risk ratings. This is also an opportunity to signpost them to grants and support they can receive when starting a new business.
- 6.6. All food complaints are investigated. The authority receives approximately 20 complaints a year with respect to foodstuffs and food premises. In addition, 134 requests for advice are received from food businesses.
- 6.7. The Health Protection Team accepts home authority responsibility for all food businesses that have their head office in East Northamptonshire District. Currently this includes Whitworths, Tilley's Sweets and Farringtons. There is an operational procedure to deal with Home Authority enquiries. Approximately 15 home authority enquiries are expected to be received.
- 6.8. Advice and education for businesses, schools and individuals is provided on food safety. This is achieved through the provision of five Level 2 certificate food hygiene courses being run at the council offices, lectures and foundation food hygiene courses to schools/organisations and through direct requests from businesses. Requests from all sources are estimated to be 100.
- 6.9. The authority has a Sampling Policy and programme to which it adheres. The authority takes part in LGR, European, and Northamptonshire Food Liaison Groups sampling programmes. Sampling will also be targeted at local businesses identified in the district such as Home Authority premises and those where there are hygiene concerns. Sampling will take place prior to food inspections on a regular basis. This will result in approximately 120 samples being taken. All food samples are analysed by the Public Health Laboratory Service based in Birmingham; The Public Analyst, (Eurofins Scientific Laboratories) in London is used occasionally. The sampling plan will consist of both National and Locally identified sampling projects, at the time of writing the plan was not complete but will be included within this document.
- 6.10. Between the Health Protection Agency (HPA) and the Authority, there are formal arrangements in place to identify and investigate cases of food poisoning. All laboratory identified cases of food poisoning are sent directly to the authority for investigation. All incidents of food poisoning or alleged food poisoning are investigated with a view to tracing the source and preventing spread and reoccurrence. There was a significant increase in Food Poisoning last year which is thought to be due to foreign travel. It is estimated there will be 150 food poisoning cases and 3 potential outbreaks in the year 15/16.
- 6.11. The authority acts on all food alerts received in accordance with the food alert procedure and the FSA's Code of Practice. There is estimated to be approximately 40

food alerts in the year 15/16 although the number likely to require action will be fewer than 10.

- 6.12 The authority has local partnerships with the following organisations:
- The Northamptonshire Food Liaison Group
 - Northamptonshire Food Surveillance Group
 - Northamptonshire Trading Standards
 - Public Health England
 - Food Standards Agency (FSA)
 - Commission for Social Care Inspection
 - OFSTED.
 - ACRE
- 6.13 Through these groups, particularly the Northamptonshire Food Liaison Group, there have been regular joint inspections with Trading Standards and joint training exercises.
- 6.14 The Eat Out Eat Well award is a new health eating award that is being rolled out this year to replace the Heartbeat Award. It is hoped this will reinvigorate health eating in food business and allow us to target the takeaway establishments. We currently have 49 heartbeat award holders that we will transfer to the new scheme. We work in partnership with local schools to provide healthy food hygiene training as an extra curricular subject.
- 6.15. All relevant planning applications are considered by the team with respect to food safety. Advice on structures etc. is given to future businesses at this point. Copies of Licensing Act consultations are forwarded to the team.
- 6.16 The Health Protection Team carries out health promotion exercises covering food safety and nutritional promotion. This includes the provision of foundation food hygiene training and to undertake activities in National Food Safety Week.
- 6.17 It is estimated that 40 officer hours will be spent on health promotional activities in 15/16.

7. Service Delivery – Health and Safety

7.1. The following action plan details interventions that have been agreed on a County basis for the year 15/16.

Priorities	Time Period
Healthy workplace	All Year
Asbestos awareness	All Year
Slips, Trips and Falls in the Nursing and Residential Sector	All Year
Public Events	Summer Period
Workplace transport	All Year
Violence at Work	All Year
Tattoo Hygiene Rating Scheme	All Year
Better Business Northamptonshire	All Year

Healthy Workplace – The development of an initiative to support the health and wellbeing agenda within workplaces utilising our statutory contact.

Asbestos –The intention is to link with planning and building control to identify potential problem buildings and activities, to prevent exposure. More detail will follow on this project.

Slips and Trips- A specific project aimed at the elderly and reducing the need for them to access primary care. A seminar will be organised for homes and carers to identify good practice and shared learning, supported by NCC and public health.

Public Events - a continuation of the project to assist organisers of festival and large events deal with all of the public safety and nuisance issues prior to an event taking place.

Workplace Transport – A continuation of the workplace transport projects from previous years, but with a focus on cages and working at height following a series of near misses and issues identified in 14/15.

Violence at Work – This will be a new initiative supported by the Police relating to violence in the night time economy to those working in these sectors i.e takeaway staff, taxi drivers and those working in public houses.

Tattoo Hygiene Rating Scheme – This is the introduction of a new scheme aimed at improving hygiene in premises and giving consumers more information about hygiene when they are choosing where to have a tattoo.

Better Business Northamptonshire – This is a project aimed at reducing actual and perceived regulatory barriers to business growth and development.

- 7.2. These activities are co-ordinated at a County level. The time line has still to be produced detailing when each of the activities will be undertaken although these may vary slightly as the lead authorities carry out the detailed planning.
- 7.3 The Councils in Northamptonshire have determined co-ordinator leads and supports for each of these projects. The Health Protection Team will be leading on the Better Business Northamptonshire initiative.
- 7.4. The team will still inspect category A and B premises under the new risk rating scheme and other premises where it is felt necessary, this is in addition to the projects identified above.
- 7.5. Accident investigations are undertaken based on an assessment of the situation utilising the accident investigation criteria and 100% of complaints are investigated. The authority receives approximately 75 complaints and requests for advice with respect to health and safety issues and 48 accident reports.
- 7.6. Advice and education for businesses, schools and individuals is provided for health and safety on request. The Health Protection Team will produce a business newsletter bringing current health and safety matters to the attention of local businesses. The team has established links with Public Health, Health and Safety Executive and National Care Standards Commission to address health and safety issues.
- 7.7. The authority has local partnerships with the Northamptonshire Health and Safety Liaison Group, the Health and Safety Executive, CQC and OFSTED. We will also partner any other agency or organisation that will add value to our operational work
- 7.8. All relevant planning applications are considered by the team with respect to Health and Safety and advice is given to future businesses at this point, with the aim of designing out health and safety problems.
- 7.9 We will be linking with the health and wellbeing strategy and the priorities identified with respect to health workforces, which will include workplace accidents.

8. Resources

8.1. The current costings of the Food and Health and Safety Service are described below:

2015/16	Food Safety £	Health and Safety £
Support Costs	127,160	55,810
Salaries	96,280	65,580
Equipment	1,000	150
Sampling	100*	0
Health Promotion	1,300**	0
Training	7,800***	7,800***

*This figure does not include the allocation from the Public Health England

** £4,500 is recouped through the provision of Training.

***This figure is for the department and is dependent on identified need and statutory requirements.

8.2. At the time of writing there are 1.90 Full Time Equivalent (FTE) officers for the food safety function. The above calculations can be broken down into officers as detailed below:

Health Protection Manager (EHO)	0.25 FTE
Senior Environmental Health Officer	0.45 FTE
Environmental Health Officer	0.25 FTE
Environmental Health Officer	0.60 FTE
Environmental Health Officer	0.35 FTE

8.3. At the time of writing there are 1.5 Full Time Equivalent (FTE) officers for health and safety. The above calculations can be broken down into officers as detailed below:

Health Protection Manager (EHO)	0.25 FTE
Senior Environmental Health Officer	0.30 FTE
Environmental Health Officer	0.15 FTE
Environmental Health Officer	0.20 FTE
Environmental Health Officer	0.40 FTE
Health Protection Officer	0.20 FTE

8.4. Officer training needs are identified during the PDR process and a training programme is developed once this process is complete. It is Council policy to ensure that officers involved in enforcing food safety legislation receive a minimum of 10 hours continuing professional development training as required by Food Standards Agency Code of Practice and practice guidance. This will be provided through a combination of commercial courses provided by the FSA, Five plus 1, Northamptonshire Food Liaison Group and internal training courses. It is the policy of the Council to ensure that officers involved in enforcing health and safety are competent in accordance with section 18 of HSWA. During the year officers will be assessed against the RDNA competency

framework and this will be used as a tool to identify training needs against the performance plan.

9. Quality Assessment

A quality assessment of the service as measured by the businesses subject to regulation is carried out. This asks a statistically valid selection of businesses the question “Please indicate whether you agree or disagree..... that I felt the contact was helpful.... following your visit from Environmental Services “. The results of this are;

	Compliant Premises	Non Compliant Premises
Strongly agree	89%	85%
Agree	11%	15%
Neither Agree or Disagree	0%	0%

Compliant premises meet the regulatory standard, non-compliant do not.

10. Review

- 10.1 The food safety and health and safety function will continually monitor and review its performance against the food service plan and report serious deviations to the Policy and Resources Committee. The authority will annually review its performance and report against the Food Service Plan on the intranet after 1st April each year.

11. Outcomes and links to the corporate outcomes

11.1 The outcomes to be delivered by this strategy are:

- Compliance with the Food Standards Agency Framework agreement and Code of Practice
- Improved food safety in the District.
- Compliance with the Section 18 Guidance
- Improved Health and a reduction of workplace accidents in the District.

12. Glossary

CMT – Corporate Management Team
HSE – Health and Safety Executive
FSA – Food Standards Agency
RDNA – Regulators Development Needs Assessment
LGR – Local Government Regulation
HPA – Health Protection Agency
OFSTED - Office for Standards in Education, Children’s Services and Skills
ACRE – Association of
CQC – Care Quality Commission
PDR – Personal Development Review
HSWA - Health and Safety at Work Act