

# DACORUM BOROUGH COUNCIL

## FOOD SERVICE PLAN

2020-2021

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**The contents of this service plan will need to be reviewed if the UK leave the EU without a deal after the transition period**

## TABLE OF CONTENTS

1. Introduction
    - 1.1 Current and Emerging issues
  2. Service Aims and Objectives
    - 2.1 Aims and objectives
    - 2.2 Links to corporate objectives and plans
  3. Background
    - 3.1 Local Authority profile
    - 3.2 Organisational structure
    - 3.3 Scope of the food service
    - 3.4 Demands on the food service
    - 3.5 Enforcement policy
  4. Service Delivery
    - 4.1 Interventions at Food Establishments
    - 4.2 Food complaints
    - 4.3 Home Authority and Primary Authority Principles
    - 4.4 Advice to business
    - 4.5 Food sampling
    - 4.6 Control and the investigation of outbreaks and food related ID
    - 4.7 Food safety incidents
    - 4.8 Liaison with other organisations
    - 4.9 Food safety promotion
  5. Resources
    - 5.1 Financial allocation
    - 5.2 Staffing allocation
    - 5.3 Staff development
  6. Quality Assessment
  7. Review against Service Plan
    - 7.1 Review against service plan
    - 7.2 Identification of any variation from the service plan
    - 7.3 Areas of improvement
- 
- Annex 1 Regulating Our Future - Links to relevant documents explaining what it is.
  - Annex 2 DBC Structure
  - Annex 3 Environmental Health Structure April 2019
  - Annex 4 Food Safety Officer Competency Matrix

**The Food Service Plan objectives for 2020/2021 have been set towards the end of May 2020 during lockdown due to the Covid-19 pandemic. The role of the Council and Environmental Health may change significantly during 2020/21 particularly if we are involved in contact tracing or involved in issuing Part 2a Public Health Orders under the Health Protection Regulations 2010.**

**A further disruption to the work of Environmental Health may be due to how the UK withdraws from EU. This may result in Dacorum Borough Council acting as an inland border inspection point, and undertaking and/or issuing health/export certificates a function not required whilst the UK was a member of the EU.**

**This may require that the objectives change throughout the year.**

## **1. Introduction**

This Service Plan is dedicated to the food law enforcement functions undertaken by the Environmental Health Service, Environmental and Community Protection (ECP), Neighbourhood Delivery Directorate. The Service Plan includes details of works carried out under food safety legislation.

The scope of the service plan covers specific areas relating to:

- Food safety and hygiene enforcement
- Infectious disease investigations

The Food Service Plan expresses the Council's commitment to the development of the food service and the requirements set by the Food Standards Agency (FSA) who monitors and audits local authorities' activities on food law enforcement. The Service Plan helps to ensure that the national priorities and standards are addressed and delivered locally.

The FSA 'Framework Agreement on Official Feed and Food Controls By Local Authorities', provides service planning guidance and provides the format for this document. This is to enable the FSA to assess our delivery of the Service Plan and to enable comparison with (and benchmarking against) other local authorities.

The FSA, in the Framework Agreement, requires that the Food Service Plan be suitably approved, whether this is by Senior Officers or by members. Dacorum Borough Council service plan is approved by senior managers.

### **1.1 Current and Emerging issues**

#### Public Health Agenda

The food team is looking into ways in which they can feed into the public health agenda.

The food team will assist Public Health England during the COVID 19 pandemic.

## National Food Hygiene Rating Scheme (nFHRS)



The nFHRS operates in partnership with the Food Standards Agency (FSA) providing consumers with an easy to understand single scheme across the UK. After a programmed food inspection a food premises are given a rating (from zero to five) based on the findings of the inspection. The scheme is operated in strict compliance with the nFHRS Brand Standard and monitored to ensure a consistent approach amongst officers. The scope of the FHRS in England extends to establishments supplying food direct to consumers. This includes restaurants, cafes, takeaways, sandwich shops and other places where people eat food prepared outside of the home, as well as food retailers. There are some food businesses within Dacorum that fall outside of the scope of the scheme because they do not sell direct to the final consumer e.g. manufacturers who do not have a retail element and businesses that are not recognised as a food business e.g. childminders.

If the food business thinks their rating following an inspection is wrong or unfair they can appeal in writing or complete an appeal form and send it to the Food and Health and Safety Officer within 21 days of being notified of their rating.

The food business also has the “right to reply” which is different from an appeal. It gives the food business an opportunity to explain if there were unusual circumstances at the time of inspection or what steps they have taken since to rectify contraventions.

The food business also has an opportunity to request a rescore re-visit but only if the improvements to hygiene have been made following an inspection. The council have recently introduced a charge for a rescore re-visit request of £175.

1096 food premises in Dacorum are currently in the scheme.

### Intervention Planning and Implementation

Whilst primary food hygiene inspections will continue to form an important part of our regulatory function, the Food Standards Agency has enabled a more holistic, targeted approach, by using a range of interventions. These include, Partial Audits, Sampling, etc.

### The Regulating Our Future (ROF) Change Programme

The service plan introduces the Food Standards Agency’s aims of its ‘The Regulating our Future’ (ROF) Change Programme’ which seeks to change the regulation and inspection of food businesses by 2020 (Annex 1). The Food Standards Agency deadline regarding this has slipped due to EU exit and COVID 19. The Council await to hear the longer term plans for food regulation following EU Exit.

## Health Certificates

We have had a recent increase in the number of businesses and the frequency in which the certificates are required. Businesses wishing to export their food items to destinations outside of the EU may require certification, from this department. This is not a statutory duty, however to assist our customers in running their businesses we do provide this service for a fee.

## EU Exit

The current situation with the UK leaving the EU will significantly impact on this service, especially if the UK leave without a deal as the UK will become a Third Country.

Exported Products of Animal Origin (POAO) will require Export Health Certificate (EHC) and businesses will request these from the Local Authority. As mentioned above DBC intend to assist our customers in running their businesses and will operate a fee paying service.

All imports & exports will need to go through registered importers & exporters. If the UK leave the EU without a deal there is a possibility that in order to keep goods moving Port Health Officials will allow imported food consignments through to inland check points and local authority officers will have to undertake these checks.

EHO's from DBC have attended Imported Food refresher training to ensure officers are competent to undertake the inland checks and take the appropriate action if the situation arises.

DBC are also a member of the Hertfordshire EU Exit Food Resilience Group and attend meetings as and when required.

This is an unknown depending on whether the UK leaves with or without a deal once the transition period has passed

## On-line Food Ordering Platforms

This year a number of the popular on-line food ordering services, including Just Eat and Deliveroo, announced that they would be introducing a minimum FHRs rating in order to be listed on their platforms. This is a positive and welcome move to raise standards in the industry.

Although a welcome move, the announcement has placed additional pressures and demands on the Service, including:

- Requests from food business operators to undertake inspections outside the planned inspection programme.
- Direct pressure on officers during an inspection to award higher food hygiene ratings.
- Increase in the number of appeals and requests for re-scores in relation to FHRs ratings.

## 2. Service Aims and Objectives

### 2.1 Aims and objectives

- Protection of public health by ensuring the safety of food (including water) used for human consumption
- Preventing the occurrence and spread of infectious disease of environmental origin
- Providing accurate and consistent advice and information to businesses and the public
- Working with food businesses to ensure legal compliance
- Dacorum Borough Council's ECP Department are committed to provide 'a balanced service' in relation to food safety. Our service is driven by the four following criteria and the Regulators Code:
  - ❖ Demand driven – complaints/requests, food alerts for action, food poisoning, etc.
  - ❖ Inspection driven – programmed food visits, sampling programmes
  - ❖ Education driven – home authority principle, primary authority principle, public awareness campaigns, FHRS, FSA initiatives etc.
  - ❖ Intelligence driven – Food Alerts For Action, port health notifications, sampling

### 2.2 Links to corporate objectives and plans

#### Delivering for Dacorum Corporate Vision

The corporate vision 2020-2025 includes key areas plus an additional internal area.

- A clean, safe and enjoyable environment.
- Building strong and vibrant communities
- Ensuring economic growth and prosperity
- Providing good quality affordable homes, in particular for those in most need.
- Delivering an efficient and modern council.

**The Food Safety service plays a fundamental role in ensuring that the residents of Dacorum have an informed choice of where they can safely purchase food and drink. The Food Service also assist food businesses by providing advice on a range of food safety matters that can aid economic growth and prosperity.**

### **3. Background**

#### **3.1 Local Authority profile**

The Borough of Dacorum is in West Hertfordshire. It is composed of the main towns of Hemel Hempstead, Berkhamsted and Tring, plus a number of large and small villages. Dacorum in its present form was created in 1974, following a review of local government in England and Wales.

Dacorum has a population of 153,300 living in 59,938 homes. Based on current trends the population is forecast to increase by 15.96% by 2041. One of the most significant features is the growth of the population in the over 65 age group.

Dacorum has much to offer in terms of business location. Hemel Hempstead is only twenty-five miles (40km) outside central London. It sits very closely to motorways, and via the motorway network is well placed for all parts of the country and Channel Tunnel and Channel ports for surface travel to Europe.

The area has always enjoyed diversity of employment and is not dependent upon one employer or industry. This has been a big factor in fending off the worst effects of economic downturn, maintaining relatively low levels of unemployment. The labour pool covers a wide range of skills. Overall levels of deprivation are low (Dacorum is ranked 261 out of 326 English districts). Dacorum is one of the healthiest areas in the country and levels of crime are moderate by national standards and the lowest in the County.

#### **3.2 Organisational structure**

The Council currently implements a Leader with Cabinet style of decision making. (Annex 2 shows the DBC structure.) The Food Safety function sits within Neighbourhood Delivery. It operates under the direction of the Team Leader (Environmental Health) who reports to the Group Manager Environmental and Community Protection, who in turn reports to the Assistant Director for Neighbourhood Delivery. (Annex 3 shows the 2019 ECP structure.)

The Team Leader (Environmental Health) and Lead Environmental Health Officer (Food, Health & Safety) share the role of lead food officer. This role will be supported by the Group Manager, ECP. Specialist services for the food function are provided by external organisations, namely Public Health England as the food examiner and Kent Scientific Services as the public analyst, who has been nominated by Hertfordshire County Council Trading Standards Department.

Formal microbiological analysis of food samples and faecal samples is carried out by Public Health England, whilst Kent Scientific Services carry out physical and chemical analysis.

The Council's Scheme of Delegation filters down the powers to officers to undertake their functions. This is reviewed on a regular basis and Food Officers must meet the competencies set out in Annex 4.

### **3.3 Scope of the food service**

Protection of public health by ensuring the safety of food (including water) used for human consumption by:

- Undertaking a program of hygiene inspections / interventions of food premises,
- Issuing approvals
- Responding to service requests from food business operators and others
- Undertaking a program of microbiological food sampling
- Enforcing the imported food control legislation
- Implementing an alternative enforcement strategy
- Promoting food safety
- Promoting 'Safer Food, Better Business' as a recommended food safety management system
- Responding to food alerts and product withdrawals, as appropriate
- Continue to issue ratings and stickers under the National Food Hygiene Rating Scheme (nFHRS), enabling members of the public to make an informed choice as to those businesses they choose to purchase food from, and to encourage food business operators to improve and maintain hygiene standards
- Working with businesses to ensure compliance with relevant food safety legislation.
- Take appropriate enforcement action in accordance with the council's Food Safety Enforcement Policy and Food Law Code of Practice and Guidance

Preventing the occurrence and spread of infectious disease of environmental origin by:

- Investigating and controlling cases and outbreaks of infectious disease and providing information and advice

In addition, the Service undertakes the following related areas of work:

- Carrying out health and safety inspections
- Carrying out proactive interventions in Health and Safety
- Investigating accidents
- Undertakes skin piercing premises and operator inspections on behalf of the licensing department who are responsible for registering all premises/ operators that carry out this function.

- Providing responses to Land Charge Searches and planning applications for new or altered premises
- Responding to Health and Safety consultations for licence applications and variations
- Responding to Freedom of Information requests.
- Responding to Planning Consultations with regard to contaminated land, air quality, noise, food and health and safety.
- Supporting other Teams within the department as and when required.
- Attending meetings of the Herts and Beds Food Liaison Meetings, Herts and Beds Sampling Sub- Group, Chartered Institute of Environmental Health, Public Health England Liaison Meetings, the Dacorum Safety Advisory Group, EU Exit group, and provide Environmental Health Technical Advice to the Local Resilience Forum.

### **3.4 Demands on the food service**

Services are delivered from The Forum, Hemel Hempstead between 8.45 am and 5.15 PM on Mondays to Thursdays and between 8.45 am and 4.45 PM on Fridays. Inspections of businesses trading outside normal working hours are routinely undertaken. There is a duty emergency planning officer appointed, who can contact the Food Team outside of normal working hours should an emergency arise.

#### Specific Demands:

The Food Safety Service has specific demands placed upon it, as follows:

- |  |      |
|--|------|
| • Primary Producers  | 1    |
| • Food Manufacturers and packers   | 29   |
| • Importers and exporters  | 7    |
| • Distributors/ Transporters   | 22   |
| • Retailers  | 218  |
| • Restaurants and Caterers   | 1005 |
| • Within Dacorum there is an ethnic minority of 9.3 %( Office for the National Statistics, 2011 Census). The number and types of food establishments reflect this cultural diversity. Officers have been specifically trained on equalities and diversity. |      |

- The Food Standards Agency (FSA) encourages local authorities to identify activities in imported food control. There are no airports, seaports nor external temporary storage facilities (ETSF) within Dacorum. 3 importers have been identified in the district from premises registration forms and local knowledge. It is anticipated that the level of activity identifying imported foods within food establishments will increase in line with the emphasis on imported food control nationally and the changes that will occur as a result of the UK leaving the EU.

### Risk band type of food business are detailed below

	Restaurant Café Canteen	Hotel Guest House	Sm all Ret aile rs	Super & Hyper marke ts	Caring Establish -ments	Restaurant Caterers Other	Pubs & Clubs	Retail Other	Take- away	Schools Colleges	Mobile Food Unit	Manufac turers Packers
Rating												
5	189	5	99	27	92	130	90	19	45	76	40	10
4	33	5	25	2	8	11	18	3	23	8	6	3
3	12	0	7	1	1	1	11	1	12	1	2	2
2	4	0	3	0	1	0	3	0	6	0	1	1
1	3	0	7	0	0	0	2	0	5	0	0	0
0	3	0	1	0	0	0	0	0	2	0	0	0
Total	244	10	142	27	102	175	124	23	99	85	49	16

### 3.5 Enforcement policy

Dacorum Borough Council has a documented Environmental Health Enforcement Policy that was approved by cabinet in September 2015. The policy follows the regulators code and has regard to the Crown Prosecution guidelines.

The policy is made available whenever enforcement action is taken and whenever a member of the public requests a copy.

This has currently being reviewed and is due to be presented to the overview and scrutiny committee and cabinet if significant change is required.

## 4. Service Delivery

### 4.1 Interventions at Food Establishments

The Council is required to follow the Food Law Code of Practice (England) in risk rating premises and setting targets for the inspection program. Within the overall objective of achieving 95% of planned interventions (categories A-D) each year. Low risk premises (category E) are subject to an Alternative Enforcement Strategy and will be re-assessed not less than once in any 3 year period.

The Food Law Code of Practice defines different types of interventions that local authorities may use in the future and the circumstances in which they may be applied. A range of interventions will be introduced as part of a plan to improve compliance with food law, whilst maximising use of resources. The selection of interventions will be based on risk assessment.

**Table: Food Planned Inspections 2019/2020**

	<b>Interventions Due</b>	<b>Interventions Outstanding</b>	<b>Percentage Achieved</b>
<b>Premise Rating - A</b>	1	0	100%
<b>Premise Rating - B</b>	29	2	94%
<b>Premise Rating - C</b>	138	4	97%
<b>Premise Rating - D</b>	205	1	99.5%
<b>Premise Rating - E</b>	252	9	97%
<b>Premise Rating - Unrated</b>	26	*11	58%
<b>Totals</b>	651	26	96%

**\*The outstanding interventions for unrated premises were not completed.** *Numerous attempts were made by officers to contact the business but despite stating they were open on the food premises registration form none had actually started trading when contacted. These are left on the inspection programme when businesses confirm that they intend to start trading in the future. The acts as a prompt for officers to contact them on a regular basis to confirm if they are trading or not.*

In addition to the programmed interventions, new businesses and those trading occasionally in Dacorum will be inspected during the year. In 2019/2020 the council received 132 food premises registration application forms. These were predominantly new businesses, the minority were existing businesses updating their food business details.

There are a number of premises that fall outside of the inspection programme where the risk is considered to be so low as that there is effectively no risk, such as vending machines, a florist selling chocolate. We also keep a record of premises where the application of FSA Guidance on the application of EU food hygiene law to community and charity food provision 3A para 2 & 3 is applicable. These types of premises are recorded as businesses that fall outside of the food planned inspection programme. We do not carry out any interventions within these businesses unless we receive a complaint.

Dacorum Borough Council Environmental Health team have continued to face a number of challenges in 2019/2020 including a number of failed attempts to recruit permanent staff. The COVID 19 pandemic also resulted in planned inspections being suspended from the 18<sup>th</sup> March 2020.

The suspension of planned inspections following government guidance has resulted in us not being able to complete all of the planned routine inspections for 2019/2020 however the number outstanding is significantly lower than in 2018/2019 and we have met the internal KPI for the year. The Team have also notably reduced the backlog of outstanding low risk E rated premises.

During 2019/2020 the Council have used the resources available to focus on our high to medium risk premises (A-D) and ensure these have been inspected at the appropriate interval.

'A' rated premises are high risk premises that are inspected every 6 months. In 2019/2020 the council saw an increase in 'A' rated premises. This was due to a small number of non-compliant businesses failing to comply with food hygiene legislation. These breaches were identified during

routine inspections. This resulted in enforcement action being taken, including the service of notices and in one premises a voluntary closure.

DBC have been operating a reactive service in order to protect public health and responding to complaints as and when they arise. This has resulted in a number of notices being served, voluntary closures, PACE interviews and prosecution case file preparation.

DBC successfully prosecuted a FBO for a variety of food hygiene offences in 2018/2019. The details of this case were published in the June 2020 edition of EHN.

**Table: Enforcement Action Taken 2019/2020**

Voluntary closure	1
Seizure, detention & surrender of food	0
Improvement notices	22
Written warnings	221
Simple Cautions	1
Prosecutions concluded	1

DBC have been prioritising high risk new businesses e.g. caterers for inspection rather than low risk businesses e.g. home caterers – cake makers.

Compliance revisits are undertaken where enforcement action would be warranted if compliance is not achieved in line with the Food Law Code of Practice (England) and the nFHRS. If further non-compliance is identified formal action following DBC’s EH enforcement policy is taken.

The emphasis of the service is to protect public health by enabling businesses to understand their legal obligations and measures which they must take to ensure food safety, rather than the blind pursuit of inspection targets. Advice and assistance are provided, particularly during programmed inspections / interventions, and training opportunities offered, to help businesses to control food safety hazards.

We have adopted a risk based approach in line with the Food Law Code of Practice (England) when making decisions to focus our limited resources when delivering the food service.

#### **4.2 Food complaints**

The purpose of investigating complaints regarding food sold within the borough, (whether the food originated within the UK or elsewhere) is to:

- Provide a service to the public
- Resolve problems which pose a risk to public health

- Provide information to the food industry in order to raise and maintain standards
- Offer advice and guidance, where appropriate, in food hygiene matters to food businesses and consumers
- Carry out appropriate enforcement action, where required
- Prevent future complaints
- Identify whether there is a wider national issue

It is difficult to predict the level of complaints for 2020/2021, although there has been a downward trend in recent years.

Overall, more customers seem to be contacting food companies directly regarding complaints about food, as a means of being compensated for their inconvenience.

The Council's procedure on food complaints is to investigate where there is a genuine public health implication or where an offence may have been committed and the complainant is willing to give evidence in court. Customers are referred back to the retailer if compensation only is being sought. The Council has procedures for dealing with food complaints. Anonymous complaints are not usually investigated but the complaint is entered on the premises database and considered on the next scheduled inspection.

Other complaints relating to hygiene at premises are risk rated by the receiving officer and an investigation visit may be made if deemed necessary.

(Many requests for general advice and information are also received from the public, local organisations, businesses and new food operations, see 4.4 below.)

#### Food Safety requests received

	2014/2015	2015/2016	2016/2017	2017/2018	2018/2019	2019/2020
Food Hygiene Complaint	13	24	20	3	10	10
Hygiene of premises complaint	103	87	106	124	81	60

#### Health and Safety requests received 2019/2020

Type	Number
Skin Piercing Operator Assessments	9
LOLER Lift Defect Reports	12
Asbestos Notification	1
General HASWA requests	38
<b>Total</b>	<b>60</b>

### **4.3 Home Authority and Primary Authority Principles**

Dacorum Borough Council recognises the importance of constructive partnerships with food businesses that can deliver reliable advice and coordinated and consistent enforcement.

The Council's policy is to support:

- The Local Government Association (LGA) Home Authority Principle
- The Office of Product Safety and Standards, Primary Authority Principle

All food officers follow the Primary Authority (PA) principle.

Before undertaking a planned routine food hygiene inspections members of the Food Team will check the online Primary Authority Register to see if the business has a primary authority partnership.

The officer will check if there is a specific inspection plan or assured guidance that they must take note of. The officers will feedback as required to both the PA and the business.

If enforcement action is warranted the officer will ensure they notify the PA before taking action within the designated time period or retrospectively if the event of an imminent risk to health.

### **4.4 Advice to business**

The advisory and training elements of the service are viewed as key to the Service's effectiveness (see section 3).

The main objectives are to:

- provide advice and information to food business operators and food handlers
- recommend practical, good food hygiene practices, in accordance with any Industry Guides or codes of practice where appropriate
- promote continuous improvements in food hygiene standards

Most contact with businesses arise during inspections, where the opportunity is taken to provide advice and information and to promote training opportunities. Small and medium size enterprises (and the voluntary sector when information is requested) are targeted, as expert advice is often not readily available to them. Close liaison is maintained with Council service providers, such as Adventure Playgrounds.

The council have recently introduced a fee for Food Hygiene advisory visit request (preopening/ new businesses/ pre inspection) with a report of £75 per hour.

The Food Safety page of the Council's website is reviewed annually. This is currently being updated.

The council continues to promote Safer Food Better Business to businesses that require support in producing a documented food safety management system. New premises are also identified at the

planning stage, and when the applicant may be targeted with food safety information. The council have recently introduced a 3 Hours Safer Food Better Business Coaching session for a fee of £120 (plus 50% fee per additional person from the same business).

An Environmental Health Officer or Technical Officer regularly attends Dacorum Safety Advisory Group meetings, where the organisers of events due to be held in Dacorum are invited to attend to obtain relevant food safety guidance.

314 general food requests were received in 2019/2020, many from existing businesses or from people considering setting up new businesses. (The press, local publications and planning application lists are also used as methods to contact new and potential businesses.)

600 Total Food Service requests (Including General Food Safety Requests, Hygiene of Premises Complaints, Food Alerts, Food Hygiene Rating System Requests, Health Certificate Requests) were received in 2019/2020 compared to 546 in 2018/2019

#### **4.5 Food sampling**

The Council's policy is to undertake sampling where required by statute and where appropriate, to participate in sampling programme organised by the Public Health England and the Herts and Beds Food Liaison Group. Samples are also collected in outbreak situations or where there is an allegation of food poisoning. Follow up action is taken as a result of unsatisfactory results.

##### Food samples taken

Year	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-2020
Total Samples	29	116	38	24	6	0	0

The level of sampling has decreased in recent years mainly due to the limited staffing resources which has seen the council provide a reactive food safety service in order to protect public health, however, we will continue to use sampling as an intervention and participate in LGA, PHE and Herts and Beds Food Liaison Group programmes. Opportunities to sample imported foods will be taken as a general part of a food hygiene inspection.

The Herts and Beds Food Liaison Group, is represented by the Team Leader (Environmental Health) or the Lead Officer (Food, Health and Safety) or an allocated deputy from Dacorum Borough Council.

There is also a sampling sub group that has a representative from Dacorum Borough Council.

All local authorities have a budgetary provision with Public Health England for sampling.

#### **2019/2020**

The sampling we planned to carry out was due to start in September 2019. This was because the council identified a development need for training in this area in the Food Teams personal development appraisals in Aprils 2019. The first practical PHE training season that officers were able

to attend was July 2019. This implementation of the councils sampling programme was delayed further due to a qualified field officer leaving the council.

In quarter four the council were intending to utilise the student EHO's to assist authorised officers with sampling and participating in both PHE National studies (samples will be sent official lab), this was planned for the last two weeks in March but this did not take place due to COVID 19.

All through 2019/2020 we have prioritised our resources based on risk, dealing with complaints and focusing on our A-D rated premises but realise we have fallen short when it comes to this particular service plan objective. This is an area that will receive more focus in 2020/2021.

We have, however, always ensured that we are able to undertake formal sampling as part of an outbreak/ complaint investigation.

#### **4.6 Control and investigation of food related infectious disease**

The service will investigate food related infectious disease notifications in accordance with procedures agreed with Public Health England. Investigations of outbreaks will be undertaken in accordance with the Joint Plan for the Control of Communicable Diseases in Hertfordshire. When viral outbreaks are identified general guidance is offered to control the spread of the disease.

Notifications of persons in high-risk groups such as food handlers, those working in health care, children under 5 years and older children and adults who may find it difficult to implement good standards of personal hygiene, will be actioned as quickly as possible, together with more serious infections such as E.coli O157:H7, Typhoid, Botulism and cryptosporidium.

##### Reported infectious diseases

##### Year 2019/2020

Salmonella	23
Campylobacter	75
Cryptosporidium	14
ID/FP Enquiries	5

The resource implications of such incidents in the forthcoming year are difficult to predict.

#### **4.7 Food safety incidents**

The Food Law Code of Practice (England) details steps that must be taken when a Food Alert is issued or a food safety incident occurs within the borough.

Procedures are in place to ensure that the Council complies with the Code of Practice. These include:

- Ensuring all members of the food team are members of the FSA Smarter Communications platform and receive the Food Alerts by email.
- That the secure ECP mailbox is monitored daily for any FAFA received which is then forwarded to the duty officer to action.
- Maintaining emergency planning arrangements to respond to out-of-hours emergencies.

- Determining action to be taken in response to a food alert
- Notification of the relevant Central Government department when required if an incident occurs within Dacorum
- Invoking the Joint Outbreak Control Plan where an incident involves communicable disease

Date	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20
No of Food Alerts For Action	0	2	3	1	2	3

In June 2010 the Food Alert system was changed. This resulted in a decline in the numbers as the Food Alerts For Information became Product Recall Notices instead and do not need to be recorded for audit by the FSA. The Food Alerts for Action continue to be recorded in the same way.

#### **4.8 Liaison with other organisations**

The Council has made various arrangements to ensure that enforcement action taken within the Borough is consistent with that of neighbouring local authorities.

It is an active participant in:

- The Herts and Beds, Food Liaison Group (and Sampling Working Group)
- Inter-Authority Audits organised by the Food Liaison Group
- The Dacorum Safety Advisory Group

Liaison with other bodies includes:

- FSA
- Office of Product Safety and Standards
- LGA
- Hertfordshire County Council Trading Standards
- Chartered Institute of Environmental Health
- Commission for Social Care Inspection
- Ofsted (child care and nurseries)
- Public Health England
- Community Action Dacorum
- Affinity and Thames Water Companies
- Hertfordshire Interpreting and Translation Service

Arrangements are in place for liaison with Planning and Building Control where Environmental Health input is required. Partner and cross departmental working also takes place with other Council services e.g. Licensing, Legal and Corporate services, Housing, Land Charges, Environmental Services, Resident Services, Strategic Housing, Tenants and Leaseholders.

#### 4.9 Food safety promotion

Officers keep up to date with all of the FSA Food Safety Campaigns and make sure that they are promoted/ advertised on the Councils Social Media Platforms by working closely with the council's communications team.

### 5. Resources

#### 5.1 Financial allocation

Financial provision has been made for 4 full time equivalent (FTE) posts (excluding the Group Manager ECP and Team Leader (Environmental Health), within the Food, Health and Safety Team.

Officers also undertake specific duties not directly related to the activities considered in this plan (see 3.3 above) and contribute to the work of the department as a whole.

Approximately 5% of the Group Manager ECP work time is directly attributed to food safety work. Team Leader, Environmental Health spends approximately 30% of their time on Food Safety Work.

The Department has a fixed budget of £5,000 for legal action costs.

#### 5.2 Staffing allocation

Approximately 4 FTE work will work on food safety and infectious disease matters by the end of 2021 as well as undertake work mentioned in 3.3 above. Currently 2 posts are vacant.

The service comprises of:

Post	Authorisations
Group Manager ECP Emma Walker	Inspections Hygiene improvement Notices Emergency Prohibition Notices Remedial Action Notices Food Seizure/ Detention
Team Leader (Environmental Health) Paul O'Day	Hygiene improvement Notices Emergency Prohibition Notices Remedial Action Notices Inspections Food Seizure/ Detention
Lead Officer Food, Health and Safety Rebecca Connolly	Hygiene improvement Notices Emergency Prohibition Notices Remedial Action Notices Inspections Food Seizure/ Detention
Environmental Health Officer (Vacant)	Hygiene improvement Notices Inspections Food Seizure/ Detention Emergency Prohibition Notices Remedial Action Notices

Environmental Health Officer Vacant	Hygiene improvement Notices Emergency Prohibition Notices Remedial Action Notices Inspections Food Seizure/ Detention
Environmental Health Officer Mark Dewey	Information Gathering (Regulatory Support Officer) while training. Dissertation due to be submitted May 2020 – Results for MSC June 2020 Portfolio of Professional Practice submitted March 2020 –Results expected in Q4. .

Activity	Projected Resource Required to Deliver the Service
Inspections	1.23
Approved Establishments	0.02
Sampling	stc*
Revisits	stc*
Investigations	0.25
Formal Action	0.2
Training	stc*
Liaison	0.04
Business Advice/ Liaison	0.2
Management	0.4
<b>Total</b>	<b>stc*</b>

**stc\* / subject to change due to significant changes in scale of service delivery**

### 5.3 Staff development

Training needs and competence are assessed on appointment and then at annual personal development appraisals. Team Leaders are responsible for carrying out appraisals and assessing competence.

Training needs identified during the appraisals are then prioritised and planned to ensure that officers have the relevant competencies for their authorisations as specified in the Food Law Code of Practice (2017) Chapter 4. The document outlining these can be found in Annex 4. Training could be provided in-house or externally. The Herts and Beds Heads of Service Food Group arrange courses throughout the year in accordance with generally identified needs. This usually enables more cost-effective training provision. Typical external providers include the FSA and ABC Food Law Ltd.

Officers are expected to lead learning circles for their colleagues following training courses, to ensure that relevant information is cascaded.

Individual training records are maintained for each officer and kept on file.

Members of the Chartered Institute of Environmental Health may attend relevant branch meetings.

In addition to staff appraisals, the Team Leader (Environmental Health) reviews a proportion of all case sheets and inspection records and aims to accompany officers on visits on an annual basis for quality monitoring purposes. A report pro-forma is completed for each accompanied visit, the contents of which are fed back at a debrief meeting. The paperwork for a food inspection that receives a food hygiene rating of less than 3 is passed to another officer for peer review auditing. This ensures consistency between officers.

Food Service meetings are held approximately every six weeks (more often if required).

## **6. Quality Assessment**

Quarterly performance reviews are based on the Intervention Strategy. The Group Manager (ECP) will then report to overview and scrutiny committee, on a quarterly basis.

The Food Safety Service has developed a series of policies and procedures to ensure the delivery of quality services. These are revised routinely to ensure compliance with current legislation, codes of practice and other guidance. Customer feedback may also lead to procedures being revised. All documents are held centrally as computerised 'controlled documents'; they are available in read only format and are available for all officers.

## **7. Review against Service Plan**

### **7.1 Review against Service Plan**

Key performance indicators are reported on a quarterly basis during the quarterly review. These reviews will identify where the Council is at variance with the Service Plan and, where appropriate the reasons for variance.

### **7.2 Identification of any variation from the service plan**

The Food Team achieved 98% of categories A-D food safety inspections that were planned in the 2019-20 inspection programme.

In 2019/2020 2.3 of the 3.8 posts were occupied, with support from agency staff and so we focused on the A-D premises applying a risk based approach.

Officers within the Environmental Health Team were involved in two Health and Safety accident investigations and preparing for potential for further action, taking up a significant amount of officer time. These are cases are currently ongoing.

Officers obtained a guilty plea for a health & safety prosecution of a major food retailer, a case that had taken nearly 4 years to conclude. The council were successfully awarded all of the legal costs accrued during this case, in excess of £400k. The business was fined £733k

Businesses had been requesting Health Certificates for their food items for export. The number of requests for health certificates increased in 2019/2020

### 7.3 Areas of improvement

- Staff development

Staff development is paramount; we have and continue to invest heavily in staff development. This includes supporting the council's student Environmental Health Officer's to achieve EHORB registration or chartered status depending on what route they have decided to take that is achievable and not constrained by CIEH timescales. There are currently three officers undertaking training to become qualified Environmental Health Officers in the Environmental Health Team. Predicted completion dates are Aug 2020, June 2022, and August 2025.

- Failure to recruit and retain permanent staff.

This is an area that has proved problematic for the council in recent years. This has resulted in reliance on external contractors to assist the council in delivering the food service plan, in particular the food planned interventions. The quality of the contractors used can vary despite checking competencies and undertaking audit inspections at the beginning of the contract period. The council have also been through the recruiting process for contractors, appointed individuals who have then chosen not take up the position or have had to end the contract early due to various reasons.

However it has been a necessary way of ensuring that food businesses are regularly inspected. The council have retained high risk premises for inspection in house (A-B's) and allocated the broadly compliant and compliant businesses (C-D's) to the contractors.

In order to combat the failure to recruit permanent staff but ensure that the inspections undertaken by external staff where done to a high standard, the Team Leader (Environmental Health) devised a Paid Per Inspection protocol. This offered fair rates of pay per inspection (PPI) and attracted a significant amount of applicants when the advert was placed in trade publications. The response was so significant that the council were able to select very competent Environmental Health contractors after the recruitment process. The PPI officers have been fundamental in helping the council achieve the 98% of A-D rated premises inspections in conjunction with permanent staff. The inspections are peer reviewed by permanent staff and the level of consistency has remained high. The PPI protocol was implemented in December 2018 and the council will continue to use this method while trying to recruit permanent members of staff.

The cost of operating the PPI protocol has saved the council money as the PPI officers have been employed direct instead of through recruitment agencies (N.B all procurement procedures have been followed and adhered to).

There have been a number of restructures since 2016 including the creation of lead officers, the introduction of trainee EHO's and job evaluations to try and aid recruitment to the Food Service.

The council have advertised 3 vacancies during 2019-2020 to try and recruit to the Food Service.

- Alternative Enforcement Strategy (AES)

This is an area that had fallen behind in 2018/2019. In order to address this, the councils Student EHO (post created to deal with lower risk issues to reduce pressure on fully qualified EHO's) has taken ownership of the Alternative Enforcement Strategy while being over seen by the Lead Food

Officer. This has aided the student EHO's development by helping them understand what is considered to be a low risk food business, it has helped them to identify what good pre-requisites are, how to recognise if the scale of the operation has changed and to question if the AES is still appropriate for the level of risk the food business presents to the consumer. All category E interventions are checked by an authorised food officer before the student updates the premises record. This has enabled the Food Team to successfully reduce the back log of outstanding interventions. At the beginning of 2019/2020 there were 252 outstanding E rated premises. By the end of March 2020 the number outstanding had been reduced to 9. This is in part due to COVID 19 and also the fact that following up AES can be labour intensive. The type of food businesses that fall into this risk rating band are premises like pharmacies, child minders, clothes shops that sell a small amount of food e.g. sweets at the counter. When we send them the food safety questionnaire they often discard it as they do not see themselves as a "Food Business" and so we have to chase the business and in some cases pay a visit to the premises.

The council appreciate that the longer the E rated premises are left unchecked there is a chance that the risk associated with the businesses may increase, however we will continue to take a risk based approach and prioritise A – D rated premises.

- Sampling Programme

This is an area that requires attention, as mentioned above.

Annex 1. Food Standards Agency - Regulating Our Future

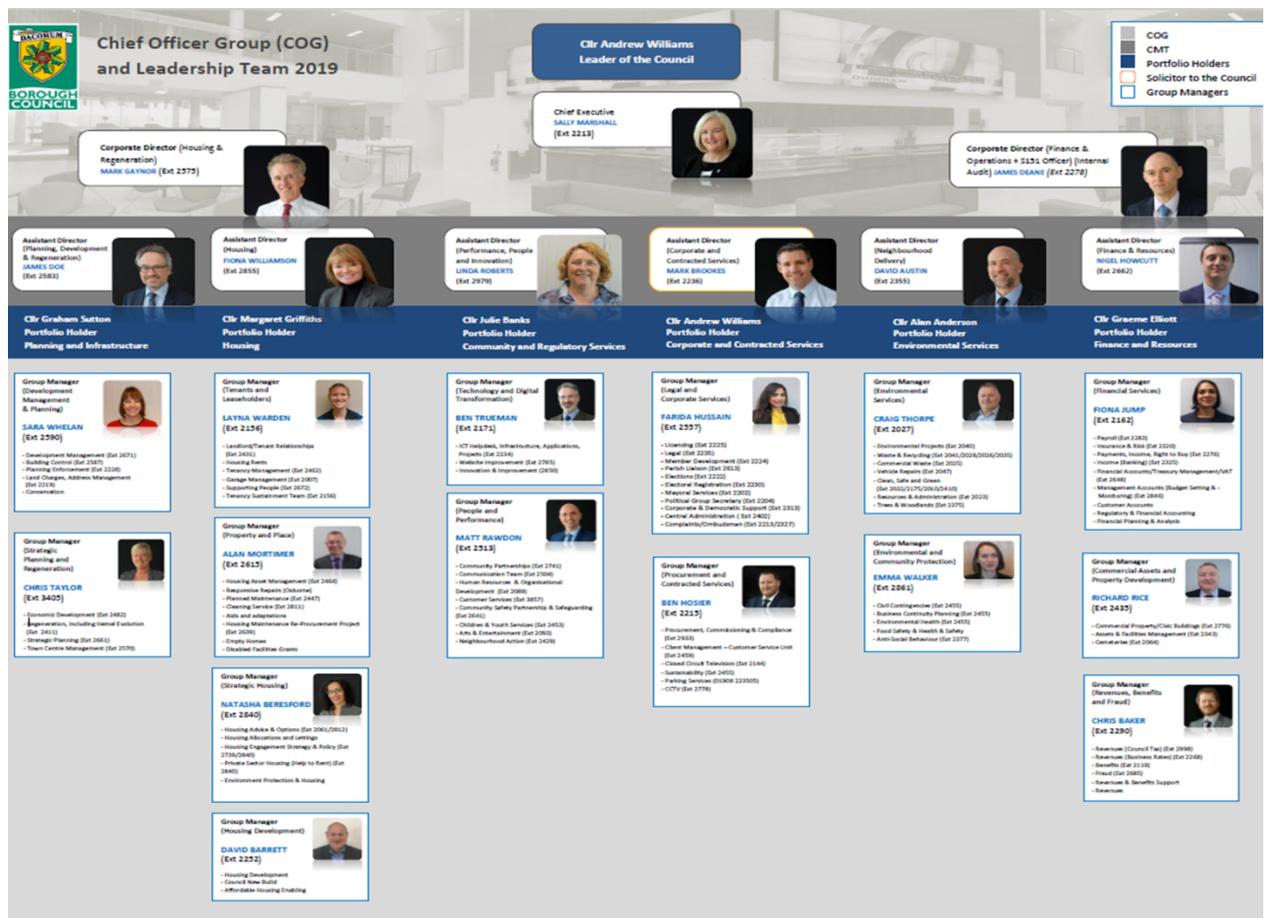
[https://www.food.gov.uk/sites/default/files/media/document/rof-paper-july2017\\_0.pdf](https://www.food.gov.uk/sites/default/files/media/document/rof-paper-july2017_0.pdf)

<https://www.food.gov.uk/sites/default/files/media/document/changing-food-regulation-what-weve-done-where-we-go-next.pdf>

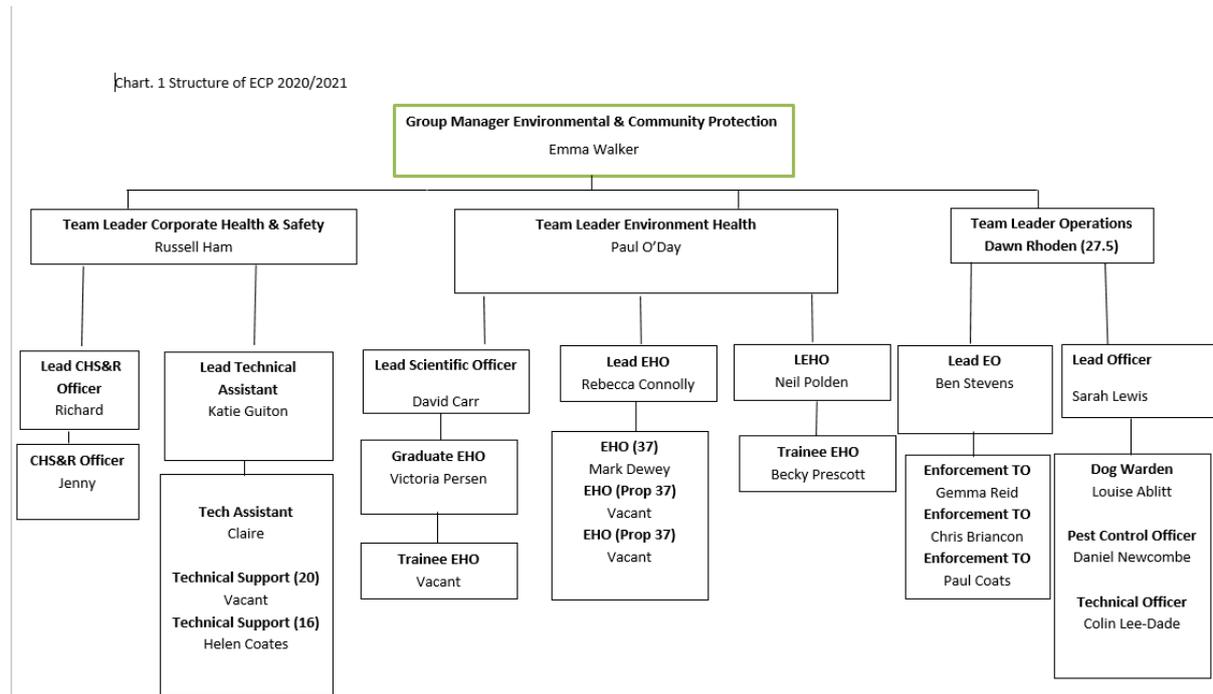
<https://www.food.gov.uk/13th-regulating-our-future-newsletter>

Annex 2 – DBC Structure Chart

<http://www.dacorum.gov.uk/docs/default-source/council-democracy/organisation-chart-2018.pdf?sfvrsn=12>



### Annex 3. ECP Structure Chart April 2020



Annex 4. FLCOP (England) Competency Matrix.

Qualifications	
	Higher Certificate in Food Control (EHRB/SFSORB)
	Certificate of Registration as an Environmental Health Officer (EHRB)
	Diploma in Environmental Health (or historical equivalent) (EHRB/SFSORB)
	Ordinary Certificate in Food Premises Inspection (EHRB/IFST/SFSORB) *Restrictions Apply*
	Higher Certificate in Food Premises Inspection (EHRB/IFST/SFSORB) *Restrictions Apply*

Cluster No. 1 - Local and Specialist Knowledge (Lead Food Officers Only)	
1.1	Knowledge and understanding of the area for which he/she is acting as the Lead Food Officer – this may include more than one Competent Authority area.
1.2	Knowledge and understanding of the hazards that can occur in premises within the authority's area and risk management techniques.
1.3	Knowledge and understanding of when specialist auditing and quality assurance skills are needed to deliver official controls.

Cluster No. 2 - Legislation and Centrally Issued Guidance (Lead Food Officers Only)	
2.1	Understands relevant EU and National food hygiene or standards legislation and can advise on their application.
2.2	Understands, interprets and applies the Framework Agreement on Food Law Enforcement with Local Authorities, the Food Law Code of Practice and associated Practice Guidance appropriately.
2.3	Understands and can advise on the application of the full range of enforcement sanctions available and proportionate application of food law.

Cluster No. 3 - Planning of an Official Control Programme (Lead Food Officers Only)	
3.1	Can appropriately apply national and local priorities to the profile of food business establishments and points of entry in the authorities' area when planning a programme of official food controls.
3.2	Can identify skill or knowledge gaps in officers delivering official food controls.
3.3	Understands the process of raising and managing food incidents as set out in the Code of Practice, including responses to infectious disease outbreak(s).
3.4	Understands how local contingency arrangements apply to the management of serious food related incidents e.g. infectious disease outbreak.
3.5	Understands the role of Home Authorities and Primary Authority Partnerships in co-ordinating the delivery of official controls and ensures it is applied by the authority.
3.6	Understands how to comply with local and national data gathering and reporting requirements.
3.7	Co-ordinates consistent delivery of official controls within the authority and between other Competent Authorities.

#### Cluster No. 4 - Inspection of Food Establishments (Authorised Officer)

4.1	Comprehensive understanding and knowledge of HACCP-based procedures. Has the ability to apply that knowledge taking account of flexibility principles contained within Article 5 of 852/2004.
4.2	Can determine and identify hazards and risks that occur in establishments and products. Understands the principles of risk assessment related to food types; processing methods and products.
4.3	Understands relevant Food Hygiene legislation and can advise on their application. Understands how to assess compliance with the requirements of food hygiene legislation with further reference to the Food Law Code of Practice and Practice Guidance
4.4	Able to determine the appropriate course of action to remedy non-compliance, including when it is appropriate to escalate enforcement action.
4.5	Can make a Food Hygiene/Standards Intervention Rating assessment of risk using section 5.6 of the Food Law Code of Practice.
4.6	Understanding of the common food types and understanding of hazards associated with their use.

#### Cluster No. 5 - Use of Enforcement Sanctions (Authorised Officer)

5.1	Can clearly differentiate between legal requirements and recommendations of good practice by avoiding gold plating and 'regulatory creep'. Can provide advice and enforce based on levels of compliance with regard to consistency and proportionality based on the hierarchy of risk.
5.2	Understands levels of authorisation, enforcement policies and procedures for appeal.
5.3	Understands the legal framework with regard to the use of enforcement powers including the role of Primary Authorities and Home Authorities
5.4	Can demonstrate an understanding of how to serve Notices; gather evidence; prepare cases for prosecution and apply knowledge to comply with the requirements of PACE and RIPA, where appropriate.

#### Cluster No. 6 - Sampling (Authorised Officer)

6.1	Understands formal/informal sampling methodologies and the role of the Public Analyst and Food Examiner.
6.2	Is aware of national and local sampling priorities. Can use UKFSS and searchable database, where appropriate.

6.3	Can interpret sampling results and make a judgement on appropriate action based on risk.
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### Cluster No. 7 - Import and Export Controls (Authorised Officer)

7.1	Understands the legal framework with regard to Imported / Exported food and how to assess compliance.
7.2	Can determine the most appropriate course of action and the range of enforcement sanctions available.
7.3	Can identify food types and comment on fitness at Border Inspection Posts (also see Chapter 4.6).
7.4	Can demonstrate an understanding of controls at points of entry include carrying out systematic documentary checks, random identity checks and sampling for analysis or microbiological examination, as appropriate.

### Cluster No. 8 - Reactive Investigations (Authorised Officer)

8.1	Understands how to conduct an investigation and gather evidence in accordance with PACE and RIPA, where appropriate. Is then able to analyse information and determine an appropriate course of action.
8.2	Can identify when it is appropriate to engage with other agencies and stakeholders in particular when investigating food incidents and or infectious disease outbreaks.

### Cluster No. 9 - Information Gathering (Regulatory Support Officer)

9.1	Understanding of Informal Sampling methodologies and is able to gather samples according to PHE/FSA protocol.
9.2	Can demonstrate an understanding of how to identify food hazards and gather accurate information. Can identify when appropriately authorised officers need to intervene.
9.3	Can demonstrate the communication skills needed to engage with stakeholders and signpost to sources of information and guidance.
9.4	Is able to locate current sources of guidance for food hygiene and standards.

## CPD - Core Food Matters

	Food enforcement training
	Food hygiene inspection training
	Food microbiology
	HACCP / hazard analysis
	ID investigation
	Sampling techniques
	Vacuum packing
	E.coli / cross contamination
	Food allergens
	Inland imported food
	Sous-vide
	Prohibition procedures
	FHRS/Annex 5 consistency training
	Detention and seizure
	Improvement notices
	Approved premises - dairy
	Approved premises - meat processing
<b>Total CPD - Core Food Matters</b>	
<b>0:00</b>	

## CPD - Other Professional Matters

	Court skills
	PACE & RIPA
	Lead assessor
	Investigation skills
	Advanced Investigative Interviewing