



Food Law Enforcement Service Delivery Plan 2016/17



INVESTOR IN PEOPLE

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1. INTRODUCTION

This is the London Borough of Hackney's mandatory annual plan which sets down how the Council will undertake enforcement of food safety legislation. The Plan follows the national template as directed by the Food Safety Agency (FSA), through the framework agreement agreed with Local Authorities. This plan refers to the food law enforcement functions undertaken by Hackney's Neighbourhood and Housing Directorate.

The objective of the plan is to demonstrate how the service ensures food safety in the Borough. The Environmental Health Service undertakes the Food Safety Service and aims to deliver an intelligence-led, risk-based approach to business regulation that achieves a high level of consumer protection.

This plan is a public document and will be published on the Borough's website. It sets out the aims and objectives of the direction for the delivery of food safety in Hackney for 2016 – 2017, in line with the Mayor's Priorities.

The performance of the Food Safety Service will be measured against the fulfilment of this Plan and the percentage of broadly compliant premises within the Borough. Currently 84% (1 April 2016) of food premises in Hackney are broadly compliant in respect of food hygiene. This is up from 79% in 2015/16. The Service has an aspiration to increase this further by 5% by extending the business consultant's role, seeking further efficiencies in the inspection process and with targeted initiatives in conjunction with other council services, community stakeholders and external agencies.

The number of food businesses in the Borough subject to food hygiene controls has risen from 2,535 in April 2015 to 2,954 in April 2016. It is anticipated that this increase in the number of food businesses will continue. This is a particular concern to the Food Safety Service as this places a greater demand on the Service to ensure premises are 'fit for purpose' and food hygiene compliant.

Significant improvements have continued to be made in performance and quality following the Food Standards Agency audit in June 2010 the Food Safety Service the following highlights were achieved:

- Improved rate of compliance for food hygiene in Hackney, with 84% of premises broadly compliant has been steadily increasing from April 2011 (57%);
- Robust management of unrated premises resulting reduced numbers of unrated premises in the Borough to 24 (at the beginning of April 2016), from 145 (at the beginning of April 2014);
- Implementation of a business consultant role engaging eight businesses paying for a range of services to address compliance issues;

- Three successful prosecutions of food businesses, including one for the sale of illegally processed meat and one that was heard over two weeks at Snaresbrook Crown Court relating to pests and food related issues;
- Increased the number of FHRS 5 rated premises from 583 to 665 in 01/04/2015 – 31/03/2016;
- Decreased the number of FHRS 0 (zero) rated premises from 22 to 9 in 01/04/2015 – 31/03/2016;
- Further development of the training centre with contract with the Learning Trust secured to deliver Level 2 food hygiene training to employees working in school kitchens.

The Food Safety Service continues to use a range enforcement tools to improve and maintain food hygiene and safety compliance and to deliver a risk based approach. The service continues to move away from an “inspection for inspection’s sake” approach allowing for a lighter touch treatment of those premises that are broadly compliant and providing advice and education. Where necessary enforcement of those premises that are not broadly compliant will be taken.

This approach is reflected in the priorities for 2016/17 which means that resources will be targeted at those premises posing the highest risk. Last year 100% of the higher risk food hygiene and food standards premises were inspected in line with the Food Law Code of Practice. The Food Safety Service also continues to work in partnership with external and internal services to enable resources to be targeted as effectively as possible.

The Service will have a number of challenges in 2016/17 and over the following 3 years, managing the very different and growing demands of Government agencies. Along with the cross cutting review and local priorities the service will be challenged to ensure the provision of safe food, and the need to use resources differently, and deliver the work innovatively and collaboratively in order to maintain and increase inspection levels. Another challenge will be to drive up hygiene compliance along with the need to support and assist the increasing numbers of new business start-ups and pop-ups due to the growth of the hospitality economy in the borough.

The current discussion to reduce costs across the Council will also have a bearing on the effective delivery of this service.

1.1. Highlights from 2015/16

- 1.1.1. Introduction of partial inspections for food hygiene and standards that are essentially focused topic-based inspections and undertaking food sampling as part of alternative enforcement strategies. This more targeted approach will utilise the full range of interventions available under the Food Law Code of Practice (April 2015) to the delivery of the inspection programme.
- 1.1.2. The number of five rated premises in the borough has increased, from 583 premises in April 2015 to 665 premises in March 2015. There has been a reduction in the number of zero rated premises, from 22 to 9, in the same period.

- 1.1.3. The percentage of broadly complaint premises in the borough has increased to 84%. The percentage of premises which are broadly compliant has increased significantly in the last five years, from 57% in 2011.
- 1.1.4. An inter-borough consistency exercise between officers from London Boroughs of Hackney and Waltham Forest was undertaken in 2015/16 at food premises in each local authority. This exercise identified matters of good practise and consistency of approach to the inspection and food hygiene rating scores.
- 1.1.5. Increase in the number of delegates attending level food hygiene training from 121 in 2014/15 to 208 in 2015/16, generating an income of £14,860.
- 1.1.6. 86% business customer satisfaction which was 11% higher than the overall target for Regulatory Services (75%).

2. FOOD LAW SERVICE AIMS AND OBJECTIVES

2.1. Aims and Objectives

Mayor's Priorities

Sustainable Community Strategy
(SCS)

Corporate Plan

Corporate Delivery Plan

Divisional Business Plans

Service Area/Team Plans

Individual Appraisals

How the Service Links to Corporate Priorities

Hackney's Vision: A place for everyone

- Mayor's Priority 1:** Making Hackney a place where everyone can succeed, through a first class education, investment and jobs, and providing support to those who need it most.
- Mayor's Priority 2:** Making Hackney a place that everyone can enjoy, with clean, safe streets, excellent parks and public services and a great quality of life for all who live here.
- Mayor's Priority 3:** Making Hackney a place where everyone can contribute, through listening to residents, and involving them in the decisions we make and things we do.

The **2008-2018 Sustainable Community Strategy** has six priorities:

1. Reduce poverty by supporting residents into sustainable employment, and promoting employment opportunities.
2. Help residents to become better qualified and raise educational aspirations.
3. Promote health and wellbeing for all, and support independent living.
4. Make the borough safer, and help people to feel safe in Hackney.
5. Promote mixed communities in well-designed neighbourhoods, where people can access high quality, affordable housing.
6. Be a sustainable community, where all citizens take pride in and take care of Hackney and its environment, for future generations.

The Food Safety Service contributes to the delivery of the following local policies and plans:

Environmental Health Service: Food Safety Service - undertakes a range of food hygiene, food standards and health and safety interventions across all Hackney food businesses including the provision of advice and information. The team also carries out infectious disease investigations, investigation of food complaints and sampling work. **Mayor's Priority 2 Sustainable Community Strategy priority 3 & 4**

The Service aims to:

- work with businesses to protect consumers from harm by ensuring that food produced, distributed and marketed in the borough is safe and wholesome for the consumer to eat. This will be measured by an increase in broadly compliant businesses, increasing the number of FHRS rated 3-5 premises and a reduction in FHRS rated 0-2 premises
- work with businesses to ensure that food produced, distributed and marketed in the borough meets labelling and compositional requirements and is presented so that consumers are not misled as to its nature, substance or quality. This will be met by raising issues highlighted during visits to premises, acting on service requests and complaints, through promotional material where relevant and increasing enforcement for non-compliance following a graduated approach.
- deter, detect, investigate and disrupt fraudulent activity involving food, including the illegal importation of food. This will be measured by restarting the food fraud project, taking an active role in local, regional and national food fraud initiatives and meetings, by increasing the number of action days to disrupt potential fraudulent activities and increasing enforcement for non-compliance following a graduated approach
- prevent the spread of infectious disease and food poisoning and to investigate outbreaks by working with PHE, investigating notifiable disease in line with agreed protocols, participating in local, regional and national initiatives and meetings.
- provide advice and education to all sectors of the community on food safety matters and to meet the training needs of the businesses in Hackney with the promotion of in-house training courses and participation in national initiatives such as Food Safety week.
- promote the provision of healthier food to reduce health inequalities through the Healthy catering Commitment scheme.
- work with other Services, local authorities and agencies with common objectives to provide effective enforcement. This will be achieved by attending local, regional and national meetings, benchmarking with neighbouring authorities and by taking part in internal and external partner led initiatives.

- protect businesses from economic disadvantage caused by competitors not complying with food safety legislation and by following a graduated approach of enforcement

2.2. Food Safety Service Performance Indicators for 2016-17

2.2.1 The service have a number of key performance indicators and the performance of the service is measured against these.

PI Code	Short Name	Frequency of reporting	Directorate	Achieved 2015/16	Annual Target 2015/16	Data Only PI	2016/17 Target
NH PRS 030	% of service requests/consumer complaints about food businesses actioned within 10 working days	Quarters	Neighbourhoods & Housing	99.6%	95.0%	No	95%
NH PRS 034	% of Broad Compliance for food hygiene (accumulative)	Quarters	Neighbourhoods & Housing	79.0%	75.0%	No	80%
NH PRS 035	% of unrated food premises inspected excluding registered premises not yet trading	Quarters	Neighbourhoods & Housing	100.0%	100.0%	No	100%
NH PRS 036	Number of unrated food premises	Quarters	Neighbourhoods & Housing	27	N/A	Yes	N/A
NH PRS 046	Satisfaction of businesses with local authority Regulatory Services' inspections, visits, actions to ensure businesses are compliant	Years	Neighbourhoods & Housing	N/A – new for 2015/16	75.00 %	No	75%

3. BACKGROUND

3.1. Scope of the Food Safety Service

3.1.1. The Food Safety Service is responsible for food hygiene, food standards, public health activities and health and safety in all food premises, and involves both planned and reactive work.

3.1.2. Food Safety Service officers, hold dual warrants for food safety and health and safety, so when appropriate, health and safety hazard spotting and food standard inspections are carried out at the time of the primary food hygiene inspection.

3.1.3. The Food Safety Service provides the following services:

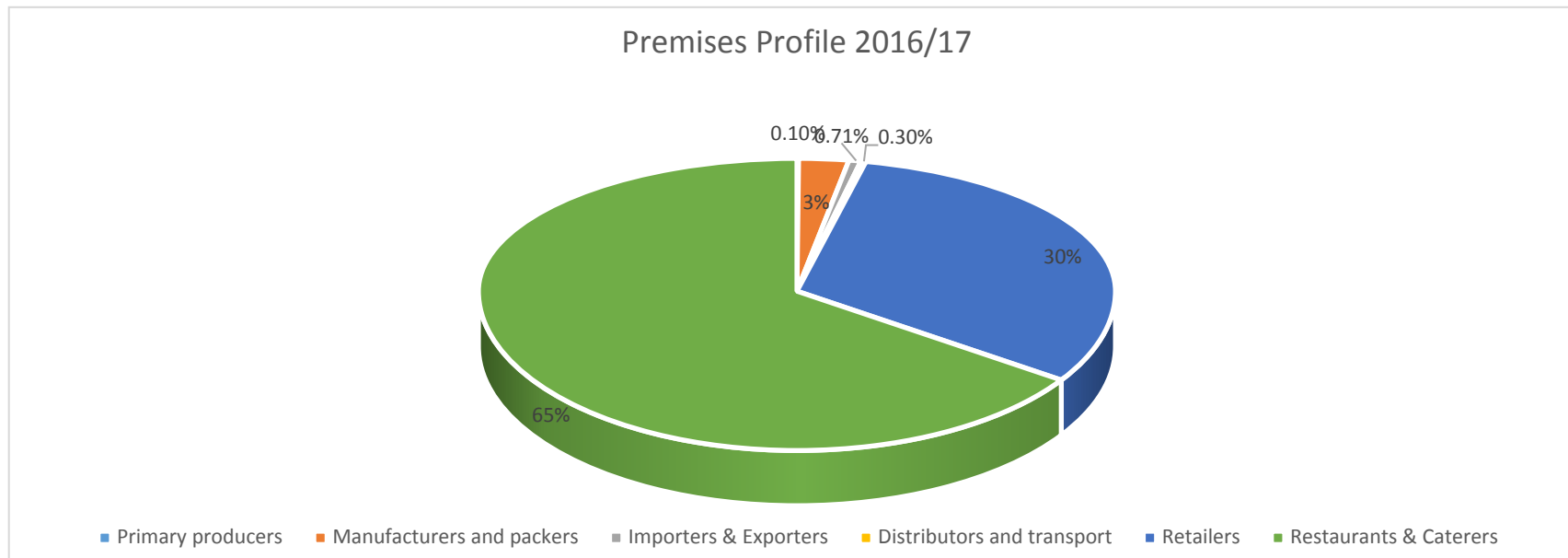
- Conducting official controls and other interventions at a frequency determined by Food Law Code of Practice and taking appropriate enforcement as necessary;
- Working with local food businesses to help them comply with their legal responsibilities and good hygiene practice, by providing information, advice and guidance;
- Prevention, control and investigating of infectious diseases, outbreaks, and food-related infectious disease and food poisoning associated with food businesses in Hackney in accordance with the joint infectious disease protocol, London Outbreak Management Plan 2012 and advice from the Consultant for Communicative Diseases Control (CCDC) and the Public Health Laboratory Service (PHLS), within Public Health England (PHE);
- Undertaking sampling in accordance with our sampling policy;
- Control of imported foods in accordance with centrally issued guidance;
- Investigating complaints about food premises and food purchased/provided by consumers in Hackney;
- Initiating and responding to food alerts about unsafe or unwholesome food and taking appropriate action as necessary;
- Providing advice on training in safe food handling and hygienic practices to food handlers working in Hackney, including running food hygiene training courses via our training centre.
- Processing applications for approval relating to the production of Meat Products, Minced Meat & Meat Preparations, Dairy Products and Fishery Products;
- Carrying out activities with regard to a food safety enforcement policy in line with the central government issued guidance;
- Undertaking food safety initiatives (Food Hygiene training and community events etc.).

3.1.4. The Trading Standards Service is responsible for Feed Law enforcement to ensure safe food enters the food chain.

3.2. Demands on the Food Safety Service

3.2.1. Premises Profile

3.2.2. Hackney has 2,954 food establishments (an increase of 419 premises since 2015/16). The majority of food businesses in Hackney are 'restaurants and catering premises at (65 %). These are mainly sole trading micro businesses a number which requiring support, advice and enforcement to ensure that the food they supply is safe to eat. This is reflected in the inspection programme and the demand for training. Food retailers make up the second most significant group (30 %), with the remaining 5% being made up of primary producers, food manufacturers, exporters, distributors and importers. A summary of the breakdown of the establishments is presented in the figure below:



3.2.3. Population Profile

3.2.4. The borough has a diverse population and is a culturally rich borough with a growing population of approximately 263,150.

3.2.5. Just over a third (36%) of respondents to the 2011 Census in Hackney described themselves as White British. The remainder is made up of black and minority ethnic groups, with the largest group Other White, 16.3% followed by Black African, 11.4%. The number of Black Caribbean people has fallen slightly in the past 10 years. They now make up 7.8% of Hackney's population compared with 10.3% in 2001. Hackney also has a well-established take Turkish and Kurdish community; At least 4.5% of the Hackney population is Turkish (derived from the 2011 Census). These populations are often captured in the White British/Other White, Other Ethnic Group or, for Turkish people, Arab. Other significant communities in Hackney include Chinese, Vietnamese and Eastern Europeans especially Polish, Western Europeans particularly Spanish and French people, Australasians and residents from North, and Latin America.

3.2.6. Hackney has a large and growing young population. Young people and children under the age of 20 make up a quarter of the population in Hackney (24.7%). The size of this group will continue to grow in line with overall population growth. People aged over

65 make up only 7.2% of the population. The Plan aims to control foodborne illness which poses a greater threat to the very young, older persons and some people with pre-existing health problems. The consistent and proportionate application of food law enforcement in the Borough will greatly benefit these groups and minimize any risks to them.

3.2.7. Outdoor Events

3.2.8. The borough hosts a large number of annual festivals and other outdoor events which attract community caterers and a large number of temporary caterers, pop-ups and food producers, all of which require vetting and inspecting as necessary. These range from several large events held in Queen Elizabeth Olympic Park to smaller churchyard-style events held throughout the borough.

3.2.9. Imported Food

3.2.10. As well as responding to complaints, referrals and notifications, the service carries out routine inspections and a range of proactive activities in premises across the borough and in street markets the deal with the trade in illegally imported foods.

3.2.11. The Food Standards Agency has placed greater emphasis on local authority Food Safety Services to ensure controls on third country imported food (i.e. food imported from countries outside of the European Union). There is high level of imported foods from non-EU countries entering the borough, either directly imported by businesses or by third parties located elsewhere. Some of these foods can be illegal (i.e. banned from importation, processed in a way that contravenes EU legislation, or they do not comply with compositional or labelling requirements). Examples of this include fruit, vegetable and nuts that appear on a monthly warning list issued by the Food Standards Agency for investigation. This area of work has a high impact on the Service due to number of businesses handling low cost imports to meet the high consumer demand. This food, however, gives rise to a risk to human health and where necessary it is removed from sale and enforcement action taken. The Food Standards Agency has supported the Food Safety Service in improving controls on third country imported food sold in the borough and to identify those imported foods that may have been brought into the borough illegally to protect public health and animal health. This has led to increased related work activities such as sampling and surveillance activities.

3.2.12. New Businesses

3.2.13. The number of food businesses in the borough, subject to food hygiene controls, has risen by approximately 17% from 2,535 in April 2015 to 2954 in April 2016. It is anticipated that this increase in the number of food businesses will continue, and is of a particular concern to the Food Safety Service as they place a greater demand on the Service, to ensure that these premises remain 'fit for purpose' and food hygiene compliant as they vary their supply of food. In addition, there are a number of temporary food businesses and 'pop ups' who open and then ceased trading within a short period of time. The service manages a programme of inspections for all new/unrated food premises to ensure their hygiene compliance is assessed.

3.2.14. Food Hygiene Rating Scheme

3.2.15. Hackney participates in the National Food Hygiene Rating Scheme (FHRS). The scheme is designed to give the public information about local food businesses so that they can make informed choices about where they eat locally (and nationally). As a result the

scheme allows for greater transparency for consumers and businesses the work conducted by Hackney Food Safety Service. It also recognises those businesses that are operating to a good standard and aims to provide an incentive to those businesses have not made food safety a priority.

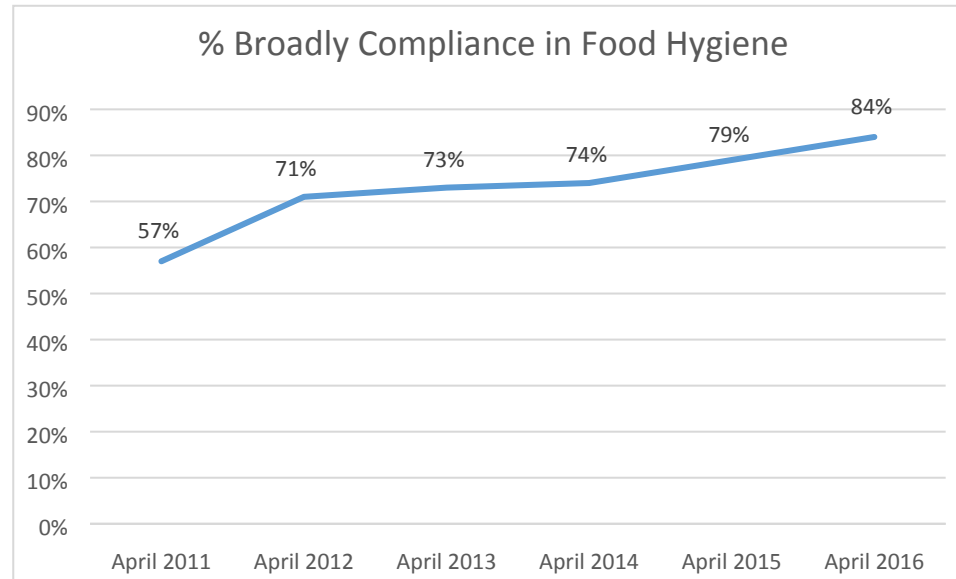
3.2.16. This Service is very supportive of this scheme and in 2015/16 Hackney took part in the Food Standards Agency consultation on the mandatory display of the FHRs rating sticker at food premises as a means of allowing consumers make informed choices, and driving up standards and the economy in Hackney. The scheme is likely to be made mandatory January 2017.

3.2.17. Following an inspection, a business can be given one of the following FHRs ratings and uploaded on the National FHRs website (<http://ratings.food.gov.uk>) which can be accessed by businesses and consumers.



3.2.18. Broad Compliance with Food Safety Legislation

3.2.19. At 1 April 2016, 84% of premises were found to be broadly compliant with food hygiene. This figure has increased from 79% in 2015/16. The most appropriate enforcement action will continue to be used deal with premises that are non-compliant following a primary inspection as a means of driving up full compliance and delivering sustainable improvements.



3.2.20. Food Fraud Project

3.2.21. The Service has routinely dealt with the occurrence of food fraud in the Borough, undertaking enforcement activities to remove illegal food from the food chain. This takes place during routine food inspections, following a complaint or service request or as part of proactive enforcement days undertaken by the Service.

3.2.22. This Service was awarded a grant of £170,000 by the Food Standards Agency to tackle food fraud in Hackney. The project was set out over five phases and started in April 2014. The 15-month project was developed to provide a strategy and protocol so that food fraud can be tackled in a proactive manner in borough. It will be delivered by working extensively with food businesses, multi-regulatory services and multi-agencies, local authorities across London and the consumers to bring about behavioural change and compliance in respect of food fraud to protect public health.

3.2.23. Phases 1 & 2 of the project were completed. However, the project was unable to move to phase three due to operational issues and the project stalled in 2015. A recent meeting with the FSA in April 2016 agreed a way forward that both sides would work to. Phase 3 is currently being reviewed with a view to restarting the project in Q2 2016/17. The revision is intended to look at further means of gather further intelligence on illegal activities and will involve further partnership working and intelligence gathering from other services, the use of directed surveillance, re-engaging with the traders to support and encourage whistle-blowing and engaging with the relevant traders associations and increasing enforcement to include greater number of action days

3.2.24. Additional Priorities and Partnership Working

3.2.25. North East Sector Food Liaison Group, London Food Coordinating Group and Association of London Environmental Health Managers: The Service participated in these Groups to improve consistency, share best practice as a means of obtaining up-to-date information on policy, regulation, guidance and enforcement.

3.2.26. Events/Partnership and Tasking Group: The Food Safety Service participated in the Hackney Events Action Team (HEAT) process; and will continue to undertake joint working initiatives with Community Safety, Licensing, Events and Public Realm teams and other internal and external organisations including the Metropolitan Police to tackle emerging issues and regulatory non-compliance.

- 3.2.27. Mobile Vending Operators: The Food Safety Service monitored of 'pop-ups', and mobile traders in the borough via the food premises registration process, complaints, referrals and surveys. Also, the Service liaised with the Markets team to ensure closer working partnerships as a means of improving food safety compliance in Hackney's Markets. The Service will continue to work closely with the Markets and Street Trading Services and deal with non-compliance through existing programmes and initiatives and by developing joint strategies.
- 3.2.28. This Service will continue to support the work of HMRC, and work with partners on observance of National Minimum Wage in Hackney to raise awareness with employers and workers to ensure the payment of at least the minimum wage National Minimum Wage (NMW): Hackney is committed to ensuring at least the NMW is paid by employers and the Service will continue to work with internal services and external agencies for this purpose. This will include joint operations at premises identified at potentially not meeting their obligation.
- 3.2.29. Liaison with other Organisations: The Council actively participated in liaison with a number of other local authorities, agencies and professional organisations in order to facilitate consistent enforcement, to share good practice and reduce duplication of effort.
- 3.2.30. Promotional Campaigns
- 3.2.31. The Service published advice and guidance through a variety of media to improve food hygiene and safety awareness within the food business community and the local consumer population and maintain a positive relationship with the media to raise the profile of the Food Safety Service.
- 3.2.32. The annual Food Safety Week (18 May – 24 May 2015) focussed on food poisoning caused by Campylobacter from chicken. Advice about not washing raw chicken, how to store it correctly, checking chicken is cooked properly and thorough cooking and washing of hands and utensils. The Food Safety Service will carry out food safety promotional work through participation in national and local campaigns and local projects, subject to available resources.
- 3.2.33. The Service raised the profile of the Food Hygiene Rating Scheme by encouraging the display of ratings and publicising the businesses achieving rating of 5 each month on Twitter.

3.2.30. Training Centre

3.2.31. The continuation of the Training Centre will also improve food hygiene broad compliance as this facility will support businesses by making food hygiene training accessible to food businesses in the borough and particularly to those that are not compliant or are subject to enforcement action due to the serious risks of their food operation. The training is promoted to food businesses through the Council website and the distribution of flyers to new and existing businesses. In 2016/17 the service will continue to offer training in Food Hygiene, but will look to expand the range of courses offered to include Allergen training, ½ day food hygiene refresher course and Level 3 Food Hygiene training. The Service will also look at developing a training programme for markets and pop-up vendors.

3.3. Enforcement Policy

3.3.1. The Food Safety Service recognises that whilst businesses look to maintain their reputation and wish to maximize profits. They also seek in most instances to be on the right side of legal requirements without incurring excessive expenditure and administrative burdens. So, in considering enforcement action, the service will assist food businesses to meet their legal obligations without unnecessary expense, whilst taking firm action that may include prosecution or other formal action, where appropriate, against those who disregard the law or act irresponsibly.

3.3.2. The published Food Safety Enforcement Policy, which follows a graduated approach, outlines all enforcement action to be carried out by officers in relation to food safety legislation, seeks to ensure that formal enforcement is focused where there is a real risk to public health and that officers carry out actions in a fair, practical and consistent manner. All authorised officers will follow the Food Safety Enforcement Policy when making enforcement decisions.

3.3.3. The Food Safety Enforcement Policy, takes account of the principles of the Enforcement Concordat, the Regulator's Code, FSA's guidance, and has regard to Crown Prosecution Service guidelines and Equality Impact issues. The Plan will allow the use of resources more effectively in assessing high risk activities whilst delivering benefits to low risk and compliant businesses.

3.3.4. The Service will generally seek to recover from businesses the costs associated with any additional official controls (such as emergency closures of food businesses).

4. SERVICE DELIVERY

4.1. Interventions at Food Establishments

- 4.1.1. The Food Safety Service will employ a full, partial or range of interventions to assist in raising the compliance rate and achieve broad compliance in food premises. Interventions include sampling, monitoring, surveillance, education or verification visits and should enable a lighter touch for compliant premises, and also enable additional resources to be targeted on non-compliant premises in line with the Regulator's Compliance Code.
- 4.1.2. Food hygiene inspections are the main driver for performance of the Food Safety Service, as a result of the priority setting and the scrutiny of the performance of the Service by the FSA, and local and national indicators. Inspections are allocated to officers who are appropriately qualified and authorized in accordance with the Food Law Code of Practice.
- 4.1.3. Following a primary inspection of each food business, a risk category is assigned based on the type of food business and the type of food it handles as well as the conditions found at the time of the inspection. Category 'A' and 'B' rated premises pose the greatest risk and these are therefore inspected at a greater frequency.
- 4.1.4. In 2016/2017, the numbers of Category A and B premises due for inspection, along with the new and unrated premises and 'not' broadly compliant C rated premises, will meet with the FSA's intervention strategy and their concept for risk based prioritisation for food hygiene inspections. The programme of inspection for food standard inspections will do the same.

4.2. Food Hygiene Inspection Programme

- 4.2.1. Food hygiene inspections are given priority in accordance with Food Law Code of Practice and associated Practice Guidance, issued by the FSA and in line with Hackney's Food Safety Service, Food Hygiene Inspections and Food Standards Procedures. Therefore, the majority of resources allocated to food safety are devoted to planned primary inspections for food hygiene purposes.
- 4.2.2. In accordance with centrally-issued guidance on interventions, the Service aims to inspect the highest risk premises category A-B premises and all not broadly compliant category C premises, and any not broadly compliant category D premises that are due. In addition new and unrated premises will be inspected within the annual inspection cycle. Backlogs will also be incorporated into the annual inspection cycle and addressed through use of a range of intervention tools and alternative strategies. All remaining category D premises will be addressed by other official controls, interventions or Alternative Enforcement Strategy (AES). Any increase in demand for food inspections has until now been met by adjusting the inspection target and directing resources so that new/unrated premises and higher risk category A and B premises are inspected as a priority, and includes any of these categories that form part of the backlog. This is likely to continue.

4.2.3. Partial inspections will be conducted on broadly compliant category C premises, in line with in the Food Law Code of Practice. This will reduce the burden on businesses and concentrate resources on the non-compliant businesses. However, a full inspection will be carried out if the compliant businesses are not in control of the risks or a public health risk is identified.

Table 1. The number and types of food businesses and their risk rating planned for food hygiene inspections 2016/2017

Inspection Rating	Number of food hygiene inspections due	The frequency of inspection is for Category: A: every 6 months (2 inspections a year) B: every 12 months C: every 18 months D: every 2 years E: every 3 years The category for premises classed as unrated is determined at the first visit and can be A-E. Category E premises may be dealt with using an alternative enforcement strategy (AES).
A	21 x 2 = 42	
B	331	
C	648 (157 NBC**)	
D	912* (60 NBC**)	
E	358*	
New/Unrated premises carried over from 2015/16	24	
<i>New/Unrated premises estimated opening during the year (2016/17)</i>	350	
Total due for an official intervention 2016/17 (incl broadly compliant C rated premises)	1455	
Total due for Non-Official Interventions/AES 2016/17* (5% of total)	60	
Total Inspections due for 2015/16 excl broadly complaint C rated premises.	1024	

*relates to those premises subject to non-official interventions

**NBC = Not Broadly Complaint premises, which are not broadly compliant with food hygiene legislation.

4.2.4. The Food Safety Service aims to inspect all due category A & B premises all unrated/new premises and not broadly compliant C & D premises will be inspected as a priority in the months for which they are due.

4.2.5. New premises will be added to the inspection programme as the service becomes aware of them, as these premises count against the overall broad compliance percentage and hygiene rating.

4.2.6. Compliant Category D and E premises will be assessed in line with the alternative enforcement strategy involving a mixture of self-assessment and focused topic partial inspections.

4.2.7. Any complaint, received against a premises risk rated C or D will result in a Food Hygiene inspection.

4.3. Food Standards Inspection Programme

4.3.1. Table 2. The number and types of food businesses and their risk rating planned for food standards inspections 2016/17

Inspection Rating	Number of food standards inspections due	The frequency of inspection for Category: A: every 12 months B: every 2 years C: every 5 years
A	19	
B	648	
C	182*	
New/Unrated premises carried over from 2014/15	24	
<i>New/Unrated premises estimated opening during the year(2015/16)</i>	350	
Total Inspections due for inspection 2015/16	1,330	
Total due for Non-Official Interventions/AES 2015/16* (5% of total)	9	
Total due for an official intervention 2015/16	1050	The category for premises classed as unrated is determined at the first visit and can be A-C. Category C premises may be dealt with using an alternative enforcement strategy (AES)

*relates to those premises subject to non-official interventions

4.3.2. All Category A premises will be inspected as they pose the highest risk.

4.3.3. Lower risk category B premises will be inspected at the same time as the planned food hygiene inspections.

4.3.4. Category C premises will be assessed as part of an alternative enforcement strategy involving self-assessment. Category C premises will be inspected if they give rise to a complaint.

4.4. Secondary visits (Re-visits)

4.4.1. Officers will undertake additional visits to premises where follow-up/formal enforcement action is required as a result of serious contraventions found at the time of a primary (programmed) visit or where a contravention is not remedied through informal measures. A secondary visit will consist of one or more intervention activity.

4.4.2. Primary inspections resulting in advice to food business operators about minor technical contraventions will not receive a secondary visit.

4.4.3. Secondary visits will be carried out where significant breaches have been identified. It is anticipated that no more than 30% of planned inspections will result in a secondary visit.

4.5. Complaints and Service Requests

- 4.5.1. The Food Safety Service aims to investigate all food complaints concerning extraneous matter, chemical or microbiological contamination, unfitness and food alleged to have caused food poisoning, relating to food purchased within Hackney.
- 4.5.2. The Service will take receipt of all such complaints in accordance with its food and food premises policy and procedure and will pass on those that are the responsibility of other authorities to investigate.
- 4.5.3. It is expected that approximately 700 food safety related service requests will be received during 2016/17.

4.6. Primary/Home Authority Principle

- 4.6.1. The Service is committed to the Primary/Home Authority Principle, i.e. the relationship between a food business and local authority where the decision making base (i.e. head office) of the company is located.
- 4.6.2. Currently Hackney has no Primary Authority Partnership arrangements but continues to act in an informal capacity with a number of manufacturers, importers and wholesalers in the borough, as a Home Authority.
- 4.6.3. The principles of the Primary Authority Scheme are set out in the Regulatory Enforcement and Sanctions Act 2008, and are part of the Government's regulatory reform strategy led by the Hampton Report and Macrory Review that emphasised reducing burdens on businesses, and a focus on outcomes respectively.
- 4.6.4. The Food Safety Service will seek to establish at least one Primary Authority Partnership agreement through collaborative working with Better Regulatory Delivery Office (BRDO).

4.7. Advice and Training to Businesses

- 4.7.1. The Food Safety Service has produced standards which along with the Food Safety Enforcement Policy outlines the Service's commitment to advising and supporting businesses to comply with the legal responsibilities and good food hygiene and food standard practices.
- 4.7.2. The Service will give assistance to food businesses when requested to help them to comply with the law and to encourage the use of best practice. The Service is also proactive in supporting businesses and will continue to:
 - Provide advice during routine inspections to premises;
 - Provide regular Food Hygiene Training courses for businesses to attend.

- Provide information on the Hackney.gov.uk website with the purpose of providing advice to food business operators and consumers. <http://www.hackney.gov.uk/e-env-environmental-health.htm>

4.8. Advice to consumers

4.8.1. The annual Food Safety Week (2016) will focus on “Use By” dates, food waste and the safe use of leftovers. There will be a particular focus on advice to the over 65s and carers of young children as they are vulnerable to food poisoning and food-borne illnesses.

4.9. Food Sampling

4.9.1. A programme of food sampling will be carried out. Sampling may also be carried out in response to complaints and referrals but also during or following a primary inspections. All sampling is carried out in accordance with the Food Sampling Policy and Procedure.

4.9.2. The food sampling programme for 2016/2017 will be developed to include London Food Co-ordinating Group (LFCG), FSA and Public Health England (PHE) programmes, the Food Sector Group projects and local issues.

4.9.3. The authority has access to two official food control laboratories, one for microbiological examination of food (Food Water and Environmental Microbiology Laboratory) and one for food analysis (Public Analyst Scientific Services Ltd).

4.10. Control and Investigation of Outbreaks and Food Related infectious Diseases

4.10.1. The Food Safety Service will investigate all food poisoning outbreaks and notifications occurring in the borough in accordance with the Public Health England/Local Authority Joint Infectious Disease Protocol and internal procedures.

4.10.2. The Consultant in Communicable Disease Control (CCDC) at the North East (NE) and North Central (NC) London, Health Protection Team of Public Health England to act as Proper Officer for the purposes of control and management of infectious diseases.

4.10.3. There were no major outbreaks in 2015/2016 that warranted any detailed investigations. The majority of referrals (322) were isolated cases where the source of the infection did not present a significant or wide spread risk and other than a routine intervention no further action was required.

4.10.4. There have been no contingency resources identified for dealing with an outbreak identified for 2016/2017.

4.11. Food Safety Incidents

4.11.1. The Food Safety Service has arrangements in place to ensure that it is able to implement the requirements Food Law Code of Practice in respect of Food Alerts.

4.11.2. A Food Alert 'for Action' will be issued by the FSA where intervention by enforcement authorities is required and is often issued in conjunction with a product withdrawal or recall by a manufacturer, retailer or distributor. All urgent food alerts receive immediate attention. Outside office hours the emergency contact arrangements will be used.

4.11.3. In 2015/16 the service received 80 food alerts "for action" were received and a similar number are anticipated this year.

4.11.4. There have been no contingency resources identified for dealing with food alerts for 2016/17.

5. RESOURCES

5.1. Financial Allocation

5.1.1. Table 3. Summary of Direct Budget Allocation 2015/16

Budget Heading	Food Safety Allocation
Staff (including on costs)	£471,286*
Transport	£15,328*
External Contractors (Funds all food sampling activities)	£16,025
Supplies & Services	£17,776*
Total	£488,890*

**These figures are 80% of the total amounts for each budget heading based on the estimation that the service spends 80% of its time undertaking food hygiene work.*

5.2. Resources for 2016/17

5.3. Staffing Allocation

5.3.1. Officers currently spend approximately 80% of their time carrying out the food safety function for 2016/17 and staffing the function is as follows:

1.60 (2 x 0.80) FTE x Team Leaders (TL)

5.60 (5 x 0.8) FTE x Senior Environmental Health Officers (S/EHO/EHSO)

0.80 FTE x Principal Commercial Standards Officer (CSO)

0.80 FTE x Environmental Health Compliance Officer

plus 1.50 FTE x Technical Business Support

Total staffing resources = 10.3 FTE

5.4. Authorisation and Competencies in line with new requirements of the Food Law Code of Practice (as amended)

5.4.1. All officers are authorised in accordance with the Authorisation, Induction and Training Procedure and their competencies assessed against the framework contained therein.

5.5. Staff Development Plan new requirements of the Food Law Code of Practice (as amended)

5.5.1. There is a Corporate Staff Annual Appraisal and Development scheme, and at the start of the year all staff will have their own personal plan which comprises their main objective for the year with targets and their own development plan.

5.5.2. All staff are appraised in accordance with the scheme, and their development needs assessed. Records of all identified training needs are recorded and incorporated into a training plan. In addition, staff also receive regular one-to-ones/supervision meetings whereby competencies and develop need are discussed and assessed and adjustments to training plan where possible and appropriate.

5.5.3. All training records are maintained in accordance with the Authorisation, Induction and Training procedure.

5.5.4. Officers will be assisted in achieving 20 hours' Continual Professional Development (minimum 20 hours food law related), where resources permit.

5.6. Allocation of Other Resources

- 5.6.1. 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.
- 5.6.2. 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. The capacity for the delivery of the Service will be kept under review to ensure that food safety is not compromised.
- 5.6.3. In calculating the FTE requirement for 2016/17, an estimate of time allocation has been based on the previous years' outputs. The estimations make allowance for management time but not for the unplanned arising issues that are not possible to predict.
- 5.6.4. The team are currently recruiting an additional Environmental Health Officer to lead on the Health Catering Commitment project which is funded by the Public Health Team.

5.7. Resource Allocation per Activity

- 5.7.1. The table below is the estimation of a full time equivalent.

1 year	52 weeks (260 days)
Annual Leave / Bank holidays	7 weeks (35 days)
Training / briefings etc.	2 weeks (10 days)
Sick leave / dependency / special leave etc.	1 week (5 days)
Number of working weeks	42
Number of working days	210 days
1 FTE	210 days (1512 hours)

- 5.7.2. The metrics used to calculate the activity times below are based on the review carried out following the FSA Audit of the food safety Service in 2010.

5.7.3. Programmed Inspections

- High risk Category A, B, not broadly compliant Category C & D premises and all unrated premises, (assume 350 new premises) plus 60 AES inspections = 1024 inspections due at 7.0 hours per inspection (including paperwork, notices and 30 minutes journey time). (Due Food Standards inspections will be carried out at the same time) = 7168 hours (4.74 FTE)
- Carry out partial inspections on the remaining broadly complaint rated C premises; 491 premises at 4.5 hours an inspection (including paperwork and 30 minutes journey time) = 2209.5 hours (1.46 FTE)

Therefore total Food Hygiene inspection time = 9377.5hours (6.2 FTE)

- Food Standards Inspections Category A (19) premises due for food standards only @ 4.0hrs each (including paperwork and 30 minutes journey time) = 76hrs.

Total Food Standards interventions = 76 hrs (0.05 FTE)

The total resource for carrying programmed inspections = 9453.5hours (6.25 FTE)

5.9. Alternative Enforcement Strategy (AES)

Broadly compliant Category D food hygiene premises, Category E food hygiene premises and Category C food standards premises are likely to be subject to alternative enforcement strategies.

- Allow 0.25 hrs per premises (1210 FH D& E's +182 FS C) for implementation of scheme = 348 hours.
- Allow 10 hrs for management of AES scheme.

Total for carrying out above Alternative Enforcement Strategies = 358 hours (0.23 FTE)

5.10. Re- inspections following programmed inspections

Re-visits will be carried out in premises that are not broadly compliant during their initial inspection, and often multiple re-visits are needed at the same address. Calculations are based on one re-visit for each non-broadly compliant inspection, and 30% of non broadly complaint premises needing another re-visit.

For food hygiene re-visits, based on the premises that were tagged at the beginning of April 2016, 42 x As, 331 x Bs and 157 x Cs were not broadly compliant = 530 revisits @ 2hrs each (including paperwork and 30 minutes journey time) plus 10% follow-up visit = 53 @ 2 hrs = 1166 hours. For Food standards inspections revisits (Category A) 19 @ 2 hrs = 38 hrs

Total resource required for re-inspections = 1204 hours (0.79 FTE).

5.11. Service requests

It is expected that approximately 1100 (based on 2015/16 figures) food safety related service requests will be received during the year. These include advice to businesses and members of the public. It is estimated that each will take an average of 1.0 hrs; therefore 1100 hrs will be required to deal with these.

Total resource required for Service Requests = 1100 hours (0.73 FTE).

5.12. Infectious Diseases and Outbreak Control

The resource required to deal with an outbreak will depend on the size and complexity of the incident. This is not included in the estimation, and any outbreak will reduce resources available in other areas. In accordance with the Infectious Disease protocol agreed with the HPA certain infectious diseases are not actioned by the Local Authority. It is estimated that further action (questionnaire, potting etc.) will be required on approximately 75% of all cases notified (242) (based on 322 cases received in 2015/16 figures) cases. (1 hour each).

Total resource required for Infectious disease = 242 hours (0.16 FTE).

5.13. Food Sampling

Sampling will be based on the Sampling Programme – which consists of a number of projects co-ordinated by either: EU, PHE or the NE Sector Liaison Group, plus a number of local projects and home authority sampling.

- 65 (based on 2015/16 figures) samples @ average 4 hours per sample (including paperwork and 30 minutes journey time) = 260 hours
- Follow up to adverse results (20% approx.); 13 @ 4 hours per sample = 52 hours.

Total resource required for Food Sampling = 312 hours (0.20 FTE)

5.14. Proactive Action Days

Action days are taken in areas where there are known problems and it is a focused way of ensuring businesses are compliant. We expect to carry out at least 4 action days (minimum 20 premises visits) throughout the year for project and collaborative operations.

Each action days involves approx. 11 officers (5hours per day) = 55 hours per action day

Total resource required for Proactive Action days = 220 hours (0.15 FTE)

Total resource required for Advice and Education to businesses = 86 hours (0.05 FTE)

5.15. Food Safety Promotion

Activities during Food Safety Week in June are estimated to take around 4 days of officer time (including maintaining the food safety web-pages on the Hackney website)

Total resource required for Food Safety Promotion = 28.8 hours (0.02 FTE)

5.16. Food Hygiene Training to businesses

The Training Centre is scheduled to carry out 12 x training days in Level 2 Food Hygiene plus 2 x Food Allergens courses plus 4 x learning trust Level 2 Food Hygiene plus 2 x ½ day Level 2 refresher training sessions. It is estimated that each course currently takes 10 hours of officer time, and over the course of the year 10 hours' management time.

Total resource required for Food Hygiene Training = 190 (0.13 FTE)

5.17. Outdoor Events

These can occur almost every weekend during the summer months. The Service aims to undertake inspections at approximately 8 events during May to September. Two officers attend per event, for approximately 6 hours each. Preparation time for each event equates to four hours.

Total resource required for Outdoor events = 120 (0.06 FTE)

5.18. Enforcement/Prosecution/Legal work (including Hygiene Improvement Notices, seizures, closures).

Table 6: Estimations of resource requirements based on last year's enforcement actions

Type of enforcement	Number estimated based on 2015/16	Estimate of hours	Total hours
Hygiene Improvement Notices	43	1 hour/notice	43
Hygiene Emergency Prohibition Notices/Orders	10 anticipated (0 in 2015/16)	18 hours	180
Voluntary Closures	4	10 hours	40
Seizures and detentions	5	18 hours	90
Simple Cautions	2 anticipated (0 in 2015/16)	72 hours	144
Prosecutions	2	72 hours	144
Total estimated time			641

Total resource required for enforcement work = 641 hours (0.42 FTE).

5.19. Technical Business Support

The technical Business Support team are responsible for supporting officers in their activities and for maintaining back-up systems and specific items of equipment and other resources, managing training courses, maintaining premises database, running reports for FOIs etc. = **1.5 FTE.**

<u>Activity</u>	<u>FTE</u>
<u>Programmed Inspections</u>	<u>6.25</u>
<u>Alternative Enforcement Strategies</u>	<u>0.23</u>
<u>Re-inspections</u>	<u>0.79</u>
<u>Service Requests</u>	<u>0.73</u>

Infectious Diseases and Outbreak Control	0.21
Food Sampling	0.20
Proactive Action Days	0.15
Food Safety Promotion	0.01
Food Hygiene Training	0.13
Outdoor Events	0.06
Enforcement/Prosecution/Legal work	0.42
Technical Business Support	1.5
Approximate total resources required to fulfil the plan for 2016/17	10.68

6. QUALITY ASSESSMENT

6.1. Internal Arrangement

6.1.1. Arrangements include:

- monitoring arrangements to assess the quality of food enforcement work and compliance with the Food Law Code of Practice internal procedures.
- minuted monthly team meetings
- annual performance appraisals
- development needs assessments and training plan
- cascade training and team briefings
- accompanied/validation inspections
- 4-6 weekly one-to-one meetings

6.1.2. External Arrangements

6.1.3. Hackney will submit to the Local Authority Enforcement Monitoring System (LAEMS), as required by the Food Standards Agency. In addition, we upload to the FSA's FHRS site on a fortnightly basis.

6.1.4. In 2015/16, Hackney participated in a consistency exercise with the London borough of Waltham Forest as part of a wider North East London food authority's initiative focusing on inspection techniques and outcomes. Overall the exercise identified consistent outcome. However some of the lessons learned will be incorporated in to a new approach by Hackney.

6.2. REVIEW - Review against the Service Plan 2015/16

6.2.1 Monthly and quarterly briefings to the Corporate Director, Assistant Director, the Planning and Regulatory Service Management Team and lead Councillor on performance against P.I's, the food safety inspections programme and performance targets detailed in the service plan. Performance of the service is reviewed through a variety of mechanisms which include performance appraisals, monthly one-to-one meetings and monthly team meetings.

6.3. Annual Food Service Statistics 2015/16

6.3.1. Food Hygiene

	2012/13	2013/14	2014/15	2015/16
Total Number of premises in Hackney subject to Food Hygiene controls	2,254	2,471	2,575	2954
Percentage of Food premises Broadly Compliant with legislation	73%	74%	79%	84%
Total number of unrated premises at beginning of year	115	145	36	24
Number of new food businesses	341	306	358	367
Number of Food Hygiene revisits undertaken	706	450	358	434
Number of interventions at premises rated A following inspection.	133	154	120	130
Number of interventions at premises rated B following inspection.	600	374	405	493
Number of interventions at premises rated C following inspection.	1215	811	576	650
Number of interventions at premises rated D following inspection.	52	157	164	316
Number of interventions at premises rated E following inspection.	108	68	39	34
Total Number of visits to premises who had ceased trading.	356	290	330	253
Total Number of businesses inspected.	1388	1644	1135	1133

6.3.2. Food Standards

	2012/13	2013/14	2014/15	2015/16
Total Number of premises in Hackney subject to Food Standards controls	2269	2513	2832	3210
Number of Food Standard revisits undertaken	10	0	13	120
Number of interventions at premises rated A following inspection.	29	15	20	27
Number of interventions at premises rated B following inspection.	766	656	564	467
Number of interventions at premises rated C following inspection.	292	373	306	340
Total Number of businesses inspected.	1285	1167	1072	933

6.3.3. Food Sampling

	2012/13	2013/14	2014/15	2015/16
Total Number of Samples taken	154	63	131	65

6.3.4. Food Safety Enforcement

	2012/13	2013/14	2014/15	2015/16
Total number of Food Hygiene Written warnings issued	1,109	1,021	1,201	1061
Total number of Food Standards written warnings issued	236	431	480	695
Hygiene Emergency Prohibition notices (formal closure)	9	15	13	0
Voluntary Closures due to Food Hygiene imminent risk	11	12	5	4

Premises receiving a Hygiene Improvement notice	62	25	37	43
Seizure/detention of food	7	12	16	5
Prosecution of food premises	0	2	2	2

6.3.5. Food Hygiene Training

	2012/13	2013/14	2014/15	2015/16
Total Number of attendees	N/A	N/A	121	208

6.3.6. Infectious Diseases

	2012/13	2013/14	2014/15	2015/16
Total Number of Infectious Disease notifications received	268	245	324	322

6.3.7. Service Requests

	2012/13	2013/14	2014/15	2015/16
Total Number of food safety related services requests received	1464	1127	878	1134

6.4. Identification of any variation from the Service Plan

6.4.1. NMW activities with HMRC were not undertaken in 2015/16 as HMRC were reviewing their approach and unable to commit to any joint operations.

6.4.2. 6% of Category C food hygiene inspections were not carried out and these 40 inspections have been carried forward to the 2016/17 programme.

6.4.3. The service were unable to complete Primary Authority Partnership (PAP) agreement in 2015/16. The service anticipates establishing the PAP in 2016/17.

6.4.4. The programme of low risk category D rated premises was not completed as higher risk premises inspections were prioritised. Completion of this work will now form part of the AES for 2016/17.

6.5. Key Areas for Improvement/Development for the next two years

6.5.1.

What we will do	Purpose	when
Delivery of a targeted risk-based approach for all planned food hygiene and food standards interventions	To ensure good food safety standards in food premises in the district to reduce the likelihood of food poisoning incidents	Targets reviewed and set annually
Checks of food premises that at their last intervention were <i>ceased trading</i> and therefore recorded as <i>closed</i> .	To ensure that the premises database is accurate and up to date and in readiness for the mobile working programme. As it is not uncommon for business to reopen and start trading without the knowledge of this Service	2016/17
Delivery of continued improvements on use of database and to identify efficiencies in processes in line with the Regulatory Services ICT strategy and associated road map	To contribute to the corporate ICT programmes, to improve the efficiency of the service delivery	2016/17
Review of procedures and quality monitoring processes of service activities and internal auditing against Standards and the FSA Framework agreement.	To build capacity and ensure the delivery of the food service is 'fit for purpose', fair, practical and consistent and able withstand a challenge	2016/17
Ramp-up follow-up and range of interventions including formal enforcement activities in respect of not broadly compliant premises	To reduce the likelihood of food poisoning and significant risk of injury to public health; and to improve the percentage of broadly compliant premises	2016/17
Deliver the Alternative Enforcement	To monitor change of activities and	Targets reviewed and set annually

Strategy (AES) for low risk premises	maintain food safety compliance	
Deliver the Healthy Catering Commitment in partnership with the Public Health team	To deliver Hackney's Obesity Strategic Partnership plan and reduce health inequalities.	2016/18
Delivery of Food Fraud interventions to ensure the provision of safer, healthier and sustainable food	To reduce illegal foods through interventions:	
	Continuation of FSA funded Food Fraud Project and revised phase 3 action plan	2016/17
	To work collaboratively with the FSA & City of London to deliver illegal meat training for London authorities.	2016/17
	To lead pan-London illegal foods group.	2016/18
Educate and support to businesses	To develop and deliver training courses to food businesses including market traders and mobile traders through the training centre	2016/17
	To develop a plan to identify a number of businesses in order to establish at least one primary authority agreement.	2016/18
	To market and further develop the business compliance consultancy to assist business compliance, improvement and growth	2016/18
Food premises registration	To ensure that all new food businesses are inspected in a timely manner to limit the negative impact on the broadly compliance figure.	2016/17
Effective partnership working	To support the work of HMRC, the Police, Immigration and other relevant internal	2016/18

	<p>and external partners on observance of National Minimum Wage/National Living wage in Hackney.</p> <p>To identify causes of nuisance arising from issues relating to commercial noise, odour control and waste management.</p> <p>To work with the relevant departments to establish indicators for human slavery and safeguarding that can be identified during inspections to food businesses.</p> <p>To improve consultation process for planning applications for new and change of use premises</p>	<p>2016/17</p> <p>2016/17</p> <p>2016/17</p>
Promote the Food Hygiene Rating Scheme	<p>To allow consumers make informed choices, and driving up standards and the economy:</p> <p>Encourage the display of ratings</p> <p>Develop a scheme for recognition of businesses that have attained and maintain FHRS rating of 5</p> <p>Establish mandatory display in accordance with FSA guidelines</p>	2016/17