

## Environmental Health & Trading Standards

### Performance Against Priorities 2017-18 annual update (01/04/2017 – 31/03/2018)

#### FOOD SAFETY & HEALTH & SAFETY

PI Code	Short Name	Frequency of reporting	Directorate	2017/18 Target	As of 31 <sup>st</sup> March 2018	RAG
NH PRS 030	% of service requests/consumer complaints about food businesses actioned within 10 working days	Quarters	Neighbourhoods & Housing	95%	100%	
NH PRS 032	A & B category food hygiene inspections carried out within 28 days of due date	Quarters	Neighbourhoods & Housing	100%	100%	
NH PRS 034	% of Broad Compliance for food hygiene (accumulative)	Quarters	Neighbourhoods & Housing	87%	86%	
NH PRS 035	% of unrated food premises inspected excluding registered premises not yet trading	Quarters	Neighbourhoods & Housing	100%	100%	
NH PRS 036	Number of unrated food premises	Quarters	Neighbourhoods & Housing	<70	66	
NH PRS 046	Satisfaction of businesses with local authority Regulatory Services' inspections, visits, actions to ensure businesses are compliant	Years	Neighbourhoods & Housing	70%	N/A (figures not yet available)	

#### INSPECTION STATISTICS

##### **The number and types of food businesses and their risk rating planned for food hygiene inspections 2017/2018**

Inspection Rating	Number of food hygiene inspections due	Number of inspections completed	RAG	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
A	19	19		
B	201	201		
C	707	305 (61 NBC**)		
D	1158	204 (17 NBC**)		
E	576*	19		
New/Unrated premises	54	65		

Document Number: 20614038

Document Name: EH & TS Annual Performance Review 2017/2018

carried over from 2016/17			
Total food hygiene inspections completed		811	

\*relates to those premises subject to non-official interventions

\*\*NBC = Not Broadly Complaint premises, which are not broadly compliant with food hygiene legislation and food law code of practice.

### The number and types of food businesses and their risk rating planned for food standards inspections 2017/18

Inspection Rating	Number of food standards inspections due	Number of inspections completed	RAG	The frequency of inspection for Category: A: every 12 months B: every 2 years C: every 5 years
A	15	21		
B	1327	358		
C	1367*	250		
New/Unrated premises carried over from 2016/17	54	54		
Total food standards inspections completed		683		

\*relates to those premises subject to non-official interventions

### FOOD SAFETY

Item no	What are the priorities?	Where to intervene?	Update	RAG
1.	Develop the Food Law Enforcement Service Plan		Completed	
2.	To submit the annual LAEMS return to the FSA		Completed	
3.	There is a 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).	To use intelligence led information to target illegal food activity in the borough and using historical knowledge to concentrate efforts on Ridley Road market and other relevant premises.	Action days were conducted on 16 <sup>th</sup> and 21 <sup>st</sup> November in Ridley Road to deal with Regulation 669 products at ethnic grocers and meat traceability at retail butchers. Two Port Health Inspectors from Heathrow Airport (LB Hillingdon) joined the team to provide specialist advice at Hackney's request. In addition, imported food controls are considered during routine food hygiene inspections and also in the annual sampling programme.	
4.	The number of food businesses in the borough, subject to food hygiene controls, stood at 2782 in April 2017 The number of new premises are of particular concern to the Food Safety Service as they place a greater demand on the Service.	The service manages a programme of inspections for all new/unrated food premises to ensure their hygiene compliance is assessed.	The number of food businesses in the borough as of 31 <sup>st</sup> March 2018 stood at 2705. In 2017/18 371 food businesses ceased trading. The team has a system in place to control the number of new applications that are submitted to the service and the unrated premises are given high priority within the inspection programme. At the end of the review year, 343 new food registrations had been received and there were also 74	

			<p>unrated premises outstanding which required to be inspected. The service has determined that no more than 70 unrated premises should be on the database at any one time. The increase above the target figure has occurred due to the number of new registrations received and the number of home caterers who had not started trading when the inspections were due and hence could not be inspected.</p>	
5.	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).	All high risk premises rated category A-C are visited every 6-18 months.	Every fortnight the Service runs a report of all business on our database together with their FHRS scores on to the FSA website where rating can be viewed at <a href="http://www.ratings.gov.uk">www.ratings.gov.uk</a>	
6.	Broad Compliance with Food Safety Legislation	The end of year target for the service is to have 87% of all businesses inspected to be broadly compliant.	At the end of the review year 86% of premises were broadly compliant with food hygiene legislation. This was due to the increase in non-broadly compliant premises discovered as a result of overdue D premises inspection project being carried out by a contractor, and due to a number of unrated premises (66) which are, until inspected, assumed non-broadly compliant.	
7.	This Service was awarded a grant by the Food Standards Agency to tackle food fraud in Hackney. The project was set out over five phases and started in April 2014. Phases 1 & 2 of the project were completed. However, the project was unable to move to phase 3 due to operational issues and the project stalled in 2015.	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.	<p>Unfortunately all assigned funding was curtailed owing to a Food Standards Agency wide restructure.</p> <p>Risk posed by the Illegal food fraud trade was tackled through various interventions (action days, programmed inspections) and gathering intelligence from other agencies such as the food crime unit and Pan London Food Fraud Group, created by LBH and hosted by All London Environmental Health Managers (ALEHM).</p> <p>Our current intelligence indicates that the work carried out during the food fraud project's operation had a lasting impact, and as a result there has been a marked reduction in detectable food fraud in the borough as very little related complaints have been received.</p>	
8.	Low risk category food businesses	Project to inspect D rated premises (480 in total).	During an FSA audit a total of 450 overdue cat D premises were highlighted. Dependant on extra resources being made available we will endeavour to clear the majority of the	

		Implement an Alternative Enforcement Strategy for E rated premises	<p>backlog through hiring additional contractors and offering weekend/evening overtime to permanent staff.</p> <p>494 category E inspections (394 overdue from 17/18, and 100 from 18/19) will be sent self-assessment questionnaires. Returned questionnaires will be assessed and where there have not been any significant changes and controls are in place will be re-rated as low risk. Premises that have indicated that the potential risk has increased will be inspected. 10% of businesses will also be subject to a verification inspection.</p>	
9.	Mobile vendors/markets	To develop better joint working with Markets & Street Trading to improve compliance among street food businesses	<p>Regular meetings have been established with Markets and Trading Standards with new procedures regarding the registration of markets stalls in order to ensure EH trader database is accurate.</p> <p>EH continue to provide feedback at Queen Elizabeth Olympic Park Safety Advisory Group and Hackney Arts and Events Team meetings.</p> <p>Verification visits were conducted on 4<sup>th</sup> November 2017 where two food stalls were found to be non-compliant with regards to hand washing facilities which was later rectified.</p>	
10.	Healthier Catering Commitment (HCC)	The team is delivering the project on behalf of Public Health as part of the Council's obesity strategy.	An officer has been working on the Public Health funded project. The work from this project also supports the CEO led Obesity Strategic Partnership. To date 29 business have signed up to the scheme and have been assessed as meeting the necessary criteria for inclusion. Further work including a "launch" event together with further promotion will take place in 2018/19.	
11.	Use of the Training Centre to improve food hygiene broad compliance.	The training centre 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.	<p>85 individuals from businesses in Hackney have completed the level 2 Food Hygiene and Allergen Awareness courses.</p> <p>The Business Consultancy Service introduced in 2016-17 has not been continued in 2017-18 to date as the post that was delivering this service was deleted as part of the re-organisation of Business Regulation. However, the service makes ad hoc arrangements to provide urgent consultancy advice upon request.</p>	

12.	Primary Authority Principle (PAP)	This service will look to engage businesses to form a PAP to encourage the delivery of a consistent approach to enforcement.	We are currently in advance stages of negotiations with a Food manufacturer, Proper Corn, and Surefoot Consultancy with the view to act as their Primary Authority.
13.	Additional visits will be undertaken where follow up/formal action is required as a result of serious contraventions found at the time of a primary inspection.	As per the Food Law Code of Practice all revisits will be carried out where necessary to ensure compliance.	395 revisits were completed during 2017/18 of which 10 were formal Food Hygiene Rating Scheme request for re-inspections charged at £175.
14.	It is expected that the Service will receive approximately 1200 service requests in 2017/18	All internal and external will be prioritised for action in accordance with the establish procedures and within the target time frame.	1054 service requests received in 2017/8. In addition, officers have also been providing advice to telephone enquiries on various issues such as businesses start-up, and import and export related queries.
15.	Food sampling will be carried out in a programmed way, in response to complaints and referrals but also during or following inspections and in accordance with the food sampling policy procedure.	Sampling Programme will be established in accordance with the food sampling policy and samples taken in accordance with the relevant protocols.	In accordance with the Service's sampling programme 73 samples were taken in 2017/18.
16.	The Service is committed to investigating all food poisoning outbreaks and notifications occurring in the borough in accordance with Public Health England/Local Authority Joint Infectious Diseases Protocol and Procedure.	All reported cases will be investigated in accordance with the Protocol and Procedures	201 Infectious Disease notifications were received in 2017/18 which were investigated and appropriate actions were taken when warranted.
17.	The Service has arrangements in place to ensure that it is able to implement the requirements of Food Law of Code Practice in respect of food alerts	Where incidents reported of food safety nature require actions they will be given priority over other work.	National food alerts issued by the Food Standards Agency did not require a response from the Service.
18.	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.	Through participation at HEAT to consider all large scale events that take place in Hackney	6 HEAT meetings have taken place for events ranging from events held in Queen Elizabeth Olympic Park to smaller events held throughout the borough. Inspections of street traders undertaken at Hackney Carnival in September.

**ENFORCEMENT ACTIONS**

	<b>2017/18</b>
Total number of Written warnings issued	869
Hygiene Emergency Prohibition notices (formal closure)	0
Voluntary Closures due to Food Hygiene imminent risk	12
Hygiene Improvement notices	61
Seizure/detention of food	11
Prosecution of food premises	0
Health and Safety Improvement Notices issued	24
Health and Safety Prohibition Notices issued	15

**Table 2. Trading Standards**

Item no	What are the priorities?	Where to intervene?	Update	RAG
1.	Inspections	Visit all high risk premises due for an inspection.	All 165 high risk inspections carried out. This target has been met. This exceeds the total of 151 achieved the previous year.  In addition all 186 Upper Medium inspections visited. (100%)	Green
2.	Underage sales programme	<p>Maintain the reduction in underage to combat anti-social behaviour and to promote the health and well-being of young people. Minimum of 1 operation per quarter test purchase visits targeted at the areas of highest concern. In addition:</p> <ul style="list-style-type: none"> <li>▪ A minimum of 10 visits to be carried out for the 4 main areas of concern, Alcohol, Knives, Tobacco and fireworks.</li> </ul> <p>The breakdown of the remaining visits to be decided based upon analysis of previous results and available intelligence.</p>	<p>Trading Standards conducted 10 operations with at least 1 operation per quarter. The service has become a leading authority with respect to combating the sale of corrosive substances to minors. The Sunday Times accompanied officers on one operation with an article published on 13<sup>th</sup> August 2017. This article was instrumental in highlighting the innovative approach undertaken by this Trading Standards department. In addition Hackney Trading Standards have made representations to the Home Office which is leading to new legislation combating the supply of corrosive substances to minors.</p> <p>The Proprietor of the business, Pound Saver 215 Well Street, Hackney, London E9 6QU, was found guilty of the offence of selling a knife to a minor at Thames Magistrates Court on Friday 30<sup>th</sup> June 2017. He was fined £375, ordered to pay £1946 costs and pay a £37 victim surcharge.</p>	
3.	Tobacco Control	<p>Reduction in illegal sales and the use of tobacco in support of government efforts to encourage smoking cessation.</p> <p>To participate in appropriate/related health initiatives.</p>	<p>Two Action days were conducted with Wagtail dogs.</p> <p>The Shisha operation has been deferred until next financial year 2018/19. This operation was deferred as it needed the cooperation of several partners both internal and external.</p> <p>The Annual Tobacco Control Strategy workshop organised by Public Health, took place on 13<sup>th</sup> June which was introduced by Councillor Jonathan McShane. A presentation was made by Hackney Trading Standards on enforcement of tobacco control and Trading Standards are reducing the availability and supply of cheap/illicit tobacco.</p>	Yellow

			A revocation of licence was also obtained for Hoxton Supermarket 293 Hoxton Street London N1 5JX.	
4.	Animal Feed	Ensure any animal feed issues are dealt with effectively and efficiently.	The service visited all 23 of the registered premises.	
5.	Consumer Advice and Education	<p>Promote the Service and deliver advice to residents and businesses.</p> <p>Role play event. The theme would be electrical safety.</p> <p>Respond to consumer complaints and service requests.</p>	<p>On Thursday 30<sup>th</sup> November the Trading Standards team participated in the Winter Warmers event held at Hackney Town Hall. Residents were given advice to prevent them from becoming victims of mailing scams, distraction burglaries and doorstep crime. Crime prevention devices such as tin can and dictionary safes to disguise valuables and purse dipping bells were handed out along with information leaflets. Feedback was extremely positive and intelligence about doorstep crime attempts and near misses has been collated to assist the team with developing target hardening work.</p>	
6.	Product Safety	Reduce the level of non-compliance and raise awareness through appropriate publicity and enforcement.	<p>Dalston Hair and Cosmetics Ltd, trading as Shaba Cosmetics, of 36 – 42 Kingsland High Street London E8 2JP, was fined £59,793 at Thames Magistrates Court on Friday 13<sup>th</sup> April for continuing to supply the products despite previous warnings and prosecutions for the same offence. The fine is thought to be the largest issued in London for a breach of the cosmetics regulations.</p> <p>The dangerous skin lightening creams, which contained the illegal ingredient hydroquinone, can burn the skin and cause permanent damage and discolouration. Products containing hydroquinone are banned.</p> <p>The prosecution came after a follow-up visit by the Council's trading standards team in March 2017, which found that the banned product was still being sold in contravention of the Cosmetic Products Enforcement Regulations 2013.</p>	
7.	Tackling Counterfeit Goods	Reduce the level of non-compliance and raise awareness through	Monitoring of Ridley Road and Hackney Road is ongoing. In addition	



		appropriate publicity.	online compliance is also being monitored.	
8.	Use of communications to raise awareness of the work of the service and provide improved information for residents and businesses.	Contribute articles to suitable internal publications and information for press releases to be passed to the Communications Team.  Website information to be maintained and updated as necessary.	An article was published regarding Shaba Cosmetics 36-42 Kingsland High Street London E8 2JP.  A further article also appeared in The Sunday Times regarding corrosive substances. Journalist accompanied officers on test purchase operation. This work has received wide acclaim within the Trading Standards community.	
9.	Partnership working - opportunities to be identified for joint working with external stakeholders and also for external funding  Education of identified vulnerable groups in conjunction with partner agencies	Raise service profile by attending relevant partnership meetings, improved stakeholder engagement and external/match funding achieved.  Education of residents thereby reducing the impact of scams and doorstep crime.	A consistent presence at inner London Trading Standards meetings has been achieved. Other meetings attended by other staff.  As stated Trading Standards participated in Winter Warmer event.  Elderly residents had cheques returned by Officers. Prosecution case to be submitted on Fraud Act.	
10.	Carry out Licensing checks	Ensure compliance with licensing principles.	The service are processing the Licensing applications as a Responsible Authority. The service processed 214 Licensing applications for 2017/18.	
11.	Co-ordination with the Licensing Team	Improved working between teams in the division.	The service carried out one joint activities with the licensing team. A planned joint action is scheduled for following year. However the service did obtain its first revocation of a licence at Hoxton 293 Hoxton Street N1 5JX.	
12.	Service Improvement	Improved internal processes	Procedures and process maps have been developed. These procedures are stored in secure file. Although many of the procedures were developed for Trading Standards some are now developed to be cross service.	

			Examples of some of the Cross Service procedures are the Prosecution Procedure and the Simple Caution Procedure.	
13.	Complaints and service requests	Respond to complaints and service requests.	<p>From April 2018 – March 2019 there were a total of 2817 consumer complaints received from members of the public. This is up from 2795 for the previous year.</p> <p>The Service uses the Intelligence Operating Model and reviews the complaints to identify projects such as lettings. Not all complaints receive a full investigation. Business requests have been processed within the target of 10 working days. Officers recording on Civica APP will be improved by the use of new codes which have been developed In November 2017 Officers received bespoke Civica APP training in relation to data entry.</p> <p>There has been a slight increase in the number of service requests received by the service in the last year. In 2017/18 year there were 384 and, for the same period in the preceding year, there was 333.</p>	