

Cabinet – 30 April 2014

The Food Law Enforcement Service Plan for the year 2014/15

Portfolio: Councillor Ali – Public health and protection

Related portfolios: None

Service: Communities and Public Protection

Wards: All

Key decision: No

Forward plan: No

1. Summary

- 1.1 Through the work of its Environmental Health and Trading Standards Divisions, Communities and Public Protection ensures that food and drink produced, prepared or sold in the borough is safe and without risk to health, is correctly labelled and meets appropriate compositional and microbiological standards.
- 1.2 The Food Law Enforcement Service Plan attached as **Appendix A** explains how the work of these teams seeks to achieve this and **Appendix B** sets out the staffing resources including potential shortfalls available to the Authority.
- 1.3 The proposed Plan describes how the Authority will enforce statutory controls and monitor food, premises and personnel in a structured manner. The Plan will also be used as the basis for any inspection or audit by the Food Standards Agency. As the Plan forms part of the Council's Policy Framework it is required to be approved by elected members.
- 1.4 With the transfer of Public Health functions into the local authority, issues around health and well being are at the centre of policy development. The link between the health of residents and the local economy is seen as a key issue in Walsall and is enshrined in the Joint Strategic Needs Assessment, Health and Wellbeing Strategy and Sustainable Communities Strategy. The aims and objectives of the Food Law Enforcement Service Plan, contribute significantly to both the health and economy agendas.

2. Recommendation

- 2.1 That Cabinet approve the Food Law Enforcement Service Plan for the year 2014/15.

3. Report detail

- 3.1 The provision of safe food and water and the prevention of outbreaks of food and water borne disease is a fundamental principle of protecting public health. Environmental Health and Trading Standards Officers work directly with businesses and residents and are constantly striving to provide a balance between the economic success of the business against the need to always protect the health of customers and staff.
- 3.2 The Food Law Enforcement Service Plan sets out the Council's commitment to Food Safety Enforcement for the year ahead. The plan also records the outturn against last year's work programme.
- 3.3 The Plan includes information about the service as well as demonstrating a balance between enforcement action and education of traders.
- 3.4 Pursuant to the Food Standards Act 1999 the Food Standards Agency requires Local Authorities to produce a Food Law Enforcement Service Plan which identifies its strategy and the resources required to fulfil its Food Safety function each year. The plan acknowledges that staffing resources have reduced over recent years and that the amount of work required to fulfil the statutory programme of work remains fairly constant leaving a shortfall in available officer time to cover all areas of work. New techniques, projects and methods of prioritisation have had to be considered and implemented to ensure the Borough receives the basic level of health protection required.

4. Council priorities

- 4.1 The work of Environmental Health and Trading Standards fits neatly within the Council's priorities. Staff from those services interact on a daily basis with whole sectors of the Walsall business community to ensure the products they produce are safe both in terms of the impact on their employees and the health of residents across the whole life course.
- 4.2 The service is in a position whereby it can support businesses by providing face to face, timely and competent advice on a range of complex subjects to ensure they operate correctly, efficiently and lawfully. Responsible, profitable businesses that have longevity are key to ensuring the economy recovers and that local people can stay in employment or get back into employment as quickly as possible.
- 4.2 Whilst the work within the plan involves the protection of health and the improvement and profitability of business it also recognises that some individuals or traders will place profit before safety and therefore the service has a range of legal sanctions available to it to tackle what are basically criminal behaviours.

5. Risk management

- 5.1 The Plan sets out targets for the year ahead. Through the regular reviews built into the service planning process any performance issues can be identified and acted upon before they have a detrimental effect on service delivery.

6. Financial implications

- 6.1 The service is currently funded from within the councils cash limited budget and the plan will be met from within existing budgets.

7. Legal implications

- 7.1 By virtue of section 12 of the Food Standards Act 1999 the Food Standards Agency has the function of monitoring the performance of enforcement authorities in enforcing relevant legislation. That function includes, in particular, setting standards of performance (whether for enforcement authorities generally or for particular authorities) in relation to the enforcement of any relevant legislation. The Framework Agreement on Official Feed and Food Controls by Local Authorities is the mechanism by which the Agency puts into effect the powers contained in the Food Standards Act 1999. It provides for the following:

- published local service plans to increase transparency of local enforcement services;
- clear agreed standards for local authority feed and food law enforcement;
- local authority monitoring data used to select authorities for audit where there are concerns over enforcement performance; and
- an audit scheme aimed at securing improvements and sharing good practice.

Any plan produced by the Authority should comply with the Framework Agreement.

- 7.2 The Agency's audits of local authority feed and food law enforcement are conducted against the requirements of the Framework Agreement and, more specifically, a document called the Standard. The Standard sets out the minimum levels of performance expected in relation to the full range of a local authority's feed and food law enforcement activity, including food hygiene, food standards, imported food and feeding stuffs law enforcement. The Standard draws together the obligations on local authority feed and food law enforcement services arising from legislation and related guidance, and codes of practice. This includes local authority performance in relation to inspections, sampling, complaints, formal enforcement, promotion and advice to business.
- 7.3 The Food Law Enforcement Service plan adopts parts of the "service plan template" set out in the Framework Agreement.

The work of the Division pertinent to this report is undertaken pursuant to the provisions of the Food Safety Act 1990 and associated codes of practice, the

Food Hygiene (England) Regulations 2006 and any other such regulations developing from the European Communities Act 1972

The Food Safety Act 1990 states that every food authority shall enforce and execute within their area the provisions of this Act with respect to which the duty is not imposed expressly or by necessary implication on some other authority.

8. Property implications

8.1 There are no property implications within this Report.

9. Health and wellbeing implications

9.1 The purpose of this Plan and the primary objective of the work of Environmental Health and Trading Standards is to ensure that the health and wellbeing of individuals and indeed communities is protected. The fact the service has a direct link to both businesses, residents and partner organisations also places it in a strong position in terms of added value work in terms of interactions on such key issues as obesity, smoking, alcohol and safety at work. Failure to undertake this work would place residents at threat of ill health, disease and particularly for vulnerable persons the possibility of preventable death.

10. Staffing implications

10.1 Although the work contained within this report is managed each year based on the resources available to the Service it is unlikely in the current economic climate that we can continue to maintain all aspects of the service at the levels we do currently, particularly as the Service has recently lost a number of full time posts. This does mean that we will need to consider over the course of 2014/15 new approaches to the way in which the service operates and where we believe certain areas of work cannot be effectively undertaken that we acknowledge this both internally and in communication with the Food Standards Agency.

11. Equality implications

11.1 These proposals seek to benefit all parts of the community equally and will be consistently applied across the Borough. Food sampling programmes and support for local businesses will where possible reflect local needs. Where there are food businesses or consumers with particular language, cultural or other needs these can be addressed with reference to good practice that is shared amongst local authorities within the West Midlands and also nationwide.

12. Consultation

12.1 Environmental Health and Trading Standards carry out Customer Satisfaction surveys to gauge how satisfied businesses are with the way in which they have been treated by Officers. The Division is also part of the West Midlands Food Liaison Group consisting of representatives from the seven West Midlands Authorities and where good practice, principles of enforcement and education

and joint or collaborative work is discussed. Upon approval of the Plan it will be uploaded onto the Authority's web site and made available for public comment.

Background papers

Food Standards Agency Framework Agreement
Marmot Review
Sustainable Communities Strategy
Health and Wellbeing Strategy

Author

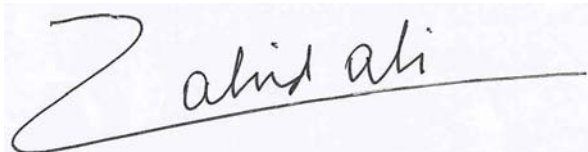
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22 April 2014

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22 April 2014



Walsall Council

**Food Law Enforcement
Service Plan
2014-2015**

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1.0 AIMS AND OBJECTIVES OF THE FOOD SERVICE

- To protect the health of the local population from the spread of preventable, communicable illness by ensuring that high standards of food safety are maintained in food premises.
- To protect public health nationally and internationally by ensuring that manufacturers of food within the Borough comply with regulatory standards
- To use the skills and opportunities available to the service to promote and implement key aspects of the Health and Well Being Strategy and the Marmot principles enshrined in the Fair Society, Healthy Lives report.
- To act within the standards set in the service's Enforcement Policy when considering the most appropriate course of action in response to non compliance.
- To instil a culture that supports a thriving local economy, where existing companies and jobs are sustained and the potential for new jobs optimised.

OBJECTIVES

- To carry out a programme of routine inspections of food premises concentrating on those premises of highest risk.
- To respond to requests for advice or assistance from new businesses, existing businesses or those taking part in the Home or Primary Authority schemes and support them in achieving legal compliance.
- To publish Food Hygiene ratings on the national database empowering consumers to make informed choices as to where they buy food and encouraging businesses to improve standards and become more profitable.
- To ensure that food offered or exposed for sale is fit for human consumption and to expedite the removal of hazardous products from the food chain.
- To ensure that food promotes public health by complying with compositional standards and labelling and is free from harmful contaminants.
- To eliminate fraud and substitution from food manufactured in the borough and to respond to complaints and intelligence about fraudulent activities in the food supply chain
- To investigate cases of communicable disease, including the investigation of practices and processes identified as sources of infection at commercial premises
- To investigate complaints relating to food and the conditions of food premises and where necessary take appropriate enforcement action

- To ensure procedures comply with the Food Standards Agency Framework Agreement and that all food service work is carried out in accordance with relevant codes of practice, quality systems and the service's enforcement policy.
- To undertake a microbiological food sampling programme at manufacturing premises and in connection with outbreaks of disease or service requests.
- To undertake a food sampling programme to ensure compliance with quality and labelling requirements.

1.1 LINKS TO CORPORATE OBJECTIVES AND PLANS

The Council has published a Sustainable Communities Strategy 'The Walsall Plan' for the period 2013 - 2016 as a key element of its performance framework. The plan sets out the council's vision for the borough, its aims, objectives and strategic priorities and is agreed by all elected members at full Council.

The vision, as set out in the Sustainable Communities Strategy, is for Walsall to be "a great place to live, learn, work and invest"

The Plan has been informed by a range of information including the Joint Strategic Needs Assessment, the Police Strategic Assessment, the residents survey "Your Place, Your Well Being" and importantly from a national perspective the Marmot Review "Fair Society, Healthy Lives"

The Plan also considers that the wellbeing of individuals and communities is what matters most at the present time and getting people into work and keeping them there is fundamental to ensuring well being.

For 2013 - 2016 the Councils priorities as set out in The Plan are:

- Supporting businesses to thrive and supporting local people into work.
- Improving health including well being and independence for older people.
- Creating safe, sustainable and inclusive communities.
- Improving safeguarding, learning and the life chances for children and young people.

These priorities provide a focus for the whole council and the Food Service directly supports and contributes to them by ensuring the provision of the following:

- Supporting new and existing businesses to not only survive but thrive despite difficult economic conditions.
- Continue to introduce an element of competition into regulatory standards through the National Food Hygiene Rating Scheme – empowering residents to choose which business should receive their custom.

- To confront those businesses or individuals who seek to gain an unfair advantage over competitors by not complying with regulations and therefore putting their staff and customers at risk.
- Ensuring that unsafe practices and foodstuffs are identified and robustly tackled to ensure the health of the public is protected therefore preventing ill health that places a negative burden on the economy and peoples lives
- To give consumers confidence when shopping in Walsall
- To use the skills and opportunities available to the service to promote and implement key aspects of the Health and Well Being Strategy in partnership with Public Health, for example through Healthy Workplace Awards, Making Every Contact Count, the Health Switch and tobacco control/smoking cessation projects.
- To prevent outbreaks of communicable disease and where such disease outbreaks take place using the statutory powers available to control and stop their spread as well as bringing to justice those who may be responsible.

1.2 FOOD STANDARDS AGENCY STRATEGIC PRIORITIES

The Food Standards Agency *Strategic Objective to 2015* states:

“We will put the health of the consumer first. In order to achieve beneficial change, we will work in partnership wherever we can, we will rely on evidence to inform our actions and we will be open and honest in our communication. We believe that good food businesses will thrive where people can choose their food with confidence. Trust is built and maintained by effective, consistent and transparent consumer protection. We will achieve our strategic objective by working towards five outcomes:

- Food producers and caterers give priority to consumer interests in relation to food
- Imported food is safe to eat
- Consumers have the information and understanding to make informed choices about where and what they eat
- Food produced or sold in the UK is safe to eat
- Business compliance is effectively supported because it delivers consumer protection. This will include a focus on effective, risk-based and proportionate regulation and enforcement.”

Walsall Council clearly has a role to play in helping the Food Standards Agency achieve each of these outcomes and achieve the strategic objective through the work of Environmental Health and Trading Standards.

2.0 BACKGROUND

2.1 PROFILE OF WALSALL MBC

Walsall is the northern-most of the Boroughs in the Black Country region and consists of six towns with a total population of 270,900 (2011 National Census). One side of the Borough is bordered by similar Metropolitan Districts while the other side is bordered by the rural Shire Districts of Staffordshire.

The western side of the Borough is a mixture of industrial and residential areas although much of the traditional heavy engineering has gone, being replaced by light engineering and service industries.

The eastern side of the Borough is much greener with substantial public open space, agricultural land and some light industry. Despite the presence of a number of dairy cattle there are no milk processing plants in the Borough

Walsall has a variety of manufacturing and service industries and is an operational base for a number of food wholesalers. There are also several companies producing a variety of food products which are distributed throughout the UK.

Over 15% of Walsall's working age population are not working and dependent on out-of-work benefits. 17% of Walsall's adult population have no qualifications. Walsall has been ranked as the 30th most deprived English local Authority. It is therefore clear to see how the Councils Vision and focus on work as a way of increasing well being are of key importance and how the food service can assist in bridging the link between health and economy.

The Borough is ethnically diverse, with 23.1% of Walsall's inhabitants coming from minority ethnic communities. In some wards, up to 70% of the population are from BME groups. Many people in these communities either own, or are employed in small food businesses.

In the past two decades the eating habits of the UK population have evolved rapidly and one of the major changes to the UK diet is that more food is consumed outside the home with the average person eating one in six meals outside the home. A number of studies have found that takeaway food outlets are often located in areas of higher socio-economic deprivation; people on low incomes continue to devote a higher proportion of their income to food than people who are better off so there is a clear health inequality.

2.1 PROFILE OF WALSALL FOOD BUSINESSES

There are 2340 food businesses registered within the Borough; this is a net increase of 5 businesses in the last 12 months (taking into account the closure of existing businesses and opening of new businesses).

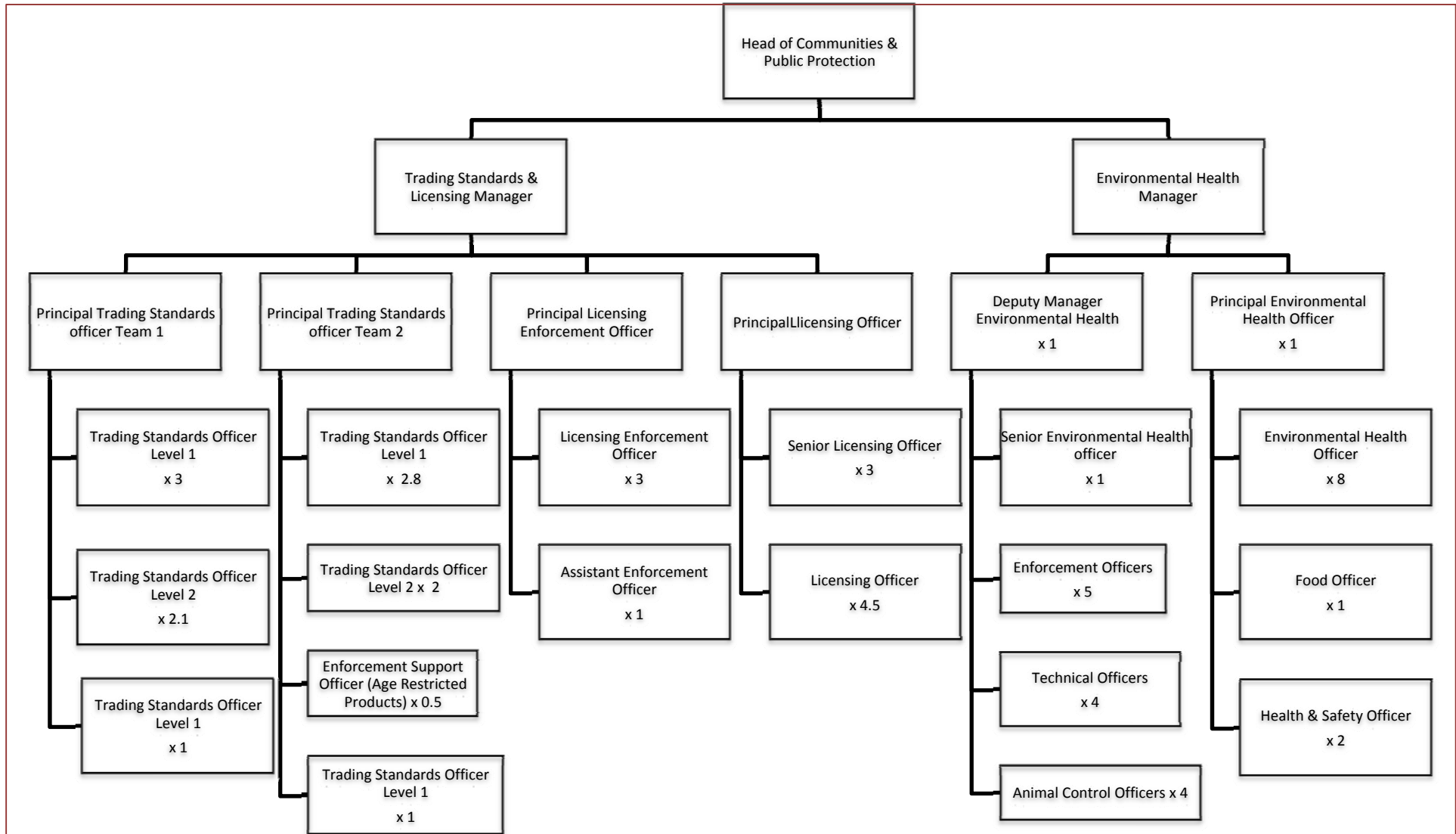
A profile of food businesses types is as follows:

- 534 small (food) retailers
- 469 cafes/restaurants
- 270 hot food takeaways
- 270 public houses/clubs
- 182 caring premises
- 136 educational establishments
- 105 mobile food businesses
- 92 supermarkets
- 61 Distributors/Transporters
- 56 domestic caterers+438
- 53 butchers
- 37 Manufacturers and Packers
- 32 Primary Producers (Farms etc)
- 25 food wholesalers
- 18 Hotel/Guesthouses

There are 21 premises approved to produce products of animal origin for distribution throughout the UK and Europe: These comprise;

- 6 wholesalers & cold stores
- 3 pie manufacturers
- 3 sausage manufacturers
- 3 Asian snack manufacturers
- 2 pork scratching manufacturers
- 1 cooked meat manufacturer
- 1 kebab manufacturer
- 1 Scotch egg manufacturer
- 1 pattie manufacturer

There are no red meat slaughterhouses in the borough: There is one small-scale Halal poultry slaughterer operating throughout the year; food safety enforcement in this premises is undertaken by the Food Standards Agency. There are six registered agricultural feeding-stuff (animal feed) establishments.



2.3 SCOPE OF THE FOOD SERVICE

The enforcement of food related legislation is a joint responsibility between Environmental Health and Trading Standards: All services are provided by officers employed by Walsall Council.

The **Environmental Health** service provides the following services:

- Food safety/hygiene inspections
- Infectious disease investigations, (including food poisoning and water borne disease)
- Microbiological food sampling
- Food safety advice to new and existing businesses
- Food and food hygiene complaint investigations
- Drinking water supply - monitoring and assessment
- Promotional and educational activities and initiatives based around food safety and hygiene
- Operation of the National Food Hygiene Rating System
- Animal Health and Welfare in the domestic, commercial and agricultural sectors including licensing associated with animals and premises.
- Nuisance complaints arising from commercial premise in respect of odour, noise, waste and drainage.
- Comments as a statutory consultee in the respect of Planning applications and Licence applications.
- Paying for and arranging for cremations and burials where no arrangements have been made to bury the dead.
- Monitoring the exhumation of buried human remains in terms of disease control and healthy and safety
- Health and Safety at Work regulation including accident investigation and the registration of skin piercing activities.

The **Trading Standards** service provides the following services:

1. Food standards inspections (including feeding stuffs inspections)
2. The investigation of complaints in relation to food labelling and composition
3. Food and feeding stuff sampling for compositional and labelling conformity
4. The investigation of complaints in relation to composition and labelling of animal feed and feeding stuffs
5. Food standards advice to business
6. Food standards education to consumers

The full range of Trading Standards legislation is delivered alongside the food standards service.

Delivery of the Food Service	
Service Delivery Point	Civic Centre, Darwall Street Walsall WS1 1TP
Hours of Opening	Monday to Thursday 8.45am to 5.15pm Friday 8.45pm to 4.45pm
Telephone numbers	EH 01922 653010 TS 0845 330 3313
E mail	foodsafety@walsall.gov.uk trading_standards@walsall.gov.uk
Website	www.walsall.gov.uk
Social Media	www.facebook.com/makemeasavvyshopper www.facebook.com/safeandsoundaroundtown Twitter: @ehwalsall : @savvyshopper

2.4 ENFORCEMENT POLICIES.

An Enforcement Policy is in place which has been approved by full Council; this is published on Walsall Council's web site and a printed copy is available upon request.

http://www.walsall.gov.uk/enforcement_policy

3.0 SERVICE DELIVERY: ENVIRONMENTAL HEALTH

3.1 FOOD HYGIENE INTERVENTIONS

"Food hygiene" is defined under legislation as *the measures and conditions necessary to control hazards and to ensure fitness for human consumption of a foodstuff, taking into account its intended use.*

Food Hygiene Interventions are part of the system for ensuring that food meets the requirements of food hygiene law and are key to improving compliance with food law by food business operators. Interventions are defined as activities that are designed to monitor, support and increase food law compliance within a food establishment. The range of possible interventions allows authorised officers to use their professional judgement to apply a proportionate level of regulatory and enforcement activities to each food business. Interventions are applied in a risk-based manner such that more intensive regulation is directed at those food businesses that present the greatest risk to public health.

Walsall Council follows the priority rating system identified in the Food Law Code of Practice issued by the Food Standards Agency and aims to carry out a food hygiene intervention at 100% of high and medium risk businesses that are due for inspection in the year.

Interventions include “official controls” and alternative interventions (“non-official controls”).

3.1.1 OFFICIAL CONTROLS

“Official controls” are any form of control for the verification of compliance with food law and include the following:

- **Inspection:** The examination of any aspect of feed, food, animal health and animal welfare in order to verify that such aspect(s) comply with the legal requirements of feed and food law and animal health and welfare rules.
- **Monitoring:** Conducting a planned sequence of observations or measurements with a view to obtaining an overview of the state of compliance with feed or food law, animal health and animal welfare rules.
- **Surveillance:** A careful observation of one or more food businesses, or food business operators or their activities.
- **Verification:** The checking, by examination and the consideration of objective evidence, whether specified requirements have been fulfilled.
- **Audit:** A systematic and independent examination to determine whether activities and related results comply with planned arrangements and whether these arrangements are implemented effectively and are suitable to achieve objectives.
- **Sampling:** Taking feed or food or any other substance (including from the environment) relevant to the production, processing and distribution of feed or food or to the health of animals, in order to verify through analysis compliance with feed or food law or animal health rules.

Carrying out an inspection

It is not necessary to inspect every aspect of a food business at every inspection: Authorised officers must use their professional judgement in selecting which elements of the business to examine in detail and whether to carry out a full inspection or a partial inspection, based on the nature and risk of the business and the history of compliance.

A **full inspection** will consider all aspects of a food business including structure, food safety management and management arrangements.

A **partial inspection** covers only certain elements of a full inspection and will be carried out in medium to low risk businesses that have a good history of compliance.

An **audit** may be carried out where a food business operator has put in place a documented food safety management system to address the requirements of Article 5 of Regulation 852/2004. Officers will require an awareness of the food safety management system operated by the business, in order to plan an appropriate audit.

3.1.2 NON-OFFICIAL CONTROLS (ALTERNATIVE INTERVENTIONS)

Alternative interventions, i.e. those which do not constitute official controls include:

- education, advice and coaching provided at a food establishment; and
- information and intelligence gathering
- informal sampling

To ensure that resources can be focused where they are required, the Environmental Health team will no longer inspect the lowest risk category of business; these businesses will be sent a self-audit questionnaire and any follow-up action will be conducted over the telephone. If any matters of concern are identified, an officer will visit the business.

3.1.3 POST-INTERVENTION ACTIONS

3.1.3.1 FOOD HYGIENE SCORING SYSTEM (INTERVENTION RATING)

Following an Official Control, the officer will use the risk assessment criteria in the Food Law Code of Practice; this is known as the Intervention Rating and determines the food hygiene intervention frequency of the business and enables Walsall Council to plan the food hygiene intervention programme.

Three factors determine the potential hazard:

1: The potential hazard

- Type of food and method of handling
- Method of processing
- Consumers at risk

2: Level of current compliance

- Hygiene and safety procedures
- Structure and cleanliness

3: Confidence in management/ control procedures

- Previous history of compliance
- Food Safety Management System

A business is classed as **Broadly Compliant with food safety legislation** if it achieves a score of not more than 10 points under each of the following areas:

Level of (Current) Compliance- Hygiene
 Level of (Current) Compliance- Structure
 Confidence in Management.

If a business is Broadly Compliant, the type of intervention can be relaxed and comprise a Monitoring, Surveillance, Verification or Sampling visit. This is made clear to the Food Business Operator and the following intervention must be an inspection.

3.1.3.2 FOOD HYGIENE INTERVENTION FREQUENCIES

The frequency of a food hygiene intervention at a business is determined by the total score:

Risk Category	Total Intervention Rating Score	Minimum Inspection frequency
A (highest risk)	92+	Every 6 months
B	72-91	Every 12 months
C	42-71 (52-71)*	Every 18 months
D	31-41(31-51)*	Every 24 months
E (lowest risk)	0-30	Every 3 years

The number of inspections incorporating carry forwards from 13/14 due between April 2014 and March 2015 are as follows:

RISK CATEGORY	A	B	C	D	E	Total
FREQUENCY OF VISITS	6 mths	12 mths	18 mths	2 yrs	Alternative intervention strategy	
INSPECTIONS SCHEDULED	17	175	585	128	47	952

*From the 6th April 2014 due to a change in the National Food Law Code of Practice these scores will alter. Predominantly affecting Broadly Compliant C rated premises a percentage of these should drop into the category D bracket meaning their inspection frequency will move from 18 months to two years. Changes to the Code in terms of some methods of processing will mean premises using vac pac equipment for meat, sous vide or producing undercooked burgers may have their score increased meaning a higher frequency of inspection. The overall impact won't be known till these changes come into force however it is unlikely to mean a dramatic rise or fall in the number of inspections for the service in general terms.

3.1.3.3 TYPE OF FOOD HYGIENE INTERVENTION

When a business is due a food hygiene intervention, the type of intervention carried out will depend on the risk category of the business in the following way. The Intervention Rating Score (and therefore frequency of intervention) can only be changed after an Inspection, Partial Inspection or Audit.

Risk Category	Inspection	Partial Inspection	Audit	Monitoring	Surveillance	Verification	Sampling
	Can change intervention rating			Cannot change intervention rating			
A	✓	✓	✓				
B	✓	✓	✓				
C (Not Broadly Compliant)	✓	✓	✓				
C (Broadly Compliant)	✓	✓	✓	✓	✓	✓	✓
D	✓	✓	✓	✓	✓	✓	✓
E	Alternative intervention strategy: Non-Official Control						

3.1.3.4 REPORT OF INSPECTION

Following an Official Control, the Food Business Operator will be sent a Report of Inspection detailing the following;

- the name of the business
- the date of the inspection and the inspecting officer
- any enforcement action to be taken by Walsall Council
- any improvements required that are legal requirements
- any improvements required that are good practice

3.1.3.5 FOOD HYGIENE RATING SCHEME

If the business is within the scope of the Food Hygiene Rating Scheme three elements of the Intervention Rating Score are used to calculate the food hygiene rating:

- Level of (current) compliance with food hygiene and safety procedures
- Level of (current) compliance with structural requirements
- Confidence in management/control procedures

The scores are then mapped to the six Food Hygiene Ratings which range from 0 to 5. Any business should be able to achieve the top rating (5) as it requires no more than compliance with food law.

Total Score	0-15	20	25-30	35-40	45-50	>50
Food Hygiene Rating	5	4	3	2	1	0
Descriptor	Very Good	Good	Generally Satisfactory	Improvement Necessary	Major Improvement Necessary	Urgent Improvement Necessary

Walsall Council implemented the Food Hygiene Rating Scheme on the 1st April 2011: After three years of operation it is encouraging to see that the proportion of businesses that are ranked “Broadly Compliant” (scoring 3, 4 or 5) has increased year upon year, despite the continued financial pressure on businesses.

Rating (& Descriptor)	Number of businesses		
	April 2012	April 2013	March 2014
5 (Very Good)	232	328	373
4 (Good)	209	308	349
3 (Generally Satisfactory)	174	336	353
2 (Improvement Necessary)	63	130	121
1 (Major Improvement Necessary)	171	180	149
0 (Urgent Improvement Necessary)	13	10	8

	April 2012	April 2013	February 2014
% of businesses Broadly Compliant	71.3	75.2	79.45

3.2 FOOD HYGIENE ENFORCEMENT

The following enforcement options are available to officers to deal with legal contraventions in food businesses:

- **Hygiene Emergency Prohibition Notice:** If an officer determines that there is an imminent risk of injury to health, a Hygiene Emergency Prohibition Notice can be served to immediately close the business. Examples of such risks include the lack of washing facilities, a pest infestation or gross contamination of food. The officer must make an application to Walsall Magistrates Court for a Hygiene Emergency Prohibition Order, which confirms the closure of the business. The business can only reopen when the officer is satisfied that there is no longer an imminent risk of injury to health.
- **Hygiene Improvement Notice:** An officer can serve a Hygiene Improvement Notice if;
 - formal action is proportionate to the risk to public health;
 - there is a record of non-compliance with breaches of food hygiene regulations; and
 - there is reason to believe that an informal approach will not be successful
- **Seizure and Detention:** If an officer believes that food has not been produced, processed or distributed in compliance with the Hygiene Regulations they may seize it by serving a Certificate and making an application to Walsall Magistrates Court.

The officer can serve a Detention notice to ensure that the food is not moved or removed or is removed to a specified place.

- **Prosecution:** If a major breach of food hygiene legislation has occurred or a business has a particularly poor history of compliance a prosecution will be considered. There are a number of criteria that must be satisfied prior to legal proceedings being instigated; these will be pursued thoroughly in accordance with Walsall Council's enforcement policy.

3.3 FOOD HYGIENE REVISIT

Revisits will be carried out to food businesses that fail to comply with significant statutory requirements; this includes failure to comply with:

- a single requirement that compromises food safety, compromises public health, prejudices consumers;
- a number of requirements that, taken together, indicate ineffective management;
- the requirements of a Hygiene Emergency Prohibition Notice or Order (food hygiene); and
- the requirements of an Emergency Prohibition Notice or Order (food standards).

The West Midlands Food Liaison Group has developed a revisit flow-chart to aid officers in determining whether a revisit is necessary and appropriate.

Revisit inspections will focus on the significant statutory requirements that were found to be contravened at the previous intervention.

The timing of the revisit will be determined by the action taken as a result of the earlier intervention.

Such a revisit will, whenever practicable, be undertaken by the officer who undertook the original intervention to ensure consistency and continuity.

3.4 FOOD HYGIENE ENFORCEMENT STATISTICS 2013-2014

1 Food Business Operator was prosecuted for poor hygiene standards, poor structure, pest control, lack of training and contaminated food. The Food Business Operator was fined £1000 and ordered to pay costs of £1000

1 premises was closed using Hygiene Emergency Prohibition Notices and the owner issued with a Simple Caution for poor cleanliness and a minor infestation of mice.

22 Hygiene Improvement Notices were served requiring improvement to standards at food premises

12 Health and Safety Improvement Notices were served to protect employees or customers

1 Health and Safety Prohibition Notice was served at a food premises to protect staff an imminent risk to their safety

7 Abatement Notices were served on premises to prevent noise nuisance in the locality

5 Notices were served requiring arrangements made to adequately dispose of waste at food premises

3.4.1 LOCAL AUTHORITY ENFORCEMENT DATA

The Local Authority Enforcement Monitoring System (LAEMS) is a web-based system used to report local authority food law enforcement activities to the Food Standards Agency: Local authorities upload data that has been generated from the local system on which they record data on food law enforcement activities, to LAEMS. Once uploaded to LAEMS, the local authority data is aggregated to the pre-defined categories required by the FSA, including 'interventions', 'sampling' and 'enforcement'. Local authorities are then able to view results of the aggregation process and assess whether amendments to the data are required. Once local authorities are content that the aggregate data are correct, they are required to confirm the accuracy of the data before it is submitted for evaluation and publication by the FSA.

Local Authority Enforcement Data is published by the Food Standards Agency at:

<http://food.gov.uk/enforcement/monitoring/laems/mondatabyyear/ocd201213/>

3.5 FOOD HYGIENE PROJECTS 2013-2014

Takeaway Coaching Project

Environmental Health took part in a coaching project run by the Food Standards Agency designed to improve standards in hot food takeaways with a poor history of food safety compliance. 70 hot food takeaway businesses in Walsall were invited to take part in the scheme; 34 agreed to take part and received coaching visits from an independent coach employed by the Food Standards agency. The framework for the coaching visit was the Report of Inspection sent following the last food hygiene intervention and gave the Food Business Operator the chance to ask questions and clarify any issues they didn't understand. The Food Standards agency is currently evaluating the project.

Food Safety Week 2013

One of this years focuses was on the domestic kitchen. Publicity material supplied by the Food Standards Agency helped consumers re-assess their existing food safety behaviour in their kitchens at home via a checklist which will allow them to compare their behaviour against good practice with guidance on how they can improve.

Summer Picnic Safety

Food Safety week was also used to launch a promotion of picnic safety (the decision to do this was influenced by the outbreak of *E.coli* in Sutton Park in summer 2012) both from the viewpoint of keeping ingredients safe and also cutting down the risks from picking up any 'bugs' from the environment.

A press release was put out and a web page put up on the Council's own site at the beginning of food safety week. Throughout the summer officers attended events across the borough – such as the 'Bring Your Child to the Library' initiative, various community fun and environment days and the First Stop Shop Express bus. Officers spoke to members of the public, distributed information/activity packs and explored how easily bugs spread using the glow germ cabinet. Records indicate that around 500 members of the public were spoken to.

Valentines Day 2013

Environmental Health used Social Media such as Twitter and Facebook to encourage consumers to check the Hygiene Rating of a food business before making a Valentines Day booking. The campaign was well received and many of the tweets were retweeted to a much wider audience.

Business Satisfaction Surveys

Business Satisfaction Surveys are sent out to a proportion of businesses following a food hygiene intervention; the results are collated and provided to the Principal Environmental Health Officer. The surveys can be completed anonymously but if the details of the inspection are included, the results can be discussed with the Inspecting Officer. Results demonstrate that businesses are satisfied with the service they receive from the Environmental Health team; during a food hygiene intervention the officers discuss findings with the Food Business Operator so anything identified in the inspection report should not be a surprise to the business.

Officer Training Programme

Ensuring officers are trained and competent is a key issue for the service: If competencies are not maintained or lapse it can bring the officer and therefore the Council into disrepute through legal proceedings. Training can be costly and consideration of free, subsidised or low cost training in collaboration with other Councils or Partners will always be considered.

In 2013/2014 Officers received training in the following areas:

- E coli and Cross Contamination
- ATP Swabbing
- Food Hygiene Consistency
- Legionella Investigation
- Food Standards Agency Update
- Inland Enforcement of Imported Food
- Legal process

3.5.1 FOOD HYGIENE PROJECTS 2014-2015

The Environmental Health team plan to run a number of projects to promote food safety throughout the borough; these projects will be delivered alongside the statutory duties of inspecting food businesses, responding to complaints and investigating cases of infectious disease.

Health Switch Award

The Health Switch Award has been developed in partnership and funded by Walsall Public Health team: It is designed to rely heavily on interaction between the food business operator and the officer: It is a “hands on” approach and aims to work closely with the business to ensure they understand the concepts and principles of basic healthy eating and how they can use this knowledge to positively influence both the food they offer for sale and their business, making changes to their menu.

Wherever possible, changes are designed to be low cost or no cost, simple, and easy to implement. Selection is from premises scoring a 4 or 5 on the National Food Hygiene Rating Scheme. The premises must maintain at least a scoring of 3 (Satisfactory) to keep the award. The pilot aims to cover businesses from across the six area partnerships and 50 businesses will be given the opportunity to apply in the first ‘batch’.

A series of visits will be made to the premises to establish the type of food prepared, menu on offer etc. The business will be helped to see which award level to work towards and an action plan will be provided to help them achieve this. A visit will be made to look at progress made on any action plan and any barriers or concerns around implementing changes. Finally, an assessment visit will be made to assess changes and make sure there is evidence of these changes.

Businesses will be given an award to display in their premises once successful. The award will be branded with the Health Switch logo which will be on all information press releases to build a recognisable identity for the award.

Maintenance of standards and fulfilment of the award criteria will be monitored during routine food hygiene inspections.

Imported Food

The Food Standards Agency has made inland enforcement of imported food controls a national priority and it is one of the five outcomes that contribute to the Food Standards Agency Strategic Objective: 50% of food in the UK has been imported and a significant proportion of this originates from countries outside the EU. Only a small proportion is checked at the port of entry so it is important that inland controls are effective.

While inspecting food establishments, officers will carry out routine checks on imported foods which have been imported from countries outside the EU and take the necessary enforcement action, which may include destruction of the food. If evidence demonstrates that there is a significant problem, a publicity campaign will be held.

Alternative Intervention Strategy

The number of food businesses in Walsall requiring inspection continues to grow and service requests such as complaints, new food businesses and requests for revisits remain at a high level: It is clear that sustaining the current level of inspections is not possible. Environmental Health will therefore change the way that it undertakes food hygiene inspections so that it can focus resources on higher risk businesses or businesses with a poor history of compliance; using a suite of interventions. Businesses that are Broadly Compliant no longer receive a full inspection and will be subject to a partial inspection or monitoring visit.

Businesses that are classed as very low risk will be dealt with by an Alternative Intervention such as a postal questionnaire: This will be followed up by a telephone call or coaching visit if any matters of concern are raised.

Food Safety Week 2014

Every year in June the Environmental Health team contributes to the National Food Safety Week campaign. The FSA's top food safety priority is to reduce foodborne disease and this includes tackling the food bug campylobacter in chicken because it is the most common cause of food poisoning in the UK. The message to consumers is 'Don't wash your chicken'. During the campaign we will share a number of tips about what consumers can do to protect themselves and their family from food poisoning in their own home, particularly when handling chicken.

Inter Authority Audit

Walsall Council will participate in an inter authority audit with the other West Midlands authorities who are members of the West Midlands Food Liaison Group; the audit will be based on the Food Hygiene Rating Scheme and will be carried out using the toolkit developed by the Food Standards Agency.

3.6 OUTBREAKS OF FOOD AND WATER RELATED INFECTIOUS DISEASE

Public Health England have been appointed to act as Proper Officer for Walsall Council in respect of infectious disease notifications: In this respect, General Practitioners across the Borough report suspected cases of food poisoning to the Consultant for Communicable Disease Control (CDDC) at Public Health England. Public Health England notify the Environmental Health team of any food poisoning cases in the Borough via secure electronic communication. Environmental Health have a statutory duty to carry out an investigation to ascertain the source of the illness and carry out checks to ensure that there is no risk of the illness spreading further.

Officers in the Environmental Health team work closely with colleagues in Public Health England and the Director of Public Health and have powers to formally exclude people from work or school if they are classed as a high risk case and their actions place other people at risk of catching communicable disease.

The Authority has a documented procedure for the investigation of incident of reported or suspected cases of food poisoning and a formal plan to cover the management of the investigation outbreaks of food borne infectious disease.

The number of cases of food poisoning that have been notified and investigated has fallen over recent years, which is encouraging news and demonstrates that a combination of advice and enforcement in food businesses is working. The increase shown this year was due to an end of year outbreak of Norovirus in a Residential Care Home.

Year	2009/10	2010/11	2011/12	2012/13	2013/14
Food poisoning cases reported and investigated	284	343	299	266	288

3.7 MICROBIOLOGICAL FOOD SAMPLING

Microbiological food sampling is carried out to meet four main objectives:

1. To determine the current state of food safety in the Borough as part of a structured sampling programme.
2. To improve the effectiveness of food hygiene inspections.
3. To investigate suspect case of food poisoning where a link with a local business is suspected.
4. To investigate complaints about food.

An annual sampling programme is produced with a target of 200 microbiological food samples to be taken for examination. Microbiological examinations will be carried out under the free allocation from Public Health England using Good Hope Hospital in Sutton Coldfield. The samples are taken by the Food Safety Officer; other Officers are authorised and can take samples if necessary. The food sampling programme links with the LGR sampling programme as well as taking account of local trends and needs.

3.7.1 SAMPLING PROGRAMME 2013-2014

During 2013-2014 the Microbiological Sampling programme was halted to enable other work to be prioritised. Only 77 of the 200 samples available to the Authority were taken however those samples were put to effective use as illustrated below.

Meat Product Manufacturer – 28/5/13

This was follow-up sampling due to *Salmonella* being detected in samples taken in Feb 2013. Two samples were found to be unsatisfactory due to *Salmonella*. The Inspecting Officer sent a letter recommending changes to the manufacturers own sampling regime and the issue was discussed during the subsequent food hygiene inspection.

Manufacturer 1– 18/6/13

A routine sampling visit resulted in 7 samples which were all satisfactory.

Manufacturer 2 – 9/7/13

A routine sampling visit resulted in 16 samples which were all satisfactory.

Manufacturer 3 – 5/11/13

A routine sampling visit resulted in 3 samples which were unsatisfactory / borderline for Enterobacteriaceae and Aerobic Colony Count. The issue and potential solutions was discussed during the subsequent food hygiene inspection.

Manufacturer 4 – 12/11/13

This was an initial visit to a new manufacturer to sample their produce. Eight samples were unsatisfactory / borderline for *Listeria* spp., ACC and Enterobacteriaceae. Several advice visits were made to advise regarding cleaning and shelf-life issues. Re-sampling will take place in the 2014-2015 sampling programme

Manufacturer 6 – 19/11/13

A routine sampling visit resulted in 24 samples taken, 2 of which were borderline for Enterobacteriaceae, the issue was discussed during the subsequent food hygiene inspection.

3.7.2 SAMPLING PROGRAMME 2014-2015

Hospitals

The hospitals in Walsall have their own sampling regime and have rarely failed any tests undertaken. Therefore it has been decided to prioritise the manufacturers and reactive sampling ahead of the Hospitals this year. Should time and resources allow some sampling may take place toward the end of the year or if there are concerns or complaints received.

Hospital	Address	Due
Manor Hospital CPU	Moat Road, Walsall	Own sampling regime
Dorothy Pattison Hospital	Alumwell Close, Walsall	Own sampling regime
Bloxwich Hospital	Reeves Street, Bloxwich	Food supplied by Manor Hospital

Food Manufacturers and Manufacturers Selling Mainly by Retail

There are a number of manufacturers in Walsall: Some of them are required by law to have a sampling programme in place, due to the type of products produced. Most of the manufacturers have a sampling programme in place; we will endeavour to take samples from our manufacturers where time and finances allow.

Company	Address	Food
Gorman's Pork Pies	Central Drive, Bloxwich.	Pork Pies
Timezone Ltd	Morgan Close, Willenhall,	Meat pies
Midland Chilled Foods Ltd	Stringes Lane, Willenhall.	Meat pies
Midland Sandwich Co.	Bridgeman Street, Walsall.	Scotch eggs
T C Morris	Walsall Street, Willenhall.	Pork pies
Piquant Ltd	Willenhall Lane, Bloxwich	Mayonnaise
Coopers Butchers	Walsall Road, Darlaston	Cooked meats

A E Poxon	Lichfield Road, Brownhills	Cooked meats and sausages
Madani Frozen Foods	Brineton Street, Walsall	Kebabs, sausages, Asian snacks
The Traditional Indian Catering Company	Tollpoint Industrial Estate, Lichfield Road, Brownhills.	Asian snacks, sandwiches
Direct Food Solutions	Ashmore Lake Way, Willenhall.	Curry ready to eat meals
Lawrences	Fryers Road, Walsall.	Sausage
Potters Pork Products	Newfield Close, Walsall.	Sausage
Freshco	North Street, Walsall	Sandwiches

3.8 FOOD SAFETY INCIDENTS

The Food Standards Agency issues information about product withdrawals and recalls to let consumers and local authorities know about problems associated with food. This information is issued electronically directly to the Environmental Health team.

A Product Withdrawal Information Notice or a Product Recall Information Notice is issued where a solution to the problem has been put in place – the product has been, or is being, withdrawn from sale or recalled from consumers, for example. A Food Alert for Action is issued where intervention by enforcement authorities is required. These notices and alerts are often issued in conjunction with a product withdrawal or recall by a manufacturer, retailer or distributor.

60 food alerts were received in the calendar year of 2013; a log of all Food Alerts is maintained on the Food Standards Agency website at

<http://www.food.gov.uk/enforcement/alerts/>

3.9 FOOD SAFETY REQUESTS FOR SERVICE

During 2013/14 the Food Safety service dealt with:

- 339 planning applications
- 288 confirmed food poisoning investigations
- 116 complaints about unsatisfactory food premises/practices including Mobiles
- 146 complaints about food eaten or purchased being unfit
- 96 new business advisory visits or discussions
- 42 licensing application consultations
- 29 complaints of noise nuisance
- 16 complaints about odour from premises
- 14 complaints about drainage at food businesses
- 13 enquiries about the Food Hygiene Rating Scheme
- 8 complaints about licence contraventions
- 7 incidents involving water supply issues at food businesses

Overall, the team responded to 1068 requests for service during 13/14 with 98% of complaints being responded to within the target response times.

3.10 ADVICE TO BUSINESSES

The Authority has always provided appropriate and competent advice, through a variety of different means, to local businesses and residents, within available resource constraints.

The past twelve months has seen a large increase in the number of people wanting to prepare food for sale in their domestic kitchens. Environmental Health recognises that certain low risk food items such as cakes can be prepared in a domestic kitchen and we have produced a number of factsheets for domestic caterers.

In 2014/2015 we aim to make our website easier to use, with fact sheets, information and application forms that businesses and members of the public can download free of charge.

Advice is given to businesses before they start trading: It is easier to advise on layout, equipment and practices at the planning stage before a business commences trading. Under the Food Hygiene Rating Scheme, a business that does not have a fully implemented Food Safety Management System cannot score higher than 1 (Major Improvement Necessary) so where time permits, officers carry out coaching visits to Food Business Operators to ensure they understand the importance of this requirement.

In January 2014 a new Environmental Health twitter account was set up: Within two months this has attracted over 100 followers (currently 116). We will continue to use social media for communicating food safety, infectious disease and health and safety messages: Tweets on issues relating to the work of Environmental Health are made by officers within the team and are regularly retweeted by other councils, businesses and members of the public. The Services Facebook site is updated continually on a range of subjects including links to the Food Standards Agency and other Government websites and documents.

Food hygiene and food safety advice is routinely given as part of an inspection or intervention visit and is complemented by the use of targeted business updates, national and local publicity campaigns and other promotional activities.

3.11 NATIONAL LIAISON WORK

3.11.1 PRIMARY AUTHORITY

The Primary Authority Principle has its basis in law and builds on the well established Home Authority principle. The authority is permitted to recover its costs for advice given under the scheme and if the business follows the “assured advice” then enforcement action such as a prosecution by other authorities is not likely to be successful. We have been approached by two large multi-site national businesses whose head offices are in Walsall; negotiations are continuing.

3.11.2 LIAISON WITH OTHER ORGANISATIONS

The Authority is a member of the **West Midlands Food Hygiene Liaison Group** which aims to:

1. Act as a forum to provide consistency of enforcement.
2. Act as a facilitator for benchmarking activities.
3. Provide 'standardisation' exercises to facilitate consistency.

It fully supports decisions taken at the group and actively engages in the programme of activities arranged by the group. A representative from the Food Standards agency attends the group and provides a valuable link between local authorities and the Food Standards Agency.

The Principal Environmental Health Officer is the regional representative at the **Food Standards Agency Food Hygiene Rating Scheme Working Group**, which meets at the Food Standards Agency headquarters in London to discuss consistency and policy issues relating to the Food Hygiene Rating Scheme.

The Authority also works in partnership with the following organisations either on an ongoing basis or as the result of targeted work programmes.

1. Food Standards Agency
2. Public Health England
3. Director of Public Health and Public Health consultants
4. FSA South West & West Midlands Regional Office
5. School Foods Trust
6. Walsall Catering Services
7. Corporate Procurement
8. Worcestershire Scientific Services
9. Staffordshire Scientific Services
10. Walsall Hospitals NHS Trust
11. Department of Health (West Midlands)
12. Area Partnerships

3.12 WORKPLAN FOR 2014-2015

The Authority seeks to ensure that food produced, prepared and sold in the borough is safe and without risks to health and meets appropriate quality standards. This will be achieved by:

Key Service Activity	Head of Service	Action	Action lead
Respond to food poisoning, infectious diseases and animal health incidences.	John Leach	Respond to all disease notification using timescales developed by Public Health England.	David Elrington
Maintain the Food Hygiene Rating System for inspections of food businesses	John Leach	Maintain the Food Hygiene Rating System and use it to identify areas of weakness in food businesses within the Borough – notably those rated 1 and 0.	David Elrington
Ensure residents have access to safe and healthy food	John Leach	Implement the microbiological food sampling programme focusing on high risk premises and manufacturers	David Elrington
Ensure residents have access to safe and healthy food	John Leach	Implement the Food Law Enforcement Service Plan	David Elrington
Ensure residents have access to safe and healthy food	John Leach	Carry out the Food Standards Plan.	Lorraine Boothman
Ensure residents have access to safe and healthy food	John Leach	Undertake a Public Health funded project in relation to Health Switch aimed at the provision of alternative healthy options at takeaway premises.	David Elrington
Investigate complaints and requests for service about business malpractice.	John Leach	First Response to complaints about trading practices received by the environmental health and trading standards services within service standards.	David Elrington and Lorraine Boothman
Contribute to the drive for economic growth	John Leach	Quarterly review of work undertaken to include business consultation, including working with the Black Country LEP	David Elrington and Lorraine Boothman

4.0 SERVICE DELIVERY: TRADING STANDARDS

4.1 FOOD STANDARDS INTERVENTIONS.

Food standards interventions are part of the system for ensuring that food meets the requirements of food standards law, including proper presentation, labelling and advertising, compliance with compositional standards, and the absence of non-permitted or excessive levels of additives, contaminants and residues.

Interventions include “official controls” and alternative interventions (“non-official controls”).

Official Controls

“Official controls” for food standards, as defined in the Food Law Code of Practice, are the same as for Food Hygiene 3.1 above, namely:

- **Inspection**
- **Monitoring**
- **Surveillance**
- **Verification**
- **Audit**
- **Sampling for analysis**

Non-Official Controls (Alternative Interventions)

Alternative interventions, i.e. those which do not constitute official controls include:

- education, advice and coaching provided at a food establishment; and
- information and intelligence gathering
- informal sampling

Interventions 2013/14

Traditionally, all food premises have been subject to food standards inspections. The Code of Practice now lays out alternative interventions which Local Authorities may adopt. These allow authorised Officers to use their professional judgement to apply a proportionate level of regulatory and enforcement activity to each food business.

Food Standards interventions will, therefore, be applied in a risk-based intelligence-led manner, in accordance with the Intelligence Operating Model, so that resources are effectively targeted and directed at those businesses that present the greatest risk. A flexible approach to resourcing enables us to respond appropriately to incidents and to ensure the necessary protection to the Borough’s food chain.

High risk food premises will continue to receive programmed food standards inspections or audits.

FOOD PREMISES – STANDARDS AND FEEDINGSTUFFS

Trading Standards Profile of Food Premises – April 2013

FOOD CATEGORY	A	B	C	D	E	F	G	H	I	J	TOTAL
NO. OF PREMISES	6	0	27	3	0	42	585	999	0	19	1681

*National Food Category Descriptions (applicable to the trading standards profile only)

A	Primary Producer	F	Distributor
B	Slaughterhouse	G	Retailer
C	Manufacturer	H	Caterer
D	Packer	I	Materials Supplier
E	Importer/Exporter	J	Manufacturing Retailer

4.2 FOOD AND FEED STUFFS SAMPLING (Food Standards)

An annual sampling programme is drawn up to ensure that food is accurately labelled and meets compositional and safety standards. It also facilitates the support and auditing of local businesses and contributes to national healthy food / healthy eating campaigns. It is enhanced by additional sampling in response to complaints. The Authority also successfully contributes to regional sampling programmes conducted by the 14 authorities that comprise the Central England Trading Standards Authorities (CeNTSA). This provides economies of scale, associated value for money and a greater impact from a larger results base. We also participate in additional FSA food authenticity projects. The Trading Standards Service targets its proactive sampling at locally produced foods, those products/ingredients from companies that manufacture in, are based in, or import into Walsall. In addition, foods are targeted which are causing current concerns. These are identified through communication with the Food Standards Agency, the Department of the Environment, Food and Rural Affairs and the European Commission; through local, regional and national intelligence held by local authorities; and through consultation with the Public Analyst.

Emerging food fraud risks can also be identified by looking at economic drivers: High value / high volume products, products in short supply; products with rising prices; products with a complex global food chain. Looking at some of these factors gives us a chance of identifying the next horsegate:



Imported Food

Imported food makes up about 50% of the food consumed in the UK and in line with a letter from the FSA (ENF/E/08/061) the Service is committed to ensuring that at least 10% of all food samples are of foods imported into the European Union.

In addition, since 2008 substantial funding has been obtained from the Food Standards Agency to carry out sampling under their Imported Food Sampling Programme.

The application for this funding for 2014/15 has been submitted but the outcome is still awaited.

All sampling undertaken by officers is in accordance with relevant legislation and all formal food and animal feed samples are taken in accordance with the Food Law Code of Practice (England) or Feed Law Enforcement Code of Practice (Great Britain) as applicable.

Samples are analysed and/or examined by the Service's Public/ Agriculture Analyst appointed in accordance with the procedures laid down in the Food Safety (Sampling and Qualifications) Regulations 1990, the Food Law Code of Practice (England) and the Feed Law Enforcement Code of Practice (Great Britain). Alternatively some samples are examined/tested in house, if it is appropriate to do so.

4.3 DRAFT FOOD STANDARDS SAMPLING PLAN 2014/15

Product	Analyses	Further information & justification
Maize and maize products from countries in Africa and India	Mycotoxins - Aflatoxins	There was a high rate of non-compliance during 2012/13 of African and Indian products, in particular corn dough and corn meal imported into the UK from India. The UK wishes to build further information on these products to contribute to the protection of public health.
High-fibre/ bran-based breakfast cereals	Mycotoxins - Zearalenone	(imported from 3 rd countries and other Member States): We have dealt with a number of incidents over 2012/13 with regards to ZON in flour and also infected floured that has been used in bakery goods, which are on store shelves.
Imported Fish	Heavy metal contamination	Previous sampling in Walsall has found a high incidence of heavy metals in imported fish. Further monitoring is required.
Nylon kitchen utensils	Contact contaminants - Primary Aromatic Amines (PAA) migration	In recent years, many RASFF notifications have been issued by the UK for high migration of primary aromatic amines (PAAs) from nylon kitchen utensils imported from the Far East. Legislation on requirements for melamine ware and nylon cookware imported from China requires 10% of consignments to be checked. This leaves the majority of imported nylon kitchenware unchecked.
Melamine cookware	Contact contaminants - Formaldehyde migration	The Food Standards Agency continues to receive reports detailing non-compliant samples of melamine ware, the majority originate from the Far East which have highlighted melamine ware food contact articles have been found with up to 76 times the legal limit of formaldehyde. Legislation on requirements for melamine ware and nylon cookware imported from China requires 10% of consignments to be checked. This leaves the majority of imported melamine ware unchecked.

Herbs, spices, food supplements, Instant noodle and similar meals	Food irradiation	While the level of non-compliance has reduced, undeclared irradiated foods continue to be identified and there are frequent RASFF (Rapid Alert System for Food and Feed) reports for non EU-imports
Fish sauces / Pastes (including oyster sauce, lower ended value soya sauce)	Chemical Contaminant - 3-MCPD	These have been found to contain some very high residues of a chemical 3-MCPD due to hydrolysis with hydrochloric acid during processing. 3-MCPD is regulated by EU legislation. So far as we know these products have not been examined extensively and consumers may be at risk.
Raw meat species: beef, lamb, pork, chicken and turkey mince samples.	Food Fraud	Testing for the verification for the presence of undeclared meat species in meat and meat products. covering broad range including substitution of beef and lamb with other meats including goat and horse, pork, chicken etc - covering retail, catering, wholesalers including kebabs and curries
Single, whole pieces of fish, cooked or raw.	Food Fraud	To check that fish labelled and sold as 'cod' or 'haddock' in catering establishments is of the species declared.
Raw chicken products/preparations	Food Labelling and Fraud	Market intelligence is continuing to suggests continuing problems with mislabelling of frozen chicken breast products, namely in respect of: incorrect name of food (e.g. using descriptions reserved for poultry parts under Poultry meat Marketing Regulations and not for chicken products); over-declaration of meat content; inaccurate added water and hydrolysed protein declarations
Basmati rice	Food Labelling and Fraud	The Rice Association has had issues with Pusa 1121 which is not classed as Basmati. The name "Basmati" is a customary name and refers to premium rice, which has special eating characteristics, and is grown in specific regions of India and Pakistan. Basmati sells at around twice to three times the price of ordinary long grain rice. Basmati entering the EU from India and Pakistan is also allowed in free of import duty. Both provide incentives for adulteration.
Free from claims (besides from gluten) – prepacked and non-prepacked foods	Allergens	There is a growth in this part of the market. Sampling is required to establish if claims can be substantiated.
Use of nut powders in Asian cuisine	Allergens	The undeclared presence of peanut powder in takeaway food is an ongoing problem. Further work is required on sampling and educating businesses

Sulphites in dried fruits	Allergens	Sulphites in dried fruits – continue to be found undeclared and at levels that can cause allergic response
Non-prepacked foods to be targeted for allergenic compounds 70	Allergens	In particular; almond, peanut and lupin. Almond is the lesser recognised allergen which has not been targeted very often and lupin is allergenic to many eastern Europeans. There have also been problems last year with the almond harvest and there have been a number of incidents where almond paste / powders have been adulterated with cheaper peanut which is a very potent allergen.
Colours in sauces and in seasonings used in smaller restaurants and take away outlets for Southampton colours	Three colours (ponceau 4R (E 124), sunset Yellow (E 110) and Quinoline Yellow (E 104)) in sauces and in seasonings used in smaller restaurants and take away outlets	These are three of the so called “Southampton colours” which the FSA has asked UK industry to voluntarily withdraw from their products due to links with hyperactivity in children. Where they are used, EU legislation stipulates that the product has to include a warning label. Previous EU food additives legislation permitted all three colours in seasonings (including curry powder) and in sauces (including chutney and pickle). A recent amendment to the additives legislation which came into force on 1 June 2013 no longer permits the use of ponceau 4R in sauces or in seasonings. Sunset Yellow is no longer permitted in seasonings and the permitted level of Quinoline Yellow has been reduced
Confectionary	Rhodamine B Colour	Rhodamine B is a chemical dye not permitted for food use. It has recently been found in brightly coloured asian confectionary.
Imported sweets and drinks	Illegal Colours	Regional intelligence indicates a large number of sweets and drinks mainly of American origin are being imported with non permitted colours
Food supplements - body building products.	Unauthorised Health claims	There are many products on the market that bear health claims and websites promoting products using unauthorised health claims.

4.4 FOOD AND FEED SAFETY INCIDENTS

On receipt of any food or animal feed alert, the Trading Standards Service will respond as directed and as appropriate and in accordance with the Food Law Code of Practice (England) and the Feed Law Enforcement Code of Practice (Great Britain).

The FSA issues a “Product Withdrawal Information Notice” or a “Product Recall Information Notice” to let local authorities and consumers know about problems associated with the food. In some cases a “Foods Alert for Action” is issued which requires intervention action by enforcement authorities.

During 2013/2014, as a result of sampling activity, the Service raised 4 food incident reports with the FSA.

4.5 LIAISON WITH OTHER ORGANISATIONS AND INTELLIGENCE SHARING

The Trading Standards Service works with a wide range of organisations in carrying out its food and feed law enforcement function. These include the Food Standards Agency (FSA), the Department of Health (DoH), the Department of Environment, Farming and Rural Affairs (DEFRA), the Meat Hygiene Service, the Intellectual Property Office and the other 13 Central England Trading Standards Authorities (CEnTSA).

CEnTSA Food Standards Liaison Group

The CEnTSA Food Standards Liaison Group is made up of food standards lead officers from CEnTSA plus regional Public Analysts. The Walsall lead officer for food standards is Chair of this group and as such is responsible for co-ordinating and leading on regional projects including sampling, guidance to business, legislative consultations and sharing best practice. Co-ordination of work streams is also facilitated by attendance at regional FSA meetings alongside the West Midlands Food Hygiene Liaison Group and Public Health England. From the 1st April 2014 they will also be on the Business Needs Group to ensure educational and advisory communications to support business are produced in a timely manner and contribute to the production of the quarterly business newsletter.

National Food Standards and Labelling Focus Group

Walsall's Food Standards Lead officer also sits on the National Food Standards and Labelling Focus Group which gives national food standards guidance to regulators and industry as well as working with FSA, DEFRA and DoH on regulatory consultations and codes of practice.

Knowledge Hub

The Knowledge Hub is the LGA's professional social network which helps people in local government connect and share online in a secure environment. It is host to more than 1,500 community groups covering a vast range of local government topics. The national food standards Knowledge Hub group has more members and is more active than any other group on the Hub. The CEnTSA food standards liaison group also have a presence on the Hub. The Knowledge Hub is used as a vital tool for sharing intelligence and best practice, both regionally and nationally.

Annual FSA Update Event

Walsall's Lead Officer for Food Standards was invited to give a presentation on Food Standards and Food Fraud at the annual FSA Update Event. The delegates for the event included representatives from the FSA, Meat Hygiene Service, Environmental Health, Trading Standards and the National Trading Standards Board. It was a successful event designed to showcase new initiatives, intelligence exchange and collaborative working.

UK Food Surveillance System (UKFSS)

In 2009 Walsall Trading Standards became the first Authority in the CEnTSA region to be linked into the FSA's UKFSS national food sampling database. Early adoption of the system has allowed Walsall to secure funding from the FSA for additional sampling projects as well as providing a tool for targeted sampling surveillance. In recent years Walsall has received funding from the FSA to act as a Super-User with a remit to support and train other authorities adopting UKFSS.

Rapid alert System for Food and Feed (RASFF) and the European Commission.

The Rapid Alert System for Food and Feed (RASFF) was put in place by the European Commission to provide food and feed control authorities with an effective tool to exchange information about measures taken responding to serious risks detected in relation to food or feed. This exchange of information helps Member States to act more rapidly and in a coordinated manner in response to a health threat caused by food or feed.

IDB and FSA Intelligence Databases

Intelligence on food issues is also collected by Trading Standards departments in the CEnTSA region through the national Intelligence Database - IDB which also inputs into the Food Standards Agency food fraud database. Data from IDB and the FSA database is used to produce a Regional Control Strategy.

Intelligence Operating Model (IOM)

The IOM is a national intelligence framework developed to support national, regional and local needs. It is used as a targeting and prioritising tool for all Trading Standards work. The IOM consists of five continually evolving stages:

- Information gathering (including from all sources listed above)
- Identification of potential problems
- Assessment and analysis of problems
- Tasking and co-ordination of actions
- Review of outcomes (ongoing and post activity)

4.6 OFFICER TRAINING PROGRAMME

The Food Law Codes of Practice requires that officers undertaking food standards official controls should receive a minimum of 10 hours on-going training per annum based on the principles of continuing professional development.

In 2013/2014 officers received training in the following areas:

- Food Allergens
- Food Information Regulations
- Working Effectively with Ethnic Minority Food Businesses
- Food Standards Law Update
- Effective Imported Food Control for Inland Authorities
- Sampling Imported Food for Contaminants
- Food Standards Agency Update
- Legal process updates

4.7 FOOD STANDARDS PROMOTION

Food standards promotional work for the year is linked to events attended by the Service, to the results of our sampling and other enforcement projects, to any relevant prosecutions, and to information provided through leaflets/information. Such promotional work also includes regular press releases, locally, regionally and nationally.

This year has seen an effective use of Facebook and Twitter to inform and advise businesses and consumers on Food Standards issues. Information and alerts from the FSA are also posted on Facebook or re-tweeted.

4.8 FOOD STANDARDS WORK 2013/14

In 2013/14 the following actions were undertaken by Trading Standards Officers:

Food Standards Warnings

33 food standards warnings were issued by Trading Standards Officers during the inspection of food premises. By the end of the year 96% of those food premises that were inspected had achieved food standards compliance.

Food Complaints

60 food complaints were received by the Trading Standards Service. These were resolved by a variety of enforcement methods which ranged from FSA and Home Authority Referrals to business advice, written warnings and formal food sampling.

Food Samples

16% of the 100 food samples submitted for compositional and chemical analysis were reported as incorrect. This resulted in 4 FSA national alerts and product recalls, 5 officer cautions and 7 referrals for action by other Authorities.

Lamb substitution in takeaway food.

Walsall Trading Standards led on a regional project investigating adulteration of takeaway lamb meals. Previous local surveys had shown a high incidence of cheaper meats being used as a substitute for lamb. This year Walsall Trading Standards produced a warning / guidance document for businesses which was disseminated across the CEnTSA region. Following this samples of lamb meals were submitted for analysis. Results for Walsall showed that the guidance leaflet had been successful with no meals showing any intentional substitution of lamb. Results for the rest of the region are still being received but so far compliance is at a far greater level than previous years.

Undeclared peanuts in takeaway food

A survey conducted by Walsall Trading Standards last year discovered that some takeaways and restaurants were putting customers' lives at risk by substituting almond powder with a cheaper peanut powder in some meals. When the meals were ordered the business stated that no peanuts were present. This could have potentially fatal consequences for a consumer with a peanut allergy. A follow-up to that project was undertaken this year and results so far indicate a much greater compliance.

Aflatoxin in cereals

Aflatoxin is a known human carcinogen. Walsall Trading Standards regularly carry out sampling on cereals, nuts and spices to monitor contamination with aflatoxin and other carcinogenic mycotoxins under the Contaminants in Food Regulations 2010. This year 4 products were found to have excess levels of contamination. One cereal product contained 52 times the permitted maximum. A recall of this product was immediately actioned.

Gluten-free claims

Walsall participated and assisted in the co-ordination of a regional gluten-free claims project. 96% of products making gluten-free claims analysed across the region were compliant with recent changes to the legislation.

Nutritional Claims

Walsall participated and assisted in the co-ordination of a regional nutritional claims project. Only 42% of foods analysed across the region were compliant with the updated list of nutritional claims. Foods with non permitted claims, foods with saturated fat claims and energy drink claims showed highest levels of non compliance.

Operation Ghost

Following complaints and intelligence concerning the sale and supply of illegal alcohol in Walsall, Trading Standards and a representative from the Spirit Industry launched Operation Ghost.

Nine premises in Walsall were visited and in total 183 bottles of illegal spirits were found and seized. The brands found included Teachers whisky, Glens vodka, High Commissioner whisky, Smirnoff vodka, and Bacardi rum. Many of these had counterfeit labels designed to evade excise duty.

As the origin of the goods is uncertain further tests are being carried out to determine if the products contain dangerous industrial chemicals such as Methanol and Chloroform which have been found elsewhere.

Operation Opson iii

Opson is a joint INTERPOL-EUROPOL **operation** targeting fake and substandard food and drink and organized crime networks. Organised crime has become involved in food fraud in order to acquire large profit margins whilst lowering operational risk – sentences for food fraud and risks of detection are much lower than more traditional activities such as drugs trafficking.

In 2013/14 33 countries took part in Opson iii resulting in 96 arrests and the seizure of more than 1200 tonnes of potentially harmful goods: from everyday items such as coffee, soup cubes and olive oil to luxury goods such as truffles, caviar and champagne. Walsall's Operation Ghost took place this year to feed into Opson iii.

DNP in food supplements and fat burners

DNP is an industrial chemical. It is not fit for human consumption.

However, 'fat-burner' capsules, tablets and powders containing DNP are marketed at the body-building community, and those wishing to lose weight, as a quick way of burning fat. Following several deaths of young people after they had taken the 'fat burning' substance 2,4-dinitrophenol, known as DNP, the Food Standards Agency issued an alert to regulators. Walsall Trading Standards visited and advised all likely suppliers of such food supplements and took samples for analysis where appropriate. No DNP was found in any of the products.

OxyElite Pro

A similar exercise was carried out following an FSA alert regarding a food supplement product called Oxyelite Pro after it was linked to a number of cases of hepatitis. Again suppliers were visited but no infringing products were found.

5.0 RESOURCES

5.1 FINANCIAL RESOURCES

The table below shows the cost of the Environmental Health Food Safety service for last year and includes an estimate of its cost for 2014/15.

	13/14 (Expenditure)	14/15 (Estimate)
Staffing Costs	390,612	384,718
Support Services	958	1,335
Supplies and Services	15,568	16,376
Transport Costs	13,118	15,825
Income	-11,753	-3,668
Expenditure	408,503	414,586

The table below shows the cost of the Trading Standards Food Standards service for last year and includes an estimate of its cost for 2014/15.

	13/14 (Expenditure)	14/15 (Estimate)
Staffing Costs	56,683	64,127
Support Services	432	466
Supplies and Services	4,475	4,378
Transport Costs	1,680	1,782
Income	-698	-522
Expenditure	62,572	70,231

5.2 STAFFING ALLOCATION

Environmental Health food safety services are delivered in one Borough-wide team of 8 Environmental Health Officers and 1 Food Safety Officer lead by a Principal Environmental Health Officer.

In addition to food safety work, the Officers in the team are also responsible for Occupational Health and Safety, waste control, planning and licensing applications, nuisances associated with food premises, drinking water quality and local authority-arranged funerals.

During 2013/14 the Environmental Health Service restructured as part of the budget setting process. 2.5 FTE posts were removed (1.5 Food Safety and 1 H&S) and 2 new H&S Officer posts were created from the budget savings as well as a transfer of some resource from Trading Standards. Although this will have an impact upon service delivery, the team prioritises work to ensure that high risk food businesses are inspected, complaints are investigated and the risk to public health is minimised as far as possible.

When vacancies or absences in the teams occur during the year the work is reprioritised and therefore it may not be possible to complete some low risk areas of work. In previous years, appropriately qualified contractors have been used to fill anticipated shortfalls in inspection targets with the current budgetary constraints this is no longer a realistic option.

The qualifications and competency of food enforcement officers is set out in legislation (Regulation (EC) No.882/2004 on Official Controls) and implemented in the Food Law Code of Practice published by the Food Standards Agency. Environmental Health Officers all possess a BSc. or MSc. in Environmental Health and registration from the Environmental Health Officers Registration Board (EHORB) together with other appropriate qualifications. The Food Safety Officer has a Higher Certificate in Food Premises Inspection from the EHORB. All officers who deliver food safety services are required to maintain a basic competency and complete 10 hours of food safety continued professional development every year.

Staff Allocation to Food Safety Service

Post	Level of Competency
1 Service Manager 25% FTE	Registered with EHORB
1 Principal Officer 75% FTE	Registered with EHORB
5.15 FTE Environmental Health Officers	Registered with EHORB
1 Food Safety Officer 50% FTE	Higher certificate

In 2012/13 there were 6.35 FTE officers dedicated to Environmental Health Food Safety work. In 2013/14 there were 6 FTE officers dedicated to food hygiene work. In 2014/15 there will be 5.65 FTE officers dedicated to food safety work.

Food Standards Law enforcement is predominantly carried out by the following staff:-

- 1 x Principal Trading Standards Officer
- 4 ½ x Trading Standards Officers (FTE)
- 2 ½ x Assistant Trading Standards Officers (FTE)

Approximately 20% of their time is spent on food work providing 1.5 full time equivalents for this type of work. The above Officers are qualified to carry out Food Standards work in accordance with Chapter 1.2 of the Food Law Code of Practice (England) 2008.

Over the last 4 years, trading standards has lost 2 Principal Officers and 1.7 Assistant Trading Standards Officers who are all food qualified due to budget cuts.

This has had an impact on all work the team undertakes as well as food related work. Due to the nature of the staff that have left the Authority the service has a significant challenge in training other staff to obtain the food qualification to be able to sustain service delivery in the long term.

5.3 STAFF DEVELOPMENT

Walsall Council has a regime of annual Employee Performance Assessments for staff where discussions take place with staff and in the light of the service plan objectives, action plans are drawn up for each individual.

All Food Law Enforcement Officers receive training assessments and evaluation during their 6 monthly Employee Performance Assessment reviews.

External and internal training provision is then identified in accordance with staff and service requirements. To maximise budgetary provision wherever possible support is given to courses provided by CeNTSA and the Food Standards Agency who have proven to be the most cost effective training suppliers. Officers are also able to identify forthcoming training via the CeNTSA annual training plan. In house development in the form of workshops and cascade training is also utilised where appropriate.

Although the recommended minimum training for each officer is 10 hours training specifically on the practical and/or legislative aspects of Food Standards work per year this may be exceeded as requirements demand.

6.0 QUALITY ASSESSMENT

The Food Safety Service utilises a staged and mentored approach to the authorisation of staff.

The Principal Officer makes periodic accompanied visits with Environmental Health Officers and the Food Safety Officer. Monitoring includes the checking of formal Notices and paperwork. A sample of reports of inspection are reviewed and a consistency check is carried out against Food Hygiene Rating Scheme scores.

Officers also participate in regional standardisation exercises and peer reviews visits as organised: Walsall Council is taking part in an inter-authority audit relating to the operation of the Food Hygiene Rating Scheme.

The Service Manager undertakes a detailed quarterly assessment of the overall Service's work.

7.0 REVIEW AGAINST SERVICE OBJECTIVES ²

Service objectives are reviewed on a quarterly basis the key performance measures from the year 2013/14 are:

Objective	Target	Actual
Number of inspections of high and medium risk food premises	100% of Inspections due	A = 98% B = 97% C = 98% D = 97% E = 82% Total 94% of total Inspection Programme completed Total 98% of high and medium risk premises completed
Number of Food Samples taken for microbiological examination	200	77 samples submitted for microbiological examination.
No. of reported cases of food borne disease receiving response within timescales recommended by Public Health England.	100%	99.65%
No. of food and food premises complaints receiving a response within 3 working days.	100%	97.75%
Assist new businesses set up in compliance with appropriate Regulations.	100% within 21 days of request	99 Businesses – 99.42%
Assist existing businesses with timely advice in relation to legal compliance.	100% within 21 days of request	125 Businesses – 100%
First Response to complaints about trading practices received by the environmental health service within service standards.	100%	98% response within 3 working days

7.1 VARIATION FROM SERVICE PLAN

Officers are generally achieving a good level of performance in what has been and continues to be a challenging time. The response to infectious disease, complaints and requests for advice as can be seen in the above table are all above 97% meaning any issue of significance can quickly be identified and responded to.

The number of Microbiological Samples taken has not reached the 200 figure however this figure only equates to the number of free samples provided by the PHE laboratory and therefore isn't an exact measure of the quality of service provided by the Team.

Prioritising 77 targeted samples at premises deemed high risk can be as effective as 200 samples at low risk premises. However the sampling programme is a key aspect of the service and depending on the resources available throughout the forthcoming year we would wish to carry on and complete a broader range of samples and premises than we have done this year.

The Authority started the year with a target of 951 inspections, as the year progressed new premises opened, old premises closed, premises were refitted, altered, changed ownership etc. All these factors make for an ever changing landscape and therefore as the year progressed the number and type of inspection changed depending on what circumstances the officers found or become aware of.

RISK CATEGORY	A	B	C	D	E	U	TOTAL
FREQUENCY OF VISITS	6 mths	12 mths	18 mths	2 yrs	Alternative intervention strategy		
INSPECTIONS ESTIMATED AT 1.4.13	40	187	561	114	49	0	951
TOTAL INSPECTIONS ALLOCATED	45	186	582	118	78	3	1012 (1171*)
TOTAL INSPECTIONS OUTSTANDING	1	5	14	4	14		38

*As well as the visits mentioned above 163 other inspections were made to food premises for a variety of reasons including coaching, overseeing work, checking compliance etc.

Of the 38 premises outstanding on the 1/4/2014 two had been visited but no access was possible at the time and one was being considered in light of concerns over aggression shown by the business owner. Although the matter of outstanding inspections has been raised with staff in the run up to the end of year, they will be continue to be discussed at forthcoming team and management meetings to ensure they are completed in a timely fashion.

At the end of the inspection programme over 79% of premises in the Borough have achieved a rating of 3 or above on the National Food Hygiene Rating System: Officers will continue to work with businesses to increase this figure but it is satisfying to note the year on year improvement in this figure.

Long term sickness absence has had a significant impact on the Service this year and resulted in for example suspension of the sampling programme, re-evaluation of response times to requests for service and alternative inspection techniques to 'save time' on each inspection.

The deletion of 1.5 posts allocated to the food hygiene inspection programme will increase the pressure on the team as a whole and the workload of the remaining officers: Prioritisation and monitoring of staff performance will need to pay an increasingly important role in future when taking account of factors such as these.

A review of response times for all aspects of the food service were reviewed resulting in response times for advice and educational work being significantly lengthened from 3 days to 21 days. Response times for infectious disease were brought in line with Public Health England recommendations contained in the Roles and Responsibilities for Investigation of Gastrointestinal Infectious Disease. The response to complaints, accidents and other reactive work has been altered depending on the perceived risk to health rather than a blanket response time for all matters which was inequitable and unsustainable.

It will continue to be the Environmental Health Management Team's responsibility to react swiftly to performance monitoring reports. As part of the day to day supervision of staff, this will include reflection on inspections where non-compliant premises are found to ensure the right level of intervention has taken place to raise the premises standards.

The number of confirmed food poisoning notifications appears relatively stable: This is welcome news. Recent food safety campaigns have focused on home hygiene, as cases of food poisoning are often attributable to domestic food preparation as well as food prepared at a food business.

It is important our voice is heard at a local, regional and national level and therefore officers will continue as they have during 13/14 to feed into discussion, debate and consultation with regard to matters such as the Food Hygiene Rating Scheme and Food Law Code of Practice.

APPENDIX B

ENVIRONMENTAL HEALTH FOOD SAFETY SERVICE RESOURCE REQUIREMENTS

FOOD PREMISES INSPECTIONS

There are **2224** food businesses on the premises database which are subject to inspection. The profile of premises due for inspection in 2014/2015 is:

A	(inspected every 6 months)	17
B	(inspected every 12 months)	175
C	(inspected every 18 months)	585
D	(alternative enforcement strategy)	128
E	(alternative enforcement strategy)	47

Total **952** premises inspections due

The service can also expect approximately 100 Initial Food Hygiene Inspections that come in throughout the year and are not part of the programmed work

Total **1052** premises inspections likely

The Authority will aim to inspect 100% of all high and medium risk businesses which are due for a food hygiene intervention within the year. For lower risk businesses an alternative intervention strategy will be employed.

Resource requirements ABC	= 2331 hours
Resource requirements DE	= 265 hours
New premises Inspections	= 200 hours

Total 2796 hours

REVISITS

Revisits/ Secondary inspections will continue to be undertaken whenever necessary. To enable Officers to concentrate on risk and to safeguard resources, the 'Revisit Decision Tree' which forms part of the West Midlands Food Liaison Group Enforcement Policy has been introduced. Based on the number of secondary inspections undertaken in previous years it is expected that a similar number (165) will be undertaken during 2014/15.

As part of the National Food Hygiene Rating Scheme businesses can request a re-visit to check on actions taken to comply with outstanding matters raised at the initial inspection. They can then request the business is re-rated. The numbers of these requests will be recorded to indicate to the management team the potentially increased level of resource taken up by these revisits.

Resource requirements 300 hours

IMPORTED FOOD

The Environmental Health team will make imported food enforcement a priority in accordance with the Food Standards Agency strategic objective: Information will be gathered during food hygiene interventions and if evidence demonstrates that there is a significant problem a publicity campaign will be held.

Resource requirements 400 hours

HACCP (Hazard Analysis Critical Control Points)

The Food Hygiene (England) Regulations 2006 were enacted on the 11th January 2006. The Regulations require businesses to implement food safety procedures based on HACCP principles. Following the 2009 Public Inquiry into the September 2005 outbreak of E Coli 0157 in South Wales and the subsequent E coli cross contamination guidance issued by the Food Standards Agency, ensuring that businesses meet the HACCP requirement of this legislation will continue to be a priority of the team this year: It is envisaged that a greater resource will be required for this. Businesses will be coached in the development of Safer Food Better Business, HACCP and E-coli guidance following inspections of suitable businesses.

Resource Requirement 200 hours

FOOD COMPLAINTS & REQUEST FOR SERVICE

During 2013/14 the Environmental Health team that form the Food Safety service dealt with 930 complaints varying from hygiene, poor quality/unsafe food, noise, drainage, refuse and safety at food premises.

Complaints are dealt with according to the internal policies FHP6 and FHP7 which were developed in accordance with the Food Law Code of Practice and LGR guidance. It is anticipated that a similar number of complaints will be received in the forthcoming year.

Resource requirement 1860 hours

ADVICE TO BUSINESS/ CONSUMERS

Failure to make advice available can lead to food safety being compromised; this aspect of Walsall's service is therefore seen as essential. During 2013/2014 138 requests for food hygiene advice were received. In view of the emphasis on the requirement for food businesses to comply with the HACCP requirements it is envisaged that greater resources will be required in the forthcoming year.

Advice is also available to all businesses via the food web pages. The web pages will continue to be reviewed and updated according to the needs of our customers and when new guidance is published. Other methods of providing advice and communicating with businesses and the public will be explored as appropriate e.g. newsletters, social media and press releases.

Resource requirement 200 hours

FOOD INSPECTION AND SAMPLING

Although due to budget pressures there is no longer a dedicated sampling budget Walsall Council has an allocation of 200 credits from the Health Protection Agency laboratory and these are used to conduct targeted food sampling.

Analysis and examination of food complaints is undertaken by the Public Analyst and routine food samples are analysed by the Consultant Microbiologist at HPA Good Hope Hospital.

Walsall has committed to sampling its manufacturing premises on a yearly basis.

In addition Walsall participates in relevant Public Health England annual sampling programmes and sampling exercises agreed by the West Midlands Food Liaison Group.

Resource requirement 400 hours

CONTROL AND INVESTIGATION OF INFECTIOUS DISEASE

Walsall investigates notified cases of food borne illness as directed by the Consultant in Communicable Disease Control (CCDC). The Team's target is to investigate all cases within 24 hours of notification: Notifications of *Campylobacter* are dealt with by sending a standard letter. Notified cases of infectious diseases are investigated by officers in accordance with procedure FHP9, to determine their source, prevent further spread of infection and to provide advice to patients. In 2013/2014 288 notifications of infectious diseases were investigated.

Procedure FHP9 outlines the investigation of infectious diseases and requires the CCDC to be contacted in all cases of an outbreak. There is also a Community Outbreak Control Plan drawn up by the CCDC in consultation with the West Midlands Authorities and the Health Protection Agency.

Regular meetings are held between the Principal Environmental Health Officer, CCDC and the Health Protection Agency's infection control nurses.

A Memorandum of Understanding has been established between the local authorities within the West Midlands to provide support in terms of staff and resources should there be a cross boundary outbreak.

Resource Requirement 576 hours

FOOD ALERTS

Policy FHP10 outlines the procedure for dealing with Food Alerts: Alerts requiring action will be dealt with as soon as they are received. A central log is kept of all Food Alerts received and the action taken.

Resource requirement 100 hours

LIAISON WITH OTHER ORGANISATIONS

Walsall regularly participates in the West Midlands Food Liaison Group (WMFLG), which has a direct link to LGR (Local Govt Regulation formerly LACORS). The terms of reference for the WMFLG include ensuring consistency throughout the West Midlands Authorities. Joint projects are undertaken and the group also arranges training opportunities for officers across the group, which promotes consistency of enforcement.

The Joint Meat Enforcement Working Party was established through the WMFLG in recognition of the various bodies involved with enforcement issues in respect of meat. This Working Group provides a forum for representatives from local authorities, MHS and OVS to exchange views and share practice with the aim of improving communication and consistency.

The PHE Laboratory User Group meets regularly to discuss sampling issues and issues relating to sampling results and emerging trends. The meeting is attended by Sampling Officers from the West Midlands Authorities and representatives from the HPA laboratories.

Liaison with the Public Health England and the CCD is carried out through regular meetings. There is regular contact with the Public Health England to discuss sampling programmes and training sessions are held to ensure consistency with regard to infection control issues.

Officers regularly consult the Licensing Team in relation to the licensing of street traders and advise Planning Services in relation to planning

applications. As hot food takeaways become more prevalent throughout the Borough the need to provide comment of these consultations is important to protect residents and other businesses from noise, odours and other nuisances. It is also important to ensure that prior to purchasing or designing new kitchens that companies have taken into account legal requirements and money is not wasted on incorrect fixtures and fittings.

The Team regularly communicates with OFSTED and the Care Quality Commission in relation to nurseries, childminders and residential care homes. Liaison takes place with Walsall Catering Service through inspection of school kitchens.

Resource requirement 500 hours.

FOOD SAFETY PROMOTION

The Environmental Health Division regularly publishes press releases relating to emergency closures, prosecutions, food alerts and other important aspects of food safety and runs several food hygiene campaigns throughout the year using publicity material from the Food Standards Agency, Health Protection Agency and Public Health team. This work will be reduced this year as a result of staffing reductions.

Resource requirement 300 hours

GENERAL ADMINISTRATION

The inputting of inspections onto the M3 database, the drafting of inspection reports, drafting of Notices and completion of the file inspection report sheet is carried out by Officers. In addition to general Environmental health duties, the Principal Environmental Health Officer carries out allocation of work, monitoring of performance and workloads, consistency checks and monitoring of officer competency

Resource requirement 800 hours

STAFF DEVELOPMENT & TRAINING

Annual staff appraisals and performance reviews are undertaken in accordance with corporate requirements. Procedure FHP14 details the policy for the monitoring of Officer competency.

Training needs are identified and training is undertaken in accordance with the agreed training plan but the current financial climate places significant financial constraints on the training budget.

The West Midlands Competency/Training Matrix is used to ensure the competency of newly qualified and returning staff.