

**Brighton & Hove City Council**  
**Official Feed and Food Controls Service Plan 2010/2011**

**1. Service Aims and Objectives**

**1.1 Aims and Objectives**

1.1.1 Brighton & Hove City Council's food service function is enforced by Environmental Health & Licensing and Trading Standards. Both sections come within the Environment Directorate.

1.1.2 The Environmental Health & Licensing service is primarily concerned with protecting and improving public health and the environment across the City. Within this service, the Food Safety Team works to ensure the safety of food prepared and sold. This is achieved by carrying out a programme of interventions at food businesses, sampling and investigating complaints. In addition, the Team aims to respond promptly to requests for advice from both businesses and members of the public. Wherever practicable, links are formed with the business community and all relevant professional groups with the objective of increasing and promoting food safety awareness.

1.1.3 The overall objective of the service is to provide a comprehensive food safety service to consumers and the business community, with a considered balance between enforcement, investigation, advice and education.

1.1.4 The purpose of the Trading Standards service is to provide a comprehensive range of enforcement and advisory services to the community within a statutory framework. Its aim is to contribute, in conjunction with other agencies, to the development of a safe, fair and equitable trading environment for all consumers, by means of advice, information, education and enforcement.

In respect of food standards the aims are: -

- Accurate and informative labelling of food
- That compositional standards of food are maintained

The objectives being: -

- To carry out risk based and intelligence led activities
- To undertake screen testing and food sampling to reflect identified areas of concern.
- To respond appropriately to food complaints and initiate proportionate action.
- Respond to trader requests in a timely manner
- To educate the public on compositional and labelling issues to improve eating habits

## 1.2 Links to Corporate Objectives and Plans

1.2.1 The City Council's Corporate Plan for 2008-2011 has five priorities:

- *protect the environment while growing the economy;*
- *better use of public money;*
- *reduce inequality by increasing opportunity;*
- *fair enforcement of the law;*
- *open and effective leadership.*

1.2.2 The feed and food service has strong links in with these priorities. In particular the service objective to provide advice, education and enforce relevant standards in the food industry is key to protecting the environment while growing the local economy. The service recognises the impact of current economic conditions on all businesses. Wherever practical, assistance and guidance is offered to ensure feed and food businesses comply with legal requirements and do not pose an undue risk to public health or the environment.

1.2.3 The service reduces inequality by funding training and coaching to small and medium businesses that may otherwise struggle to comply with legal requirements. Where English is not the first language, interpretation and translation services are provided.

1.2.4 The Official Feed and Food Control Service Plan is part of the corporate annual planning and development process.

1.2.5 In line with the core priorities and central Government's better regulation agenda, the Environmental Health service has a published Enforcement Policy. This policy is a cornerstone for fair and open enforcement.

1.2.6 The service reports on two key national indicators:

### **NI 182 – Satisfaction of businesses with local authority regulation services.**

This indicator measures whether businesses think they have been treated fairly and helpfully by local authority regulators. The aim is to inspire local authorities to recognise the important contribution regulatory services make to local and national priorities, and encourage regulatory services to recognise their own role in supporting local business.

### **NI 184 – Food establishments in the area which are broadly compliant with food hygiene law.**

This indicator monitors the level of compliance of local businesses using information collected by the Food Standards Agency (FSA). The indicator uses information on business compliance standards for

structure, operational hygiene and management controls, and brings the data together within an overall 'broad compliance' measure. Measurement and performance against NI 184 is detailed in 3.1 and 6.2.1 of this plan.

1.2.7 The food service also has links with other National Indicators:

**NI 53 Prevalence of breastfeeding at 6 – 8 weeks from birth**

See 3.7.1 of this plan.

**NI 55 Obesity among primary school age children in Reception Year** See 3.7.1 & 3.8

**NI 56 Obesity among primary school age children in Year 6** See 3.7.1 & 3.8

**NI 120 All-age all cause mortality rate** – The whole service.

**NI 122 Mortality from all cancers at ages under 75** – See 3.7.1 & 3.8

**2. Background**

**2.1 Profile of the Local Authority**

2.1.1 Brighton & Hove is a unitary authority on the south coast of England. It is approximately 50 miles from London. Bounded by the English Channel to the south and the South Downs to the North, it covers an eight-mile stretch of seafront and extends inland for approximately five miles.

Key Statistics from the 2001 Census:

Resident Population	247,817
Number of households	114,479
Average household size	2.09
Area (hectares)	8,267
Density (residents/hectare)	30 per ha

**Ethnicity**

White	94.2%
Mixed	1.9%
Asian or Asian British	1.8%
Black or Black British	0.76%
Chinese	0.53%
Other	0.65%
Total non-white	5.8%

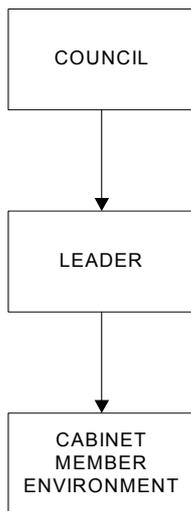
2.1.2 Figures from the Economic Impact Assessment Study for 2005 showed that eight million people visit Brighton & Hove each year. The value of tourism to the economy is estimated at £388 million per annum, supporting 13,000 jobs. The city boasts 4293 bedrooms, offering a bed

stock of approximately 10,000. There are a large variety of hotels, many food retailers, and over 400 restaurants serving cuisine from around the world. The VisitBrighton Visitor Survey 2007 identified that 70% of visitors put going to a restaurant or place to eat as one of the most popular activities to do in Brighton & Hove.

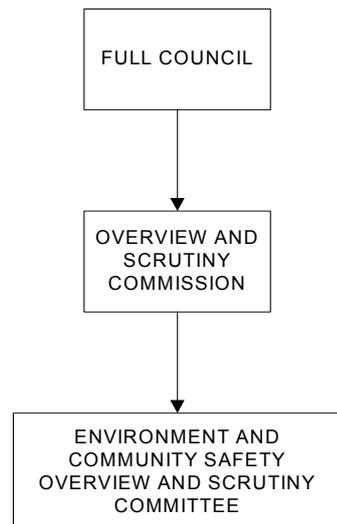
**2.2 Organisational Structure**

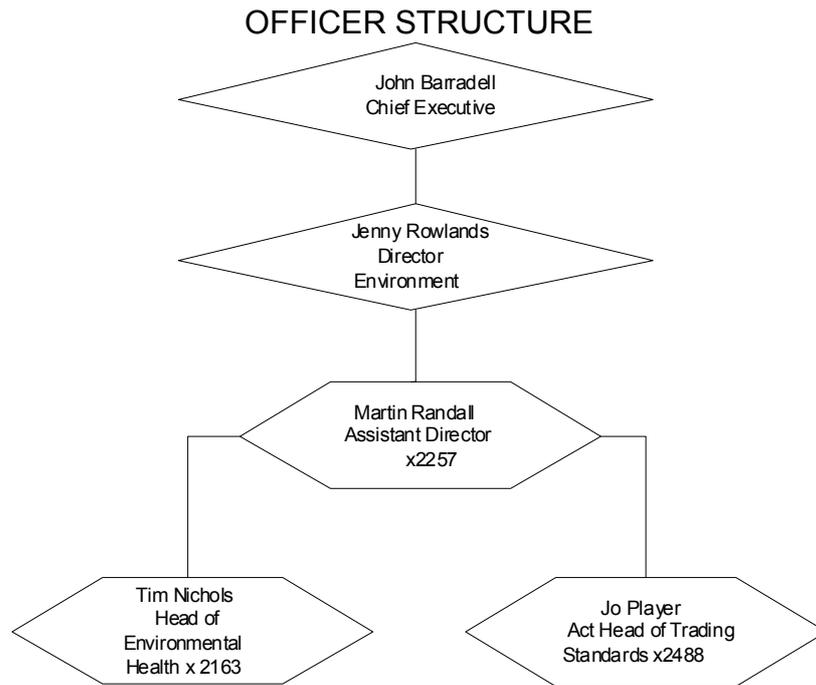
2.2.1 The Environmental Health & Licensing and Trading Standards sections come within the Environment Directorate. Brighton & Hove City Council has a cabinet style structure with the Environment Directorate under the responsibilities of the cabinet member for Environment. The service reports to the Environment and Community Safety Overview Scrutiny Committee. Relevant structures are detailed below.

**CABINET STRUCTURE**



**COMMITTEE STRUCTURE**





2.2.2 The Head of Trading Standards is responsible for the food standards function. In conjunction with the food officers an Inspection and sampling programme is established to ensure that specific targets are met or areas of concern are identified and/or addressed.

2.2.3 A formal arrangement is in place with the Health Protection Agency's Food Water & Environment laboratory based at the Ashford, Kent for the analysis of samples that require microbiological examination.

2.2.4 The Public Analyst contract was awarded to Worcestershire Scientific Services in May 2009 and will last for four years. The aim was to reduce duplication and costs and improve service delivery. £8,650 is currently allocated for Sample Analysis. The focus of the contract remains composition and labelling plus some chemical contamination.

2.2.5 The entomologist from a local natural history museum assists with insect identification.

### **2.3 Scope of the Feed and Food Service**

2.3.1 A specialist Food Safety Team within Environmental Health carries out the food safety function. The work of the team includes the following:-

- Inspecting food premises;
- The investigation of food safety complaints;

- Food poisoning investigations when linked to a premises;
- Investigating infectious disease notifications;
- Microbiological food sampling;
- Food safety training;
- Responding to requests for advice;
- Initiatives relating to working with the community and businesses;
- Taking appropriate steps to publicise and act upon national food alerts;
- Publicising the food hygiene standards of local businesses.

2.3.2 The food standards function is carried out by Trading Standards Officers in the Business Support Team. The work of the team includes the following: -

- Risk based enforcement activity
- Complaint investigation
- Food Analysis and investigation
- Service Requests from businesses
- Education programmes
- Reacting to Food Alerts

2.3.3 Food Standards work is undertaken in conjunction with work on other areas of Trading Standards law. For instance, a programmed food visit will also include giving advice about other matters such as prices, business names and weights and measures. In this way a comprehensive visit is undertaken so as to minimise any inconvenience caused to the general day-to-day running of the business.

2.3.4 Trading Standards are responsible for enforcing relevant legislation in respect of imported feedstuff, whilst Environmental Health & Licensing enforce relevant legislation controlling imported food of non-animal origin and products of animal origin.

## **2.4 Demands on the Feed and Food Service**

### **Food Safety**

2.4.1 As at January 2010 there are 3121 food businesses registered with the Council. These premises are broken down into the following profile:-

3	Primary Producer
39	Manufacturer/Processor
1	Importer/Exporter
35	Distributors/Transporters
642	Retailers
2398	Restaurants and other Caterers
3	Manufacturers mainly selling by retail
3121	TOTAL

2.4.2 Three food businesses are approved under Regulation (EC) 853/2004 for specific dairy, fish and meat products processing.

2.4.3 The nature of the City causes a considerable seasonal variation in the department's workload. Some businesses only open during spring, summer or school holidays so the intervention programme has to be tailored to meet these service needs. There is a dramatic increase in the number of visitors in the spring and summer and this increases the volume of requests for service, enquiries and other reactive work. Outdoor events such as music events, festivals, specialist markets, farmers' markets, open-air concerts and funfairs also add to the seasonality of the workload.

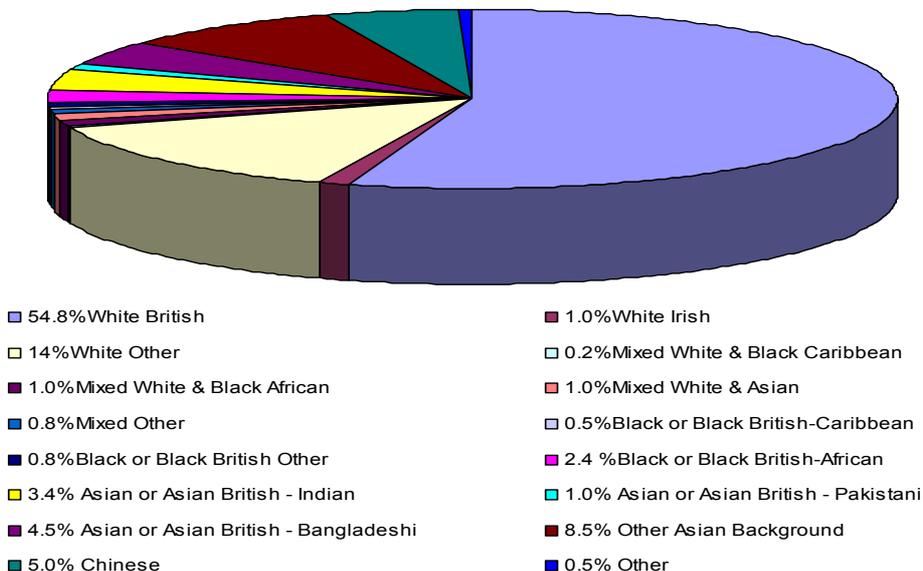
**Food Standards**

2.4.4 Premises data is captured on Uniform and therefore the premises profile is the same but as the risk assessment is based on the LACORS scheme the individual premises have a different inspection frequency for Food Standards. As of the 1<sup>st</sup> January 2010 2294 premises were considered to have an inspectable risk for Food Standards work. It has been noted that there is a high turnover of new premises requiring food standards advice.

**Access to services**

2.4.5 When businesses apply to register as a food business they are asked if they would like information in another language in addition to English. Of the 389 businesses who register in the year 2009/2010 85, 22%, said they would like information in other languages. See below for a breakdown of the ethnic origin of these businesses from returns received between April 2009 and January 2010.

**Ethnicity of Food Businesses Where Notified  
2009/2010**



- 2.4.6 In addition to having a number of key food safety advice leaflets in a variety of languages, the service has the capacity to have any leaflet, letter or other document translated as required. Wherever possible, opportunities are taken to provide information about services to ethnic communities. Food safety training courses have been staged in languages other than English including Bengali, Cantonese, Thai and Turkish which have proven to be successful and popular with traders. Where necessary, interpreters accompany officers on planned interventions. Where necessary, officers can access *thebigword* On-Call Language Service translation service by telephone when carrying out visits.
- 2.4.7 Service users are able to access the service by visiting either of the two City Direct Advice Centres situated in central Brighton, open between 9am and 4:30pm Monday to Friday and central Hove, opening hours 8:45am to 4:30pm on weekdays. Remote access to council services is facilitated through 'self-help' in 25 locations across the city including all the main council offices, libraries, leisure centres and some schools. General telephone calls are fielded via a Call Contact Centre on (01273) 292161. Advice can also be accessed via the council's web site, [brighton-hove.gov.uk](http://brighton-hove.gov.uk), or by email to [ehl.food@brighton-hove.gov.uk](mailto:ehl.food@brighton-hove.gov.uk).
- 2.4.8 Food Standards complaints are initially received by Consumer Direct South East. There is a referral protocol with them regarding food issues requiring enquiries to be sent to Trading Standards within 24 hours.
- 2.4.9 The Food Safety Team operates a Food Safety Hotline where businesses and consumers can obtain immediate advice from a food safety officer, during office hours. Senior food competent Environmental Health staff provide cover for an out of hours service to respond to food safety emergencies and incidents.
- 2.4.10 New food businesses registering with the service are provided with a detailed information pack and offered a one to one advice meeting to assist with compliance with food safety legislation.

## **2.5 Regulation Policy**

- 2.5.1 Brighton & Hove City Council has a Corporate Enforcement Policy in line with the national Compliance Code for Enforcers. This provides and overarching policy for all regulatory services provided by Brighton & Hove City Council. In addition the Environmental Health service has adopted a service Enforcement Policy in line with the national Compliance Code, Statutory Codes of Practice and relevant guidelines issued by Central Government departments and co-ordinating bodies. This policy is based on the seven 'Hampton Principles' of economic progress, risk assessment, advice and guidance, inspections and other

visits, information requirements, compliance and enforcement actions and accountability.

2.5.2 The activities of the services detailed in this plan will be affected by the requirements contained in the Regulatory and Sanctions Act 2008 that came into force in April 2009.

2.5.6 Any breaches of food law noted in businesses where Brighton & Hove City Council has an interest, either as proprietor or responsibility for structural repair, are brought to the attention of the Chief Executive without delay.

### **3 Service Delivery**

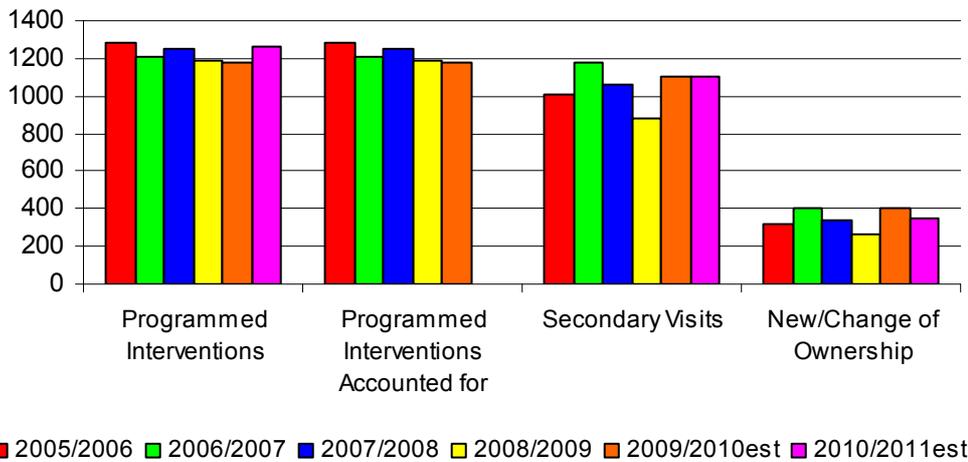
#### **3.1 Interventions at Food and Feedingstuffs Establishments**

##### **Food Safety**

3.1.1 This section details the planned risk based food safety intervention programme for 2010/2011. The level of achievement in food safety intervention based activity over the past four years is shown in the chart below along with estimates for completion of the current year and 2010/2011.

3.1.2 The revised Food Safety Code of Practice published in 2008 gave local authorities flexibility to introduce a mixture of interventions. Implementation of an intervention-based programme enables services to reduce the level of burden on compliant businesses and focus more resources on those with poorer standards. See detailed in 3.1.19 below the approach to be adopted by the food safety service for the year 2010/2011.

**Chart of Intervention-Based Activity 2005-2011**



See tables 3.1.1 and 3.1.3 for further details.

3.1.3 The service follows a risk-based approach when implementing the local food safety intervention programme. It aims to account for a minimum of 98% of businesses due for intervention in the year 2010/2011 in accordance with the Food Safety Code of Practice as detailed in 3.1.7 below. Table 3.1.1 gives details of performance against target since 2005 and estimates the number of planned interventions for the current year and 2010/2011. The target is set at 98 % to take account of possible service or operational problems such as a turnover of staff at the end of the year, emergencies or difficulties contacting seasonal or home caterers.

Year	05/06	06/07	07/08	08/09	09/10est	10/11est
Programmed Interventions	1283	1208	1255	1193	1173	1262
Accounted for	1282	1208	1248	1188	1173	
Target %	98 A-D	98 A-D	98 A-D	98 A-D	98 A-D	98 A-D
Achieved%	99.9 A-D	100 A-D	99.4 A-D	99.6		

Table 3.1.1 Achievement of Planned Food Safety Inspection/Intervention Programme 2005-11.

3.1.4 The Food Safety Code of Practice contains a mechanism for risk rating each businesses based on factors such as:- if open high risk-food is handled, prepared or cooked; size of the business; any high-risk operations are undertaken; number of customers; vulnerability of the customers to foodborne illness; standards of hygiene; condition of the structure and confidence in management. By scoring all of these factors, an overall risk rating of A to E is arrived at. Category A premises are the highest risk and E the lowest.

3.1.5 As category E premises tend to present a minimal risk due to the limited types of food they deal with and/or they cater for a limited number of people. In line with the Food Safety Code of Practice, an alternative enforcement strategy is used to maintain surveillance of the low-risk, category E premises. This strategy enabled the service to provide greater focus on higher risk category A to D premises.

3.1.6 The alternative surveillance of low-risk businesses follows a structured documented procedure. The strategy employs postal questionnaires, sample inspections to check the validity of the information gained and follow up inspections where either the information returned leads to the conclusion that an intervention is necessary or no information is returned. Table 3.1.2 below shows the number of premises dealt with by this alternative method since 2005.

Year	05/06	06/07	07/08	08/09	09/10 est	10/11 est
Number of premises	107	133	285	243	188	414

Table 3.1.2. Number of Premises dealt with under alternative strategy.

3.1.7 Planned food safety interventions programme for the year 2010/2011 as at January 2010 is:-

Risk Category of Premises	Number of Interventions Due
A	2
B	84
C	838
D	338
Total	1262
Low-risk premises to be dealt with Under alternative strategy	414

3.1.8 It is the intention of the service to account for a minimum of 98% of the 1262 high-risk (A–D) establishments due during the year as above. The three product-specific premises approved under Regulation (EC) 853/2004 will receive interventions within the risk rated programme as necessary.

3.1.9 The Food Safety Code of Practice encourages food enforcement services to provide greater focus on the outcomes of activities rather than the traditional approach of reporting on activity alone. From the year 2008/2009, local authority performance has been monitored by the FSA through the Local Authority Enforcement Monitoring System (LAEMS). The key performance indicator being:-

% of due interventions achieved x 0.3 + % broadly compliant premises x 0.7

3.1.10 In addition to achieving 98% of the intervention due the service will aim to achieve a target of 85% of premises broadly compliant (previously 90% see below). The overall target will therefore be:-  
 $(98\% \times 0.3) + (85\% \times 0.7) = 88.9\%$

3.1.11 As at January 2010 the level of broadly compliant businesses stood at 89% of all food businesses. In last year's service plan it was reported that 92% of food establishments were broadly compliant. The calculation of this did not include those new businesses that had registered but not been inspected. The Food Standards Agency has made it clear that such businesses must be included in this calculation as not broadly compliant. The reduction in the target and number of broadly compliant businesses is due to this recalculation.

3.1.12 **Secondary Interventions** - The main purpose of secondary interventions is to monitor food business that fail to comply with significant statutory food hygiene requirements, or where directly required by Regulation. Failure could include:-

- Failure to comply with a single requirement that compromises food safety, public health or prejudices consumers;

- Failure to comply with a number of requirements that, taken together, indicate ineffective management; or
- Service of a hygiene emergency prohibition notice or order.

3.1.13 When considering both the need for and timing of a secondary intervention, consideration is given to the seriousness of any failing, history of the business, confidence in management and the likely effectiveness of this action when compared to any other enforcement option.

3.1.14 Secondary interventions are categorised as those that are not primary interventions but include:-

- Additional interventions of establishments that are subject to product-specific food hygiene regulations;
- Sampling visits;
- Visits to check on the progress of measures required after a previous intervention;
- Visits to investigate food and food premises complaints;
- Visits to discuss implementation of Hazard Analysis of Critical Control Points based system;
- Visits involving training of food handlers;
- Inspections of premises to assess a licence.

3.1.15 **Interventions at New Businesses/Change of Ownership** - Where the service becomes aware that ownership of a food business has changed or a new business has commenced, it aims to undertake an intervention within 28 days of the business starting trading.

3.1.16 The purpose of the intervention is to establish the scope of the business, gather and record information, determine if food sampling or swabbing is necessary, identify food safety breaches, determine relevant enforcement action to be taken by the food service, communicate this to the business and evaluate risk rating score. Based on the last five years data, it is predicted that there will be 350 new businesses or changes of ownership in 2010/2011.

3.1.17 **Monitoring of Vacant Premises** - Where food premises fall vacant, arrangements are made to monitor activity at the premises. When new businesses open, it is important that support and guidance on food safety issues are given at an early stage.

Year	05/06	06/07	07/08	08/09	09/10est	10/11est
Secondary inspections	1013	1180	1060	855	1100	1100
New Premises or Change in Ownership	317	399	336	267	400	350

Table 3.1.3 Estimate of secondary inspections & new businesses inspections for 2010/2011 based on data since 2005.

3.1.18 The estimation of the number of staff required to carry out the programme of inspections plus other visits as estimated above is 8 full

time equivalents. Resources required to undertake secondary visits generated by complaints, enquiries or to undertake sampling are included in the appropriate part of this plan.

- 3.1.19 **Intervention Plan 2009/2010** - The Food Safety Code of Practice suggests a sliding scale of interventions, with the better performing businesses requiring a lesser level of intervention.
- 3.1.20 The practical use of interventions in the Brighton & Hove area is heavily influenced by the local 'Scores on the Doors' scheme. All high-risk food businesses operators scoring less than the maximum five stars must be given the opportunity to improve their score. Establishments may only be rescored if the intervention used is an audit, inspection or part audit/inspection. The service therefore plans to:-
- inspect all high-risk food premises scoring less than five stars;
  - carry out inspections or another official control ie audit, monitoring, surveillance, verification or sampling as appropriate of all other high-risk establishments;
  - carry out an either an official control or other control ie education, advice and coaching or information and intelligence gathering including sampling where the analysis is not carried out by an official laboratory at category D establishments;
  - Continue with Alternative Enforcement Strategy for category E establishments.
- 3.1.21 All official controls must include a visit to the food establishment, have appropriate accompanying documentation and a measurable outcome. The risk rating score of the business may be revised in the case of the first two interventions only.

### **Food Standards**

- 3.1.22 The LACORS system requires high-risk premises to be visited each year, medium risk every two years and low risk every five years. This means that 28 high risk, 321 medium risk and 324 low risk premises should be visited each year.
- 3.1.23 The target for 2009-10 was to visit 100% High and 50% of those medium risk premises liable to inspection. Similar targets will remain in place for 2010/11.
- 3.1.24 There is no commitment to visit low risk premises but in 2009-10, 611 low risk premises were visited as a result of project work, complaints and other routine inspections.
- 3.1.25 Approximately 5% of inspections require a follow-up visit. Officers do not work exclusively on the food function. Follow up visits will be made to all premises when a non-compliance is detected and formal action is contemplated.

- 3.1.26 Three part time posts make up the food team. All officers within the team work on a part time basis and their time is equivalent to 1.37 FTE. About 80% of their time is spent on the food function. A qualified food officer has also been appointed for 5 weeks during 2009/10 to ensure that medium risk inspections are undertaken and that new premises receive a visit.
- 3.1.27 **New Businesses** - All new businesses assessed and if appropriate will be inspected within 56 days of being identified. On registration an information pack containing advice on food standards, food safety and other relevant legislation will be supplied to the business offering a communication channel between the Local Authority and the business. The initial visit will be to establish the scope of the businesses activity, identify its compliance with food standards legislation and to determine the level of support required. An intervention programme will be designed to reflect the needs of the business and reviewed after one year. Inspections will then be programmed based on the LACORS risk assessment.
- 3.1.28 **High Risk Premises** - All premises will be assessed to determine the most appropriate intervention method for them. Premises with good management control, no history of contraventions or complaints will be advised that they will be the subject of a 'light touch' approach and will only be inspected if they change their product range or complaints are received.
- 3.1.29 **Poorer performing High Risk Premises** -These premises will be inspected every year but may be the subject of additional interventions depending on their compliance.
- 3.1.30 **Medium Risk Premises** - These premises will receive an intervention at two yearly intervals. These interventions will alternate between comprehensive inspections, and a mix of sampling visits, complaint visits or other monitoring or surveillance. At least 50% of the premises liable to an inspection will be subject to a comprehensive visit.
- 3.1.31 **Low Risk Premises** - A programme of interventions will be based on the intelligence received about the individual premises or where the business requests support/advice.

## **3.2 Feed and Food Complaints**

### **Food Safety**

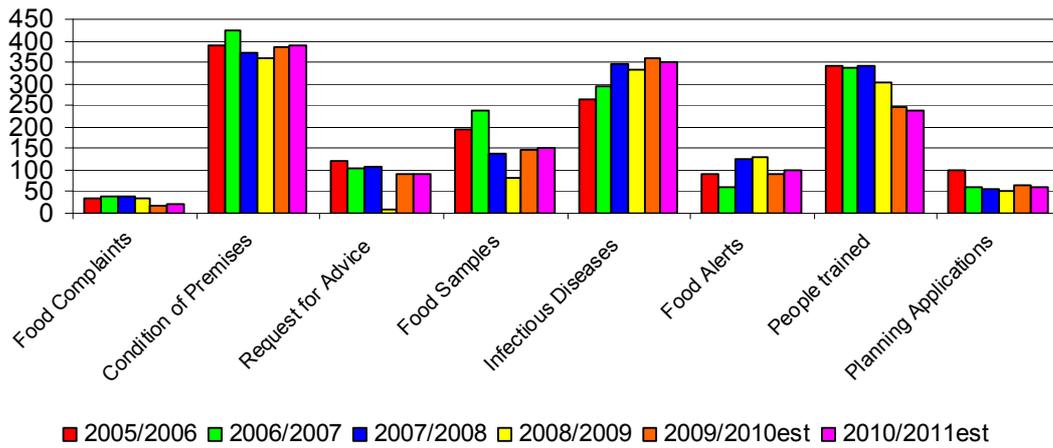
- 3.2.1 It is the policy of this Authority to respond promptly to all requests for advice from business. It is the target of the service to respond to 90% of planning application consultations within 10 days, and all other demand driven work within 5 days.

Year	05/06	06/07	07/08	08/09	09/10est	10/11est
Within target %	97	96.6	97	96.6	97.5	97

Table 3.2 Percentage of Demand Driven Work within Target

3.2.2 All food complaints received are investigated in accordance with the council’s Enforcement Policy and documented procedures. See below for a chart showing the pattern of demand driven work since April 2005 and estimates for the current year and 2010/2011. The source figures for this chart are contained in tables within the relevant part of the plan.

**Chart of Demand Driven Work 2005-2011**



See tables 3.2.1, 3.4.1, 3.4.3, 3.5.1, 3.6 and 3.8 for the source of data.

Year	05/06	06/07	07/08	08/09	09/10 est	10/11 est
Food Complaints	35	37	41	36	17	20
Condition of Premises	391	422	370	357	385	390

Table 3.2.1 Estimate of Number of complaints for current year and 2010/2011 based on data from 2005 onwards.

3.2.3 It is estimated that 1.5 Full Time Equivalent officers will be required to meet this level of complaints.

**Food Standards**

3.2.4 It is the policy of this Authority to respond promptly to all food complaints and to carry out enquiries in accordance with the complaints' procedure.

Level of Complaints:						
2003	2004	2005	2006	2007	2008	2009
79	64	170	183	253	295	279

**3.3 Home Authority Principle and Primary Authority Principle**

3.3.1 Brighton & Hove Council fully supports the LACORS Home Authority principle, and has entered into six formal and 22 informal arrangements

with businesses whose operational activity extends outside of the city. Currently there are no primary authority food businesses in the City.

**3.4 Advice to Businesses**

**Food Safety**

3.4.1 The service follows a policy of graduated enforcement in assisting businesses to comply with legal requirements. The key first step of this approach is to provide advice and information to businesses. Contact is made with new or potential businesses through the provision of new business information packs and via the development control planning process.

3.4.2 In addition to this, advice is given by an officer when carrying out interventions, making an officer available for one to one advice sessions and having a duty hotline service covering office opening hours.

3.4.3 Advice and information is also available through the council’s website.

<b>Year</b>	<b>05/06</b>	<b>06/07</b>	<b>07/08</b>	<b>08/09</b>	<b>09/10est</b>	<b>10/11 est</b>
No of Requests	121	105	108	80	90	90
Planning Applications	98	59	55	53	65	60

Table3.4.1 Showing number of requests received since 2005 and estimates for the current year and 2010/2011

3.4.4 It is estimated that 0.5 Full Time Equivalent Officer is required to meet this estimated demand.

3.4.5 The service is committed to good liaison arrangements with proprietors of food businesses, to encourage effective two-way communication and to provide information and training on legislation and good practice.

3.4.6 Local businesses were consulted on recent significant developments in policy such as the introduction of the ‘Scores on the Doors’ food hygiene rating scheme in 2007 and revision of the Environmental Health Enforcement Policy in 2009.

3.4.7 A Food & Safety newsletter is produced twice a year, which informs proprietors of new legislation, advice on good practice, and general items of interest. This is widely distributed throughout the city and sent out with intervention reports.

**Food Standards**

3.4.8 Requests by businesses for advice are recorded as Service Requests. There was a significant increase in the number of requests for advice in 2007 and this level has remained reasonably constant since then.

Level of Service Requests

2003	2004	2005	2006	2007	2008	2009
24	30	28	32	150	192	151

**3.5 Feed and Food Sampling**

**Food Safety**

3.5.1 The service participates in national sampling initiatives organised by LACoRS, countywide programmes co-ordinated by the Chartered Institute of Environmental Health (CIEH) Sussex Food Liaison Group, local Health Protection Agency (HPA) and those instigated by the FSA. The sampling programme includes food or food-contact surfaces at approved premises, food manufacturers, and manufacturers selling mainly by retail as well as caterers and retailers. Samples of food and swabs of food-contact surfaces are also taken as part of routine work and when investigating specific issues at food premises.

3.5.2 During 2009/2010, the service took part in national food sampling programmes:-

- Ready-to-Eat cooked meats and hygiene practices in butchers' shops, with a focus on *E.Coli*, from April 2009 to June 2010;
- Large scale events – preparatory work for Olympics 2012. As part of this project mobile food stalls associated with Pride 2009 were sampled;
- Pre-packed sandwiches from institutional settings focusing on *Listeria monocytogenes* October 2009 to March 2010.

3.5.3 In addition to these nationally agreed programmes, the service took part in three regional wide microbiological sampling programmes across Kent, Hampshire, Surrey and Sussex.

- Ice and ice machines in pubs;
- Rice, spices and cleaning cloths from takeaways and restaurants;
- Ready to Eat Pies and Pastries.

3.5.4 Where any unsatisfactory results were found corrective action was put in place to ensure the quality of food products.

3.5.5 The national topics set for 2010/2011 will be a repeat of the large events study carried out in 2009, hygiene practices in retail/catering premises and ready-to-eat foods focusing on *Listeria monocytogenes*.

3.5.6 The CIEH Sussex Food Liaison Group has yet to finalise countywide studies.

3.5.7 An Environmental Health Officer within the Food Safety Team is responsible for organising and co-ordinating food safety sampling: it is estimated 0.25 Full Time Equivalent officer will be required for this service.

## Agenda Item 12 Appendix A

Year	05/06	06/07	07/08	08/09	09/10est	10/11est
No. of samples	194	237	137	82	146	150

Table 3.4.3 Number of Food Safety Samples Submitted for Analysis 2005-2009 & estimate for the current year and 2010/2011.

3.5.8 Arrangements are in place with the local Health Protection Agency laboratory for the analysis of samples that require microbiological examination. The allotted cost for sampling for the financial year 2009/2010 was £11,429.

3.5.9 As at the end of January 2010, the allocation for the year 2010/2011 had not been confirmed.

### **Food standards**

3.5.10 Food Standards work is performed during a comprehensive inspection of the premises and generally linked to the metrology function. Officers currently undertake the food standards programme and deal with enquiries from consumers and businesses. The percentage of Officer time devoted to these functions has already been described earlier in this document. The food standards function equates to approximately 1.37 FTE.

3.5.11 A budget of £ 8,650 was allocated in 2009/10 to facilitate the contract with the appointed Public Analyst for the purposes of food analysis. A budget of £9,000 will be allocated in 2010/11. Sampling will be initiated to reflect perceived or identified problem areas but it is intended that we will be involved in at least one FSA led initiative, two regional projects, and two local projects in 2010/11. Sampling is undertaken in accordance with documented procedures and in accordance with the Codes of Conduct produced under the provisions of the Food Safety Act. Further funding is allocated for sample purchases.

### **Food Sampling Work undertaken in 2009/2010**

<u>MONTH</u>	PROJECT
April to August	FSA Imported Food Activity
December	Mince (LACORS)
July/August	Value Brand Nutritional properties (regional)
October	GM Oils in catering establishments (regional)
Year long	Spirits Sampling as a part of the inspection programme
Year long	Home Authority Sampling

3.5.12 The national initiative is fully funded and takes account of potential problems requiring further investigation. The cost for the regional and local projects will be set to allow for contingencies, such as, complaints and reacting to food hazard warnings.

**3.5.13 Control and Investigation of Outbreaks and Food-related Infectious Disease** - Specific infectious diseases are notifiable to the local authority. The department investigates these cases in an attempt to identify the cause of illness and any practical measures to control potential outbreaks. See below for the number of cases investigated from 2005 to 2009 and an estimate of the numbers expected for the current year and 2010/2011. Investigations of outbreaks must commence as soon as practical. In individual notifications, the investigation has to commence within 5 days. It is estimated that 0.5 FTE officer will be required to meet this level of complaints.

Year	05/06	06/07	07/08	08/09	09/10est	10/11est
No. of reports	264	294	344	333	360	350

Table 3.5.1 Estimate of Number of notifications for 2009/2010 & 2010/2011 based on data from 2005 onwards.

3.5.14 The number of notifications included in table 3.5.1 has been corrected to discount those illnesses not associated with food such as mumps, measles and hepatitis. Table 3.5.2 below shows the number of *Campylobacter* and *Salmonella* cases notified from 2005 onwards. The number of *Campylobacter* confirmed notifications are predicted to drop significantly for the year 2009/2010 based on cases reported to January 2010. The number of *Salmonella* cases reported are predicted to rise slightly for the same year from a low of 2008/2009. Due to the number of variables involved, it is unsure if these patterns will continue. The FSA has the reduction in incidents of these two food poisoning bacteria as a national core aim.

Year	05/06	06/07	07/08	08/09	09/10est	10/11est
Campylobacter	171	173	217	202	122	130
Salmonella	66	70	61	34	60	50

Table 3.5.2 Estimate of Number of specific notifications for 2009/2010 & 2010/2011

### 3.6 Feed/Food Safety Incidents

3.6.1 An out of hours emergency service is staffed by senior staff who are suitably authorised to carry out the full range of food safety functions including responding to emergency food safety incidents.

3.6.2 Information regarding national food safety alerts, such as product recalls from the FSA, are received during office hours via the national alert system.

3.6.3 The Environmental Health Manager (Food Safety) and senior staff within the food safety team are registered on the rapid alert system to receive food alerts through a text message scheme direct to their mobile phones. The information contained in the food incidents is distributed and acted on as deemed necessary.

<b>Year</b>	<b>05/06</b>	<b>06/07</b>	<b>07/08</b>	<b>08/09</b>	<b>09/10 est</b>	<b>10/11 est</b>
Food Alerts	92	60	127	130	90	100

Table 3.6 Estimate of Food Alerts for the current year and 2010/2011 based on data from 2005 onwards.

### **3.7 Liaison with Other Organisations**

#### **Food Safety**

3.7.1 There are a number of arrangements in place with other professions and local authorities to promote consistency: -

- The Environmental Health Manager (Food Safety) has been appointed Secretary for the Sussex Food Liaison Group for 2010/2011. This group identifies and develops common approaches to food safety legislation, best practice and food safety training needs across Sussex.
- An Environmental Health Officer in the Food Safety has been appointed Secretary of the Chartered Institute of Environmental Health's Sussex Food Study Group. This group discusses common food safety delivery problems and develops joint procedures and practices for food safety issues.
- The Food Safety Team has regular liaison meetings and agreed working arrangements with Educational Services and catering contract supervisors to ensure consistent enforcement within schools.
- The Health Development team within Environmental Health & Licensing develop initiatives such as increasing breastfeeding in restaurants.
- The service works with nutritional advisers for the PCT on the Healthy Choice Award initiative to promote healthy menu options in eateries. Since launching in 2008 11 gold level awards have been issued, 16 silver and 11 bronze. There are currently another 12 applications pending for assessment.
- Officers from Environmental Health & Licensing attend the District Control of Infection Committee co-ordinated by the Community Consultant in Disease Control that reviews procedures and agrees communicable disease outbreak and food poisoning control measures.
- The authority is a member of the Brighton & Hove Food Partnership. The partnership includes representatives from local business and community groups, community workers and members of the Sustainability Commission. The partnership raises awareness of food producers in supporting health, the economy and the environment increasing access to nutritious, safe, affordable food and providing a network for information exchange.
- A liaison arrangement is in place with Sussex Career Services and local schools to enable teachers and students from Brighton & Hove to come into the department and gain work experience.
- The service participates in a variety of Best Value benchmarking exercises in conjunction with other councils.

- During 2009/2010 the Environmental Health & Licensing service took part in the LACoRS/LBRO/CIEH national Regulatory Services Peer Challenge, see section 5.1.4 for further information.
- The service will be audited in May 2010 as part of the CIEH Sussex Inter Authority Audit.

This work is accounted for in the reactive work estimate of resources required.

**Food Standards**

3.7.2 We work closely with 18 other Trading Standards Services in the southeast that together make up Trading Standards South East (TSSE). Activities include liaison on all trading standards issues, coordinated activities, sampling and advice projects and sharing of information via the TSSE intranet.

3.7.3 Trading Standards liaise closely with Environmental Health colleagues regarding healthy eating issues and support the Food Partnership activity wherever possible.

**3.8 Feed and Food Safety and Standards Promotional Work, and Other Non-Official Controls Interventions**

3.8.1 The service organises a number of food hygiene training courses per year. The Food Safety Training Activity April 2009 to January 2010 and total numbers of people trained are given below.

3.8.2 Type of Course	Number of Delegates
CIEH Level1 Award in Food Safety in Catering Awareness	11
CIEH Level 2 Award in Food Safety in Catering	202
TOTAL	213

Year	2005/06	2006/07	2007/08	2008/09	2009/2010est	2010/2011est
No. Trained	341	337	340	301	245	240

**Table 3.8 Total Training Undertaken Since 2005**

3.8.3 Twelve Level 2 Awards in Food Safety in Catering courses have already been scheduled for 2009/10.

3.8.4 The service offers the new qualification CIEH Level 3 Award in Implementing Food Safety Management Procedures designed specifically to assist food businesses to comply with requirements introduced in 2006.

3.8.5 In addition to this training, the service has allocated funds to arrange training for the poorer performing and new businesses to help them comply with legal requirement to introduce a documented system of

food safety control measures. 44 businesses attended workshops and associated 1-2-1 training sessions mounted during 2009/2010. A similar level of support is planned for 2010/2011.

- 3.8.6 Officers of the Food Safety Team have given hygiene training sessions at a number of schools, and taken part in the week long 'Safety in Action' promotion event. The 2009/2010 project of advice sessions aimed at older people was Highly Commended in the Best Health & Well Being Initiative category at Brighton & Hove City Council's Excellence Awards 2009.
- 3.8.7 The service plans to take part in the 2010 Food Safety Week, 7<sup>th</sup> to 13<sup>th</sup> June. This theme being 'Cooking Thoroughly and Avoiding Cross Contamination'.
- 3.8.8 Two Food and Safety newsletters are produced per year. The newsletters carry articles and information for businesses and members of the public. A copy is posted on the web site and sent out with correspondence.
- 3.8.9 For the past five years the Food Safety team has been invited to have an information stand at the Chinese New Year celebration event at Hove Town Hall.

**4. Resources**

**4.1 Financial Allocation**

**Food Safety**

4.1.1 The 2010/2011 projected budget for the food safety service within Environmental Health & Licensing is detailed below. The staffing figures include a figure to cover the appropriate proportion of the Head of Environmental Health and administrative support and management time: -

	Food Safety	Infectious Disease
Staffing	£ 659,900	£ 52,780
Transport	13,330	1,110
Supplies and Services	<u>10,510</u>	<u>1,470</u>
Total	£ <u>683,740</u>	£ <u>55,360</u>

**Food Standards**

4.1.2 It is difficult to detail the time spent on the food standards function as it is carried out during a comprehensive inspection. Time monitoring is not currently used to apportion time to the food function. Cost of the food standards function in 2009/10 was as follows based on the

percentage of time officers spend on the food function outlined above and below:

Inspection, complaints and advice	
Staffing	
Man'ment/Support	£ 3200
Food Team	£30,680
Total	£ 33,880
Sampling	
Purchases	£500
Analysis	£8,650
Total	£9,150
Total	£43,030

The budget has not yet been set for 2010/11 but we envisage similar funding levels as this year.

## **4.2 Staffing Allocation**

### **Food Safety**

4.2.1 Establishment of the Food Safety Team for the year 2010/2011 is 11.8 full time equivalent field officers plus two full time equivalent administrative Technical Support Officers and management, broken down as follows:-

- 1 x Environmental Health Manager
- 2 x Senior Environmental Health Officers
- 5.8 x Environmental Health Officers
- 2 x Senior Technical Officers
- 1 x Technical Officer

4.2.2 Officers and external contractors have to comply with strict guidelines governing qualifications and competencies before they are permitted to undertake food safety duties. The Senior Technical Officers hold Higher Certificates in Food Premises Inspection and are able to inspect all risk categories of food businesses. All Environmental Health Officers are qualified to undertake inspections of all risk categories of food businesses.

4.2.3 Four officers within the other Environmental Health & Licensing teams retain competencies to undertake food safety inspections. All food competent officers must undergo a minimum of 10 hours food safety training per year to retain their authorisation to undertake food safety inspections. In addition to the competencies and qualifications required by the Food Safety Code of Practice, officers engaged in food safety inspections must have undergone additional 'Scores on the Doors' consistency training.

**Food Standards**

4.2.4 The Inspection and Sampling team is responsible for Food Standards Inspection. The proportion of time allocated to this function is estimated as follows

Support	0.05
Management	0.05
Food Staff	1.37
Total	1.47 FTE

**4.3 Staff Development Plan**

4.3.1 The Authority has a structured appraisal and development system. During staff appraisals, individual training needs and any gaps in competence are identified. The information is used to produce individual training and development plans for each officer for the coming year. Brighton & Hove City Council was awarded accreditation to Investors in People in early 2009.

4.3.2 The Food Safety Team also has team meetings every six weeks. Any training needs of the service as a whole are identified and discussed at these meetings.

4.3.3 Through this system, the service ensures that all food competent officers receive sufficient good quality focused food safety training to comply with relevant codes of practice and professional membership schemes.

4.3.4 The service currently has three staff undergoing part time of distance learning to become Environmental Health Officer and three working towards a Higher Certificates in Food Premises Inspection

**5.0 Quality Assessment**

**5.1 Quality Assessment and Internal Monitoring**

**Food Safety**

5.1.1 The service has a documented procedure relating to food safety duties. Internal audits are carried out to ensure compliance with these procedures. The service is accredited to ISO 9001 and externally audited by the British Standards Institute.

5.1.2 The service actively seeks the views of businesses by giving out post-inspection questionnaires to traders inspected. The most recent data available covers the first six months of 2008/2009. 65 businesses returned the questionnaires. The key findings of these returns were:-

- 92.3% of respondents were either very satisfied or satisfied that Brighton & Hove City Council had done all that it could to help deal with their premises inspection.
- 100% of respondents understood the purpose of the visit to their premises.
- 96.9% found the information given to them by the visiting officer easy or very easy to understand.

Similar high levels of satisfaction were recorded from questionnaires returned in the previous five years.

5.1.3 Information from these returns are also incorporated in Brighton & Hove City Council's return in respect of national performance indicator NI 182 'Satisfaction of Businesses with Local Authority Regulatory Services'.

5.1.4 The Environmental Health & Licensing department volunteered to take part in the national Regulatory Services Peer Challenge during 2009. The report produced by the external Peer Challengers congratulated the service for its excellent delivery of core services and its dedicated, committed and ambitious staff. The challengers added that *'we feel confident that the service will be successful in maintaining the momentum provided by the peer challenge process in improving what is already a very good service'*. The resulting Improvement Plan identified seven areas for improvement that the Management Team were already working on and three areas of best practice that have been submitted to LACoRS for inclusion on a national database.

### **Food Standards**

5.1.5 We aim to continually improve the level of service provided. Procedures are implemented and reviewed where necessary to incorporate identified improvements.

## **6. Review**

### **6.1 Review Against the Service Plan.**

#### **Food Safety**

6.1.1 In addition to the quality checks detailed in 5.1, performance is reviewed against the service plan by comparing the number of interventions achieved against the number programmed. Monthly statistical reports are produced so that performance can be closely monitored and managed through the year. Any problems are promptly identified and resolved through management reviews, team meetings and monthly one to one's between field staff and their line manager.

- 6.1.2 Official Feed and Food Controls Service Plans are produced and reviewed on an annual basis by management review, consideration by the Environment and Community Safety Overview and Scrutiny Committee and Full Council.
- 6.1.3 In the year 2008/2009 99.6% of the due food safety interventions were accounted for. This included interventions carried out and businesses that ceased trading before they could receive their planned intervention. In addition, 267 interventions were undertaken of new businesses or premises that had changed ownership. The 2009/2010 service plan predicted that a total of 1176 food safety interventions would take place in this year. To the end of December 2010, 285 inspections of new businesses were undertaken and the service is on target to achieve the goal of carrying out interventions in at least 98% of the businesses due.
- 6.1.4 From April 2009 to the end of January 2010 the Food Safety team served two Hygiene Emergency Prohibition Notices, 30 Hygiene Improvement Notices, accepted two voluntary closures of establishments, undertook four successful prosecutions and two simple cautions. The prosecutions attracted total fines of £ 10,150 and costs of £ 9,112. One owner was prohibited from managing a food business
- 6.1.5 Charts in section 3 give a detailed break down of service activity from April 2005 to March 2009 and an estimation of the activity for the remainder of the current and coming year.
- 6.1.6 The two areas for improvement identified in the 2009/2010 plan, to draft a departmental Enforcement Policy and take part in the national Regulatory Services Peer Challenge were completed during 2009.

**Food Standards**

- 6.1.7 Service reviews are carried out on a quarterly basis to check that our inspection programme is on target and to ensure that projects are being completed in the agreed timescale.
- 6.1.8 The Service Reviews indicate that we are on target to achieve our interventions programme. We undertook an additional LACORS project on mince in December.
- 6.1.9 During staff 1:1's, each officer's performance is monitored, to identify good performance and any areas of improvement.

Complaints are responded to within the stated timescales.

## 6.2 Identification of Any Variation from the Service Plan

### Food Safety

6.2.1 As at the end of December 2008, 92.4% of the food establishments in the city were graded 'broadly compliant' or better with food hygiene law, see 1.2.6 of this plan for further guidance on this outcome measure, NI 184 and 3.1 for further details. Since the production of the 2009/2010 Service Plan the Food Standards Agency has clarified that those establishments registered but not yet inspected must be counted as 'not broadly compliant. Consequently the level of 'broadly compliant' food businesses has fallen to 88.9%. To take account of this the aim of 90% of food business being broadly compliant has been lowered to 85%.

### Food Standards

6.2.2 There was no significant variation from the plan except that one project was not completed.

## 6.3 Areas of Improvement

### Food Safety

6.3.1 In addition to the programme of work detailed in this plan the service currently has a number of improvements it wishes to implement through 2010/2011:

- Stage local Curry Chef and Oriental Chef of the year competition to build on the good working relations with ethnic food businesses and enhance the standing of small local businesses with the public;
- Incorporate the areas of improvement identified during the Peer Challenge process;
- Ensure that good practice identified in the recently published Food Standards agency guidance document 'Making Every Inspection Count' is incorporated into service delivery; and
- Ensure that the relevant recommendations of the Pennington report following the *E.Coli* food poisoning outbreak in South Wales acted on.

### Food Standards

6.3.2 Advancements have been made in the delivery of food law enforcement. There are many examples of joined up working and cooperation where coordinated sampling programmes and officer training feature highly. However there are still areas for improvement. They are as follows:

- Improved use of the Environmental Health newsletter to provide businesses with information.

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- Increasing the number of voluntary contacts by businesses
- Developing the access to on line business advice.
- Better publicity for the healthy eating education message.
- Developing links with the schools
- Increasing and maintaining the competency and professional development of food officers.
- Establishing consumer concerns and reflect in local activity.