



CORPORATE SERVICES

ENVIRONMENTAL HEALTH & TRADING STANDARDS

FOOD LAW ENFORCEMENT PLAN 2005/2006

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INTRODUCTION

- 1.1 This Food Law Enforcement Plan is dedicated to the food law enforcement functions carried out by the Environmental Health and Trading Standards personnel under the provisions of the Food Safety Act 1990.
- 1.2 The Food Standards Agency requires this Food Law Enforcement Plan to be submitted to members for approval to ensure local transparency and accountability.
- 1.3 The stated aim of the Food Standards Agency is to ensure that food law enforcement is undertaken by the various agencies in a more cost effective, comprehensive and collaborative manner. This Food Law Enforcement Plan sets out to achieve these objectives.
- 1.4 Once approved it is intended that the plan will be published on the Council's web-site.

FOOD LAW ENFORCEMENT PLAN

2. Service Aims and Objectives

2.1 Aims and Objectives

The general aims and objectives of the Environmental Health and Trading Standards are given in the Division's Service Plan for 2005/2006 in the form of the mission statement "Environmental Health and Trading Standards aims to protect the people and City of Derby to ensure a living, working and trading environment that is healthy, safe and fair".

Specific aims and objectives for food and agriculture law enforcement are listed below.

2.1.1 Food Standards - Composition and Labelling

Aim To ensure traders conform to legal standards

Objective Food in the City of Derby meets compositional and labelling requirements.

2.1.2 Food Hygiene

Aim To ensure traders comply with legal standards for hygiene in food premises.

Objective Food in the City of Derby is safe to eat.

2.1.3 Infectious Disease Control

Aim To ensure appropriate action is taken, in conjunction with the Consultant in Communicable Disease Control, to control or prevent the spread of notifiable diseases in the community.

Objective The public is protected from the spread of notifiable diseases.

2.1.4 Animal Feeding stuffs

Aim To ensure traders conform to legal standards.

Objective All animal feeding stuffs meet legal requirements.

2.1.5 Animal Health and Welfare

Aim To ensure traders conform to legal requirements.

Objective Livestock at farms, markets or in transit are healthy.

2.2 Links to Corporate Objectives and Plans

In the diagram below the relationship between the Food Law Enforcement Plan and other Departmental plans can be seen. The City Council's Corporate Plan 2004/07 sets out the Council's vision and values together with targets for the forthcoming year. These feed through the service plans to targets and eventually to achievement and development plans for individual officers.



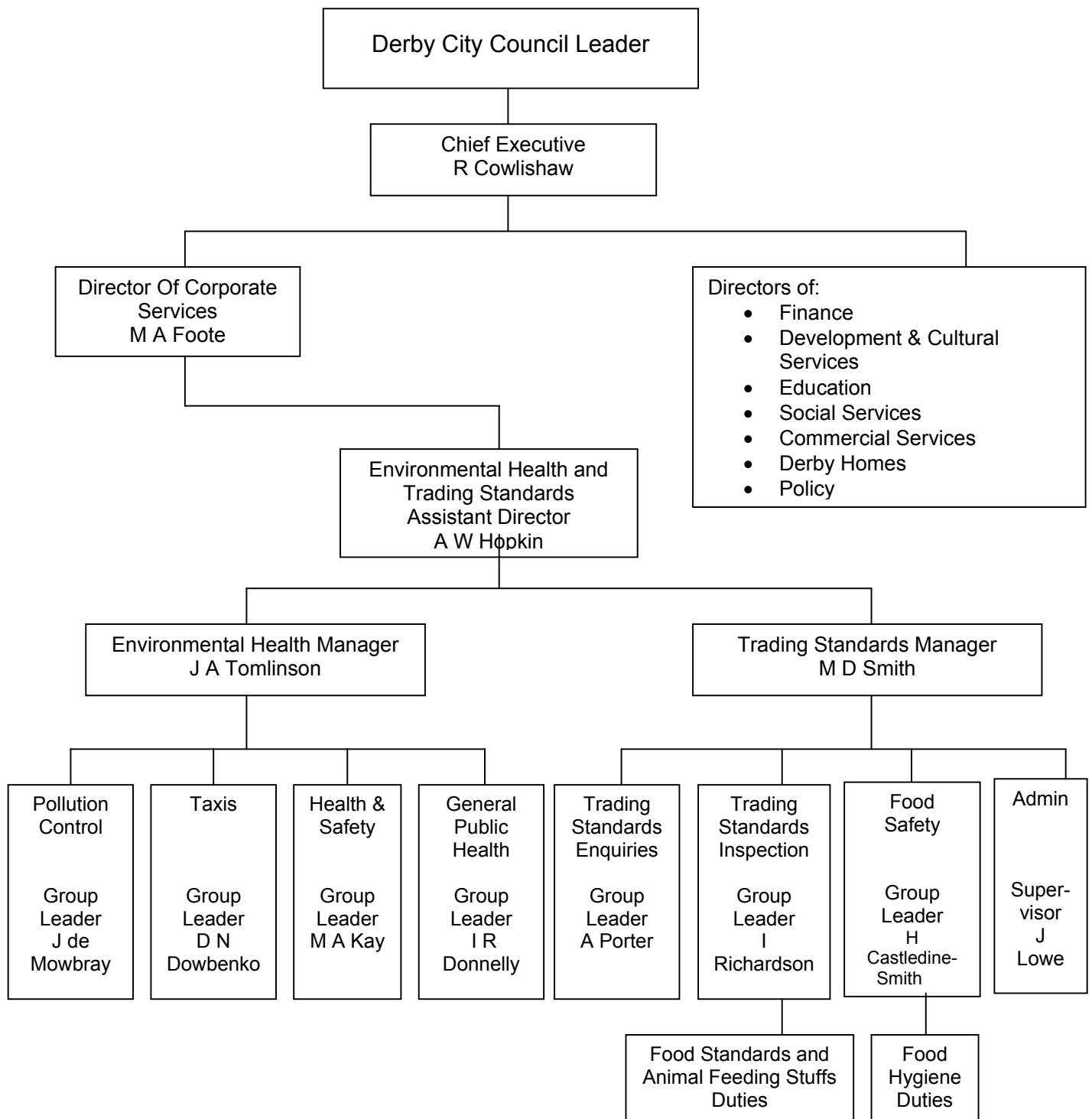
3. Background

3.1 Profile

Derby is a compact City with a clearly defined centre and district neighbourhoods; it achieved City Status in 1977. It has a strong identity, clear boundaries and is surrounded by attractive countryside. This environment includes over 800 hectares of municipal parks and the river Derwent flows through it.

According to the 2001 Census returns Derby has a population of 221,716. The City has a multicultural community, 12.6% of people are from minority ethnic communities. The main ethnic minority population comes from India and Pakistan.

3.2 Organisation Structure



3.3 Scope of the Service

3.3.1 Food Safety

- Inspection of food premises to enforce the requirements of (in accordance with) the Food Safety Act 1990, associated regulations and codes of practice.
- Inspection of food premises to enforce Health and Safety at Work legislation.
- Investigation of accidents at food premises.
- Investigation of complaints about food and hygiene at food premises.
- Sampling of foodstuffs for the purposes of microbiological examination.
- Investigation of cases of infectious diseases and food poisoning outbreaks.
- Licensing of retail butchers' shops.
- Delivery of food hygiene courses at Foundation and Intermediate level.
- Licensing of Late Night Refreshment Houses
- Food alerts (microbiological)

3.3.2 Food Standards and Animal Feedingstuffs

- Inspection of food premises in accordance with the Food Safety Act 1990, associated regulations and codes of practice.
- Inspection of animal feedingstuffs premises in accordance with the Agriculture Act 1970, and associated regulations.
- Sampling of food and animal feedingstuffs.
- Investigation of complaints about food standards and animal feedingstuffs.
- Advice to businesses.
- Food Standards and Agriculture Act duties are provided alongside a broad range of other Trading Standards Services such as metrology, fair trading and safety.
- Animal health and welfare inspections at farms and the livestock market.
- Animal movement licensing.

- Food Alerts (chemical).

3.3.3 Use of Contractors

The Council will engage the services of outside contractors to assist in programmed food inspections subject to:

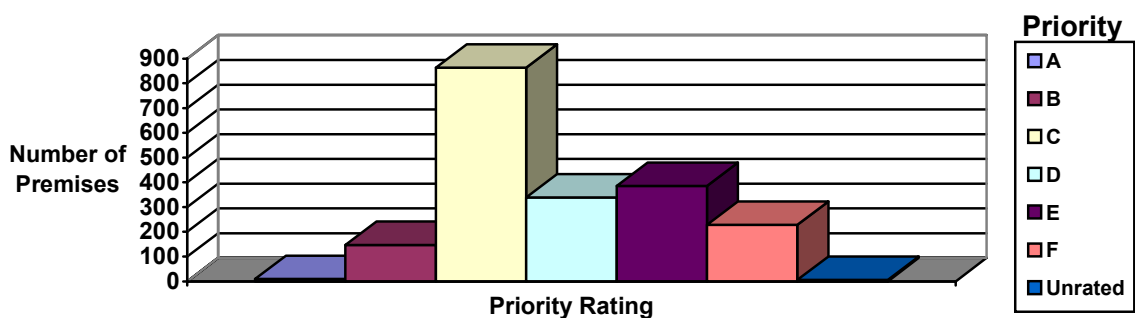
- There being a backlog of inspections which cannot be completed in-house.
- The contractor meeting the requirements of the Food Safety Act Code of Practice and meeting the quality standard expected by the Team Leader.
- The cost of the work being met within existing budgets.

3.4 Demands on the Service

3.4.1 Food Safety Premises Profile

The food business profile mainly includes premises legally required to register with the Department. However certain premises are exempt from registration eg some which are already registered for food law purposes, certain agricultural premises, tents and marquees, some domestic premises and some village halls.

These premises still have legal obligations to comply with relevant food safety legislation and although exempt from registration are inspected by food safety officers and are included in the total number of premises.

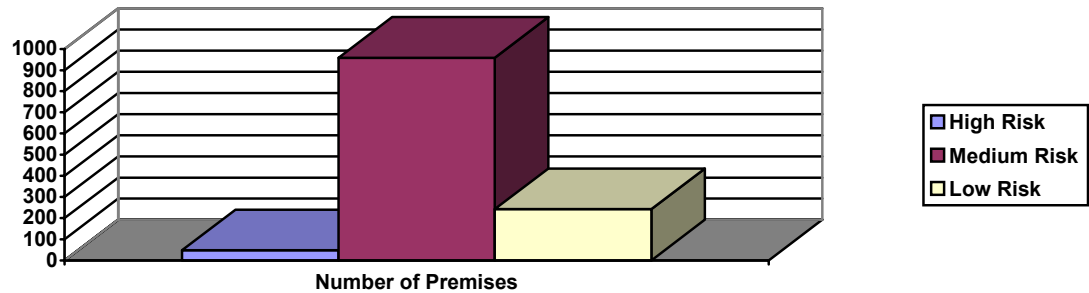


Total Number of Premises

Note: The risk that a premises presents to food safety is used to determine its priority rating. It is awarded points for various factors such as the type and method of food processing, number of consumers at risk, level of compliance, confidence in management control systems and significance of the risk. Premises are categorised from A to E, with

A rated premises presenting the highest risk and thus subjected to inspections every 6 months. E rated premises would only be inspected every 3 years.

3.4.2 Food Standards Premises Profile



Total Number of Premises with Inspectable Risk

Note: Risk categories relate to inspection periods. These periods take into account management systems, previous history, turnover and size of premises. By scoring each of these it can be converted into inspection periods.

3.4.3 Licences

A total of 17 premises are licensed under the Food Safety (General Food Hygiene) (Butcher's Shops) Amendment Regulations 2000. A total of 28 premises are licensed under the Late Night Refreshment House Act 1969.

3.5 Service Delivery Points

The service is available from the offices of the Environmental Services and Trading Standards at Celtic House, Friary Street, Derby. The office hours are Monday to Thursday 9.00 am to 5.00 pm, Friday 9.00 am to 4.30 pm. There is a direct line available for food complaints (Derby [01332] 716321). Our Consumer Advice Service can receive food complaints (Derby [01332] 716315).

Answerphones are available when the offices are closed. We can also accept food complaints by electronic mail [environmental.services@derby.gov.uk and derby-consumer-advice@derby.gov.uk].

3.6.1 Enforcement Policy

The Council has signed up to the Central/Local Government Concordat on good enforcement, which is a government produced standard in promoting best practice in enforcement. The Environmental Health & Trading Standards Division also works to an enforcement policy which embraces the principles of the enforcement Concordat and which has regard to the Crown Prosecution guidelines.

4. Service Delivery



Food Hygiene Inspections
Checking the temperature of food



Food Standard Inspection
Checking the labelling of food

- 4.1 Food Safety inspections are carried out in accordance with the Codes of Practice made under the 1990 Act. Premises are risk rated in line with Food Standards Agency and LACORS (Local Authority Co-ordinators of Regulatory Services) guidance. The risk rating process determines the inspection frequency for the premises.

Premises are inspected at times when they are open for business. Food businesses which are open during the night and at weekends will, on occasion, be inspected at these times, even if they are also open for business during the day.

Food businesses that present little or no risk to public health or safety for food hygiene purposes need not be subject to inspection. The Food Safety Team will be carrying out a pilot study to assess the effectiveness of an alternative inspection strategy (AIS) for these low risk premises.

The AIS will confirm the level of food safety risk at the premises, monitor compliance with legal requirements and written information will be provided to the proprietor. If the pilot is successful the AIS will be used for the majority of category E premises.

This year's inspection programme is shown in the table below.

Food Safety		
Total Number Of Premises	Number of Inspections Programmed	Estimated Number of Revisits (20%)
1956	1272*	255

* This figure includes previous year's backlog

Food Standards		
Total Number Of Premises	Number of Inspections Programmed	Estimated Number of Revisits (10%)
1838	748	75

There are 11.7 members of staff whose duties include food hygiene inspections. There are 6.6 members of staff involved with food standards duties.

4.2 Complaints

All complaints received are reviewed and investigated as part of normal officer duties.

Food hygiene complaints require the equivalent of 2 officers to complete the work. Food standards and animal feedingstuffs complaints require the equivalent of 0.5 officers.

4.3 Home Authority Principle

The Home Authority Principle is a national arrangement set up by LACORS whereby enforcement issues relating to businesses who trade nationally or internationally are co-ordinated through the local authority in whose area the head office or main operation is based. The principle promotes consistent and efficient enforcement activity. It can however place significant demands on authorities who act as home authority for major businesses.

The Home Authority principle has been endorsed by elected members. There is currently one Home Authority partnership in place.

4.4 Advice to Businesses

All requests for advice will be responded to either by telephone, letter or site visits. Advice is given during inspection activities and where necessary confirmed in writing.

4.5 Food and Feedingstuffs Inspection and Sampling

4.5.1 Food Safety

Microbiological sampling is undertaken and samples are examined by the Public Health Laboratory at Lincoln. Approximately 236 samples will be taken throughout the year. Samples are based on a sampling programme which is produced annually. The sampling programme takes account of the LACORS sampling programme as well as local and national issues.

4.5.2 Food Standards and Animal Feedingstuffs

Approximately 250 food samples will be taken throughout the year. These will be concentrated on food produced within the City and non pre-packed food.

Samples will be analysed by the Public Analyst. Samples are based on sampling programmes, which are issued quarterly. Sampling programmes take account of local and national issues as well as regional and national surveys.

Food complaints items are submitted to the Public Analyst where compositional or quality issues are raised.



Food Complaint - Piece of plaster in a roll

4.6 Control and Investigation of Outbreaks and Food Related Infectious Disease

It is the Council's Policy to investigate all incidents of infectious disease. It is estimated there will be 975 cases this year. These cases will be dealt with by the equivalent of 0.5 officers, additional officers will be available by diversion from other duties should the workload demand it.

4.7 Food Safety Incidents

The Environmental Health & Trading Standards Division will respond as appropriate on receipt of any food alerts issued by the Food Standards Agency. Any action taken will be in accordance with the Food Safety Act Code of Practice and Practice Guidance Notes.

Food alerts are transmitted electronically via a national network called Environmental Health Communications Network (EHCnet) and by fax if requested. On receipt of the warning the responsible officer will ensure it is distributed and actioned as appropriate.

The Notifications issued by the Central Government Department fall into two categories:

Food Alerts (for Action) These will require food authorities to take specific actions where food presents a hazard to consumers.

Food Alerts (for Information) These will be issued for information purposes only.



Food Alert – Products destroyed due to high levels of Aflatoxin in Chilli Powder

4.8 Liaison with Other Organisations

Consistency with neighbouring local authorities is achieved by membership of EMCOTS (East Midlands Co-ordinators of Trading Standards), the Derbyshire Environmental Health Chief Officers Group, the Derbyshire Food Liaison Group and Unitary Cities Group.

It is estimated that liaison arrangements require no more than the equivalent of 0.1 officers.

4.9 Food

The Environmental Health & trading Standards Division offered food hygiene training courses through a franchise agreement with Derby College. The funding for the training will be withdrawn from July 2005. There are various other course providers throughout the City who can deliver these training courses free of charge. The division is therefore putting forward proposals to provide alternative food hygiene courses which include refresher training and training on the "Safer Food Better Business" guide, developed by the Food Standards Agency.

5. Resources

- 5.1 The revenue budgets for the sections of the division involved in food safety and animal feedingstuffs duties amount to £1,060,441 this year compared with £1,037,171 last year. This budget has grown to accommodate inflation and pay rises.

The figure indicated is for the service as a whole and includes other duties performed by the sections.

It provides adequately for staffing costs including travel and subsistence. The budget also provides for sampling and equipment. Information technology is partly funded from this budget and also from other budgets within the Division.

- 5.2 All staff within the City Council has their training needs identified via Achievement and Development interviews. The Corporate Services Directorate, of which the Environmental health and Trading Standards division is a part, has achieved Invest

6. Quality Assessment

- 6.1 The Environmental Health and Trading Standards Division has achieved BSEN ISO 9001:2000. This includes the food hygiene, food standards and animal feedingstuffs services. These services are also audited in inter-authority audits with neighbouring authorities.

7. Review

- 7.1 This plan will be reviewed annually.
- 7.2 The annual review of the plan will be used to identify variances from targets or performance standards.
- 7.3 The annual review of the plan and inter-authority auditing will be used to identify service improvements needed.
- 7.4 Performance against last year's targets are attached as an appendix.

APPENDIX

REVIEW OF PERFORMANCE 2004/2005

1.1 Food Safety

	Number of inspections programmed	Achieved	Comments
Number of Programmed Inspections	1019	844 (83%)	Target not achieved due to staffing issues (job vacancies and long term sickness)
Number of Revisits (20%)	203	223	Some proprietors have self certified that non compliances have been corrected

During 2004/2005 one contractor was employed for a four week period to undertake low risk food hygiene inspections in order to reduce the backlog of programmed inspections from the previous year. However, the contract was terminated a short time later as close monitoring of their work through accompanied visits, file audits and customer telephone questionnaires revealed concerns about the quality of work.

1.2 Food Standards

	Number of inspections programmed	Achieved	Comments
Number of Programmed Inspections	748	466 (62%)	This figure reflects the lack of appropriately qualified staff. Two members of staff at least 18 months away from qualification.
Number of Revisits (10%)	75	21	A further 23 advisory visits completed

1.3 Complaints

	Food Hygiene	Food Standards	Animal Feeding Stuffs
Number of complaints received	372	111	2

2. Food and Feedingstuffs Inspection and Sampling

	Estimate	Achieved	Comments
Food Safety Samples	80	51	Below target due to resource constraints.
Food Standards and Animal Feedingstuffs	275	230	Number of samples is controlled by budget and expenditure commitment to Public Analyst

3. Control and Investigation of Outbreaks and Food Related Infectious Disease

	Estimate	Actual	Comments
Number of Cases	975	757	Figure decrease due to less viral infections, typhoid paratyphoid and Hepatitis A cases

4. Food Safety Incidents

April 04 - Sept 04	CATEGORY A Immediate Action	CATEGORY B For Action	CATEGORY C Action as deemed necessary	CATEGORY D For information only
Number of Food Hazard Warnings received	0	1	32	11
Oct 04 – March 05	FOR ACTION	FOR INFORMATION		
Number of Food Alerts received *	17	33		

*System of classification for food safety incidents changed at the end of September. There are now two levels of response instead of Categories A to D.

4.1 Outcome of Hazard Warnings

Contact made with business	Referred to Trading Standards for action	For Information only no action required
19	36	39

5. Food and Feedingstuffs Safety and Standards Promotion

	Estimate	Actual	Comments
Number of people trained to the Foundation Certificate in Food Hygiene qualification	200	118	Demand led provision. All persons applying for training were accommodated and trained successfully

In addition the Trading Standards Inspection Team participated in a regional initiative to raise awareness of Food Standards locally displayed material was provided in the Eagle Centre market and regionally information was provided in the form of a press release.

The Food Safety Team carried out a trial of the Safer Food Better Business guide in food premises whose proprietors and food handling staff were likely to speak a language other than English. This is a toolkit which has been developed by the Food Standards Agency to assist small catering businesses to prepare documented food safety management procedures. The main aim of the trial was to raise the standard of food hygiene and reduce the level of enforcement activity in such businesses.