



**Agenda item: Food
Service Plan 2021/20220**

Report for:	Strategic Planning and Environment Overview and Scrutiny Committee
Date of meeting:	
Part:	1
If Part II, reason:	

Title of report:	Food Service Plan 2021/202
Contact:	Julie Banks- Portfolio Holder for Community and Regulatory Services Author/Responsible Officer Emma Walker, Group Manager (Environmental and Community Protection) Paul O'Day, Team Leader, Environmental Health Rebecca Connolly. Lead Officer, Food, Health & Safety Richard LeBrun, Assistant Director (Neighbourhood Delivery)
Purpose of report:	To provide Members with sufficient information to approve the FSA: COVID 19 Local Authority Food Service Recovery Plan in place of the Food Service Plan 2021/2022
Recommendations	For Information only.
Corporate objectives:	Resources and Value For Money; Optimise Resources and Implement Best Practice.
Implications:	<u>Financial</u> None.
'Value for money' implications	<u>Value for money</u> Supports the Council in achieving Value for Money for its citizens.
Risk implications	Risk Assessment completed for each service area as part of Service planning and reviewed quarterly. Key risks are recorded on the Council's Risk Register which has been Updated recently. The key risks relate to not achieving statutory targets and failing to protect the public/businesses from Environmental Health Risks : <ul style="list-style-type: none"> • If statutory targets are not achieved the service can be Taken over and managed by the Government.

	<ul style="list-style-type: none"> • Potentially the public & businesses put at risk • Legal action taken against the Council • Reputational damage to Council
Equality Impact Assessment	
Health and safety Implications	None
Consultees:	
Background papers:	
Historical background <i>(please give a brief background to this report to enable it to be considered in the right context).</i>	
Glossary of acronyms and any other abbreviations used in this report:	AES- Alternative Enforcement Strategy ECP - Environmental and Community Protection EHC – Export Health Certificate ETSF – External Temporary Storage Facilities FAFA – Food Alert For Action FTE – Full time equivalent FSA – Food Standards Agency FHRS - Food Hygiene Rating System LGA – Local Government Association. ROF - Regulating Our Future PA – Primary Authority PHE – Public Health England POAO - Products of Animal Origin

1. Background

1.1. The 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.

1.2. .

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

- Food safety and hygiene enforcement
- Infectious disease investigations

1.4. 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.

1.5. The FSA, in the Framework Agreement, requires that the Food Service Plan be suitably approved, whether this is by Senior Officers or by members. The format of the service plan is dictated by the Framework Agreement and must cover the following areas:

- Service aims and objectives
- Background
- Service delivery
- Resources
- Quality Assessment
- Review

2. Purpose of the Food Service Plan - Service Aims and Objectives

2.1.1 The service plan outlines the work the council will undertake to ensure they carry out their statutory obligations as the competent food authority within Dacorum. This involves intervention planning and implementation that is undertaken in line with the regulators code in a proportionate, accountable, consistent, transparent and targeted manner.

2.1.2 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.

2.1.3 The council aims to ensure that the food team is adequately resourced to deliver the food service within Dacorum despite increasing demands and difficulties recruiting permanent staff in recent years. All officers are appropriately trained and authorised to carry out a wide range of statutory functions.

2.1.4 The Food team, working together with other council departments and the public, ensure we have up to date information regarding the food businesses operating within our district. Ensuring this information is up to date enables us to focus on high risk premises and allocate our resources where they are needed most in order to protect the wider public health.

3. COVID 19 Pandemic - Impact on the Food Service Plan and the Recovery Plan.

- 3.1.1 The objectives and the implementation of the Food Service plan dated 2020/2021 have been significantly affected by the COVID 19 Pandemic. The objectives have not been met fully due to the diversion of resources to help with the councils COVID 19 response. This has been the main priority of the Environmental and Community Protection Department as a whole since the pandemic began.
- 3.1.2 Resources from the food team have been deployed to carry out local contact tracing, workplace outbreak investigations, Covid 19 complaint investigations and a range of targeted campaigns outlined in section 8 of the Food Safety Plan.
- 3.1.3 Throughout the duration of the pandemic the Food Standards Agency have issued COVID-19 Local Authority Enforcement Q&A guidance. These documents outlined how the FSA expect food and feed enforcement authorities to respond to the impacts of COVID-19 on delivery of official food and feed controls. Dacorum have followed this guidance throughout the pandemic.
- 3.1.4 At the time of writing the Food Service Plan the FSA published the COVID 19 Local Authority Recovery Plan: guidance and advice to local authorities for the period from 1 July 2021 to 2023/24. Dacorum have proposed follow this recovery plan instead of the usual requirements in full of the Food Safety Service Plan 2021/2022.
- 3.1.5 The guidance and advice outlined in the plan aim to ensure that during the period of recovery from the impact of COVID-19, local authority resources are targeted where they add greatest value in providing safeguards for public health and consumer protection in relation to food. It also aims to safeguard the credibility of the Food Hygiene Rating Scheme (FHRS).
- 3.1.6 The FSA COVID 19 Local Recovery Plan is will be subject to the ongoing pressures of COVID 19 and the food team will be reporting back to the FSA at regular intervals by completing the Temp Check surveys to identify at the earliest opportunity any problems that we may have following this plan. Any deviation to the plan will be reported to the Portfolio Holder at regular meetings with the Service.
4. Recent updates to the Food Service Plan Section 7.2
 - 4.1.1 On the 5th of July 2021 Dacorum attended Watford Employment Tribunal to defend the decision to serve a Health and Safety Prohibition Notice and Health and Safety Improvement Notice in Jan 2020 on a local business. The hearing run over four days and the investigating officer was cross-examined by the defendant's legal representation and the employment tribunal judges. The Employment Tribunals ruling was received on the 20th August 2021. The investigating officers notices were affirmed with a small number of modifications. This outcome further justifies the decision to

prosecute this company for breaches of the Health and Safety at Work etc. Act 1974.

- 4.1.2 HICP Limited and Interstate United Kingdom Management Limited was fined £159,940 after a successful prosecution brought by Dacorum Borough Council.

On 22 September 2021, Peterborough Magistrates' Court imposed penalties totalling £159,940 on HICP Limited and Interstate United Kingdom Management Limited for safety failures leading to the injury of wedding party guests.

- 4.1.3 On the 6th December the Council was informed that the business mentioned in point 4.1.1 above have changed their not guilty plea to guilty.