

TITLE OF REPORT**FOOD LAW ENFORCEMENT SERVICE PLAN 2016/17****CORPORATE COMMITTEE
MEETING DATE 2016/17****14 July 2016****CLASSIFICATION:****Open****If exempt, the reason will be listed in the
main body of this report.****WARD(S) AFFECTED****All Wards****GROUP DIRECTOR Kim Wright, Neighbourhoods and Housing**

1 INTRODUCTION

- 1.1 The Food Law Enforcement Service Plan (FLESP) is a statutory plan which sets out how the Council will undertake enforcement of food safety legislation.
- 1.2 The Plan is prepared in accordance with the Food Standards Agency's (FSA) Framework Agreement template as amended April 2010, and is an important part of the process to ensure that national food safety priorities and standards are addressed and delivered locally. It also focuses on key deliverables; provides an essential link with financial planning; provides objectives for the future including identifying major issues that cross service boundaries; and provides a means of managing performance and making performance comparisons.
- 1.3 The Food Law Enforcement Service Plan sets out the objectives of the service and demonstrates how they are linked to the Mayor's Priorities and Hackney's Sustainable Community Strategy. It also sets out the key areas of food law enforcement, the management arrangements, the resources that have been allocated for this work by the local authority and the key targets.
- 1.4 The performance of the Food Safety Service is measured against its fulfilment of the Plan and the percentage of broadly compliant premises within the Borough.
- 1.5 The FSA continues to monitor the performance of the Service through the annual enforcement data returns made to the FSA via the Local Authority Enforcement Monitoring System (LAEMS).

2 RECOMMENDATION(S)

- 2.1 **The Corporate Committee is recommended:**
 - 2.1.1 **to approve the Food Law Enforcement Service Plan 2016/17;**
 - 2.1.2 **to approve the level and scope of work being carried out to meet the requirements of the plan.**

3 REASONS FOR DECISION

- 3.1 The Food Standards Agency recommends that food service plans are submitted for Member approval to ensure local transparency and accountability.

4 BACKGROUND

- 4.1 The plan sets out the inspection programme for the Borough's food premises for 2016/17. This year's programme currently (as of 1 April 2016) has 1024 food hygiene and 1157 food standards interventions due. The number of

inspections due is based on the premises risk rating which is determined at a primary inspection.

4.2 Achievements in 2015/16

- 4.2.1 Food premises are categorised according to risk from the highest risk (Category A) to the lowest risk (Category E) in respect of food hygiene inspections, and from the highest risk (Category A) to the lowest risk (Category C) in respect to food standards inspections. As food hygiene inspections are the main driver for the service's inspection programme this means that medium and low risk food standards inspections are carried out when the hygiene inspection is due.
- 4.2.2 Last year (2015/16), 100% of the high risk Category A and B food hygiene premises inspections and 100% of high risk Category A food standards premises inspections were achieved.
- 4.2.3 On 1 April 2016, 84% of Hackney's food premises were broadly compliant in food hygiene, a 5% improvement on the previous year. The Food Safety Service has an aspiration to increase the broad compliance during this performance year (2016/17). The proposed introduction of mandatory display of food hygiene ratings will go some way to further improving food hygiene compliance.
- 4.2.4 The development of the Training Centre has proved to be successful delivering Level 1 – basic food hygiene training which has provided support particularly to new businesses and contributed to the overall improvement in food hygiene broad compliance in the borough. Approximately 200 food handlers from local food businesses and the learning trust were trained in 2015/16, generating an income for the Service of £14.860.
- 4.2.5 During 2016/17, the Service will further promote and build on this success and will be providing allergen awareness training, and an additional half day food hygiene refresher course.
- 4.2.6 The service also introduced a Business Compliance Consultancy Service. This additional service to businesses started in Q4 2015/16 and so far has engaged with eight businesses to improve food safety standards and their compliance.
- 4.2.7 86% business customer satisfaction which was 11% higher than the overall target for Regulatory Services (75%).
- 4.2.8 The Service achieved all its performance indicator targets for 2015/16 and those set for 2016/17 will continue to improve the service delivered.

4.3 Key Areas for Improvement/Development for the next two years (2016 – 18)

4.3.1 The service has contributed to the Regulatory Services' ICT strategy which includes a review of the current functionality of Civica APP database and processes to deliver efficiencies and future service development improvements.

4.3.2 The Service will further develop partnership working as a means of meeting challenges, delivering corporate objectives and delivering outcomes through innovative and collaborative working. This includes planned activities with:

- the Public Health Team in respect of healthier offers in food premises and contributing towards Hackney's Obesity Strategic Partnership plan;
- the FSA & other local authorities working collaboratively to reduce food fraud and the prevalence of illegal foods through interventions.
- other local authorities as a means of sharing resources; and supporting HMRC in ensuring minimum and living wages are paid to those working in the catering and retailing businesses. The Service also will work with the Police on the processes for referrals to their people trafficking and develop a means of spotting the signs of people trafficking and slave labour when carrying out visits to food premises.

4.3.3 The work plan for 2016/17 will be challenging in view of the ever increasing numbers of food premises, the need to provide greater support to food businesses and tackling food fraud. There will also be opportunities for the Service in light of the cross-cutting enforcement review which will bring about new ways of working. The cross-cutting enforcement review is one of seven cross-cutting programmes and aims to improve the Council's enforcement functions by bringing together enforcement resources to ensure more effective and targeted enforcement and maximise the use of specialist resources such as the food safety service, as well as reducing regulatory burdens on businesses and improving the customer experience.

4.4 Resources

4.4.1 The service has eleven officers including two team leaders and nine environmental health practitioners in the environmental health team and 80% of their time is spent on food safety work.

4.4.2 Section 5 of the plan sets out in detail the total time available to officers. The section also sets out the various food safety enforcement related activities and the length of time (in full time equivalents) that will be spent on the task based on the activity which that is required.

4.4.3 The resources needed to fulfil the food law enforcement plan for 2016/17 are approximately 10.68 full time equivalents (FTE). The total number of

environmental health practitioners and support officers identified in the plan is 10.30 FTE, therefore there is a shortfall of 0.38 FTE.

4.4.4 The higher risk category A & B, unrated and not broadly compliant category C premises inspections will be prioritised. Where there may be an impact on lower risk rated premises, project work such as the Healthy Catering Commitment project, food fraud project and the targeted activities undertaken during multi-service action days will enable the service to address this.

4.4.5 The capacity for the delivery of the Service will be kept under review to ensure that food safety is not compromised.

4.5 Policy Context

4.5.1 The Plan is prepared in accordance with the Food Standards Agency's (FSA) Framework Agreement (2010) as amended April 2010. The FSA require all local authorities to produce and approve an annual plan that sets out how it is going to discharge its responsibilities.

4.5.2 The performance of the Food Safety Service is measured against its fulfilment of the Plan.

4.6 Equality Impact Assessment

4.6.1 An equality impact assessment was carried out when the 2010/11 Food Safety Service Plan was produced. This identified an overall positive impact on race and age. The impact of The Food Safety Service Plan for 2016/17 has been reassessed and it continues to make positive impact on race and age.

4.6.2 The plan has a positive impact on Race because food safety is enforced equally across all businesses. If during the course of an intervention it is found that a business operator does not have English as his/her first language an interpreter will be brought into assist. Also food hygiene training is provided to food handlers working in the borough and interpreters are used for food these courses. Guidance material is available in a number of different languages.

4.6.3 The plan has a positive impact on age because the plan is designed to prevent food poisoning and other food borne diseases. The impact of these diseases on the very young and those over 65 years is greater than in other age groups.

4.6.4 There is a negative impact on food businesses in terms of closures and prosecutions however this is mitigated by advice, guidance and training which is offered to businesses, and premises closures and prosecutions are very much a last resort. All enforcement activities are carried out in accordance with the Food Safety Enforcement Policy and deviations from policy will be documented.

4.7 Sustainability

N/A

4.8 Consultations
N/A

5 COMMENTS OF THE GROUP DIRECTOR OF FINANCE AND CORPORATE RESOURCES

- 5.1 This report recommends the Corporate Committee approve the Food Law Enforcement Service Plan (FLESP) 2016/17.
- 5.2 The funding required to deliver the FLESP is £489k to fund staff and other running costs, including transport and external contractors. There is budgetary provision within the Environmental Health budget (£813k), to cover these costs in 2016-17.
- 5.3 The service aims to achieve the targets in the Plan with the existing revenue budgets.
- 5.4 Budgets in 2017/18 onwards may be effected by future savings plans and service reviews. Future service plans will be drawn up within the available budgets and the service manager will continue to identify internal efficiencies to mitigate the impact of resource constraints on the delivery of outputs.

6 COMMENTS OF THE DIRECTOR OF LEGAL

- 6.1 There are no legal implications arising from this Report.

APPENDICES

Appendix 1 - Food Law Enforcement Service Plan 2016/17
Appendix 2 – Equality Impact Assessment.

BACKGROUND PAPERS

NONE

Report Author	Aleyne Fontenelle, Head of Projects & Regulatory Services Aleyne.fontenelle@hackney.gov.uk Tel: 020 8356 4918
Comments of the Group Director of Finance and Resources	Philip Walcott, Group Accountant Philip.Walcott@Hackney.gov.uk 020 8356 2396
Comments of the Director of Legal	Pauline Campbell, Senior Lawyer – General Litigation Pauline.Campbell@Hackney.gov.uk Tel: 020 8356 2775