



London Borough of Hackney

Food Law Enforcement Service Delivery Plan 2021/22



INVESTOR IN PEOPLE

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1. INTRODUCTION

This is the London Borough of Hackney's mandatory annual plan for the effective enforcement of food safety legislation, and follows the national template as directed by the Food Standards Agency (FSA), through the Framework Agreement with Local Authorities. This plan refers to the food law enforcement functions undertaken by Hackney's Neighbourhoods and Housing Directorate.

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

It sets out the aims and objectives of the direction for the delivery of food safety in Hackney for 2021 – 2022, in line with the Mayor's Priorities. The performance of the Food Service was previously measured against the fulfilment of the Food Safety Service is usually measured against this Plan and the percentage of broadly compliant premises within the borough which stood at 87% in April 2020. The service had an aspiration to increase this target however, due to events beyond our control the service had to reassess its priorities.

In 2020 two major incidents had a substantial impact on the delivery of the Services objectives set out in the 2020/2021 Food Law Service Plan (FLSP), the emergence of Coronavirus (Covid-19) and the cyber attack on the council's network systems.

The 2020/2021 FLESP identified a staff resource deficit of 3.9 FTE at the beginning of the reporting period and this, coupled with long term staff sickness (some related to covid-19), shielding members of staff and the relevant inactivity during the lockdown period, due in the main to the direction issued by the Regulators, has resulted in a considerable backlog of food hygiene and food standards inspections.

As such the team was reduced by 3.0 FTE including 1 Team Leader (0.6 was previously dedicated to reactive work however, due to the pandemic and cyber attack this increased to 1 FTE).

The FSA obtained government permission to temporarily deviate from the inspection programme and suspend all routine food hygiene inspections to reduce footfall within food businesses permitted to remain open. This decision was also taken to recognise local authority environmental health departments may need to divert human resources to public health functions to cope with the demands of the pandemic.

The suspension of the inspection programme enabled local authorities to prioritise demands on their service however, it should be recognised LBH is one of the few local authorities where Food safety and health and safety functions are combined, as such the pandemic placed a substantial demand on the service forcing the EH department to split and form the Covid Response Team CRT) .

The CRT was formed to investigate complaints received regarding breaches of covid legislations in commercial businesses.

Directions issued by the FSA placed emphasis on three key priority areas:

High priority

- Ongoing surveillance to identify businesses trading and change of ownership or activities
- Interventions of establishments with a known history of non compliance
- Urgent reactive work including food incidences, food poisoning outbreaks, serious complaint investigations
- Overdue enforcement visits (service if HIN, follow ups of HEPN etc)

Medium priority

- All A, B and non complaint category C rated premises
- Newly registered food businesses
- Establishments applying social distancing which may impact food safety or the ability for LA to conduct a physical visit (care homes, voluntary organisations).

Low risk

- Compliant C, all D and E for hygiene
- B or C/ medium or low risk for standards
- overdue/due interventions not already captured above

The FSA stipulated officers were permitted to carry out remote inspections; however, they were prohibited from risk rating and scoring.

To comply with the FSA issued directions officers initially carried out remote inspections however, the risk rating remained unchanged as the FSA stipulated ratings cannot be awarded via remote inspection.

As a result of the cyber attack the service had approximately 800 overdue category A-E inspections, as of September 2020, and lost all historical Food Standards intervention data. Unfortunately we were unable to accurately calculate the exact overdue figures going forward.

Local authorities across the North East Sector have seen a substantial increase in newly registered businesses aiming to diversify their businesses model and establish domestic catering businesses in a bid to remain open during government restrictions on businesses permitted to trade.

In the 2020/21 FLESP it was estimated the Service would receive 600 registration forms; however, from the beginning of November to March approximately 500 new food business registration forms have been received, on average 100 per month.

The influx of registration forms is largely due to the conflicting advice issued by the government regarding the definition of essential and non-essential businesses permitted to remain open during lockdowns. Businesses with main activities which did not meet the loose definition of essential aimed to diversify to meet the criteria.

Whilst the increase in registrations is alarming it should be noted the will subside as businesses return to normal activity and restrictions are eased and there will be a natural overall increase of 20% from 2020/21 estimate of 600 (720) registration forms received in 2021/2022. The increase in registration forms will be monitored in Q1 ad Q2 and reported in the 6 month EHS report.

The cyber attack had devastating consequences on EHS ability to deliver an effective Service during the pandemic, for a short period of time the Service remained at standstill due all our procedures, policies, premises database and premises history being unavailable. This also had far reaching consequences on food businesses permitted to remain open during government restrictions as many attempted to register with online delivery platforms and were subsequently rejected as their Food Hygiene rating schemes scores were removed from the Food Hygiene Rating Scheme website. The Service worked closely with the FSA to find an interim workaround enabling the uploading of scores to the FHRS website permitting businesses to register with online delivery platforms.

However, the service continues to suffer as a result of the data breach, losing all premises history and information will require all businesses being reinspected in order to rebuild our premises database, being unable to respond to FOI's and being unable to submit our annual statutory returns, Local Authority Enforcement Monitoring System (LAEMS).

At the end of each financial year each local authority is legally required to submit a summary of their food law enforcement activities at food establishments including a summary of statistics on the numbers of inspections conducted and their outcomes. Due to the data breach the Service has developed temporary methods of recording interventions carried out; however, the information gatherer was too primitive to submit a full LAEMS return; additionally missing figures for Q1 and Q2 will result in an incomplete return.

The FSA has recognised many local authorities have been unable to carry out their inspection programs due to the pandemic and have suspended LAMES submission however, each local authority is required

The FSA have been notified and the Service has been committed to sourcing a new premises database.

It should also be noted that due to the cyber attack the Service has been unable to accurately calculate due/overdue inspections which subsequently has had an impact on the FTE calculations. However, it is evident the current staffing levels required bolstering to meet the demands placed on the service in the next two years.

It is predicted, due to the cyber attack and the pandemic, the service may not make a full recovery until 2023/24 due to the work required to rebuild a food premises database, inspect all newly registered businesses within 28 days, inspecting overdue premises from 2019/20 and 2020/21 with reduced resources.

In 2020/21 FLESP the service identified a staffing deficit of 4.4 FTE, a contractor was employed to assist in completing the backlog of category D and C inspections identified in the 2017 FSA audit and has subsequently remained with EHS however, reserves used to fund this post will be withdrawn unless the post is converted into a fixed term contract.

LBH Public Health department has funded an additional contracting post for approximately 6 months to assist in the backlog of inspections and additional unrated premises; however, this will either be converted into a fixed term contract located in the CRT. As such the EHS service will still have a deficit of 4.4 FTE which may increase should the demand for a CRT remain in 2022/23 - 2023/24.

The Service will have a number of challenges in 2021/22 and over the following three years, managing the very different and growing demands of Government agencies and changes in central government financing of local authorities and the fallout of Covid 19 with regards to planned inspections, enhanced health and safety inspection in relation to social distancing and risk assessments and the backlog of inspection from Q1. The Food Standards Agency is planning a fundamental review of the way that food safety is delivered within the UK which will have a significant impact on all local authorities through the Regulating Our Future programme and there may be significant implications for food law enforcement in the UK as a result of Brexit.

The rate at which the Service recovers is largely dependent on the efficiency of a new premises management database and its provision for mobile working. A new database system is currently under evaluation that will better serve the Service.

Along with the cross cutting review and local priorities the service will be challenged to ensure the provision of safe food, evaluating how to use resources differently and deliver the work innovatively and collaboratively in order to maintain and increase inspection levels. Better use of

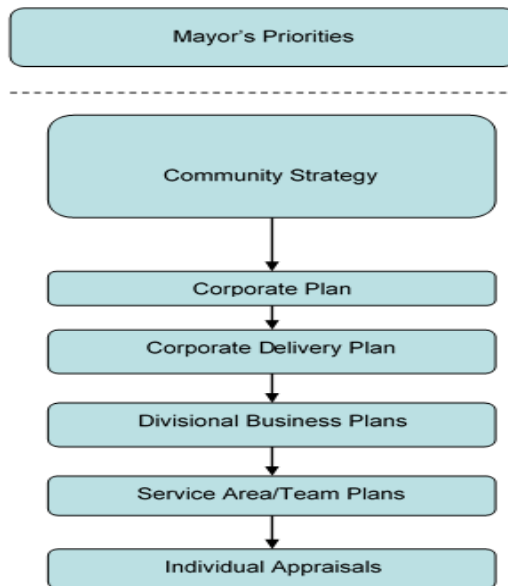
more focussed inspections and interventions (as permitted by the Food Law Code of Practice) targeted on key food safety elements of businesses will also help to improve efficiency while maintaining a high level of public protection.

The continuous need to find savings from the Service will also have a bearing on the effective delivery of this service. In the 2017 restructuring of the Service the staffing resource was reduced by 20%. The Service desperately requires more investment in order to maintain and further improve performance particularly in relation to the inspection programme establishing future efficiencies.

2. FOOD LAW SERVICE AIMS AND OBJECTIVES

2.1. Aims and Objectives

How the Service Links to Corporate Priorities



Hackney's Vision: A place for everyone

Mayor's Priority 1: Working and campaigning to keep Hackney a place for everyone with genuinely affordable homes, job opportunities and excellent schools; where everyone can play a part and where tackling inequality is at the heart of what we do.

Mayor's Priority 2: Making Hackney a place where everyone can feel healthy and safe, at home, at work, and on streets, parks and estates.

Mayor's Priority 3: Making Hackney an economically and environmentally sustainable place, with strong, cohesive and diverse communities.

The **2018-2028 Community Strategy** has five cross-cutting themes:

1. A Borough where everyone can enjoy a good quality of life and the whole community can benefit from growth.
2. A Borough where residents and local businesses fulfil their potential and everyone enjoys the benefits of increased local prosperity and contributes to community life.
3. A greener and environmentally sustainable community which is prepared for the future.
4. An open, cohesive, safer and supportive community.
5. A Borough with healthy, active and independent residents.

REVISED CORPORATE PLAN PRIORITIES

As a result of the Covid-19 Pandemic, priorities from the 2018 corporate plan have been simplified and consolidated into the following 7 priorities:

FAIRER

- 1. Poverty reduction**
- 2. Rebuilding an inclusive economy**
- 3. Lasting solutions to London's housing crisis and homelessness**
- 4. Supporting children and families to thrive**
- 5. Community wellbeing and tackling health inequalities**

SAFER

- 6. Reducing harm**

GREENER

- 7. Responding to the climate emergency**

The corporate plan refresh document can be found at the following link: <https://hackney.gov.uk/corporate-plan>.

The Food Safety Service contributes to the delivery of 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, Community Strategy priorities 2, 4 & 5.**

The Service aims to:

- Ensure all newly registered businesses during the pandemic have received food hygiene inspections within 6 months of trading.
- 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 taking an active role in local, regional and national food fraud initiatives and meetings, by organising intelligence-led 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 Public Health England, 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.
- 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 to enforcement.

2.2. Food Safety Service Performance Indicators for 2021-22

The service has a number of key performance indicators and the performance of the service is measured against the following:

PI Code	Short Name	Frequency of reporting	Directorate	Annual Target 2020/2021	Achieved (as of 31/03/21)	Data Only PI	2021/22 Target
NH PRS 030	% of service requests/consumer complaints about food businesses actioned within 10 working days	Quarterly	Neighbourhoods & Housing	95%**	100%	No	95%
NH PRS 032	Percentage of category A and B (food hygiene) risk premises inspected within 28 days	Quarterly	Neighbourhoods & Housing	100%**	*	No	100%
NH PRS 034	% of Broad Compliance for food hygiene (accumulative)	Quarterly	Neighbourhoods & Housing	89%	*	No	TBC****
NH PRS 036	Number of unrated food premises	Quarterly	Neighbourhoods & Housing	Less than 70	324***	Yes	Less than 200****

*due to the cyber attack and the pandemic we have been unable to calculate our 2020/2021 annual target.

**due to the cyber attack and the pandemic we have been unable to reach our 2020/2021 targets.

***as of January 2021

****unable to predict as unrated premises greatly reduce BC figure

*****as of March 2021, 324 unrated premises remain unrated. Aims to reduce this to <200 per quarter.

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 (matters of evident concern) 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 action 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 investigation 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 and food allergen training courses via our training centre.
- Processing applications for approval relating to the production of meat products, minced meat & meat preparations, dairy products, egg 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.); and
- Delivering the Healthier Catering Commitment project in conjunction with Public Health to increase healthier food options available at independent catering outlets in Hackney. This project plays a key role in Hackney's Obesity Strategic Partnership.

3.1.4. The Trading Standards Service is responsible for Feed Law enforcement to ensure that any feed used is safe and does not adversely affect the human food chain.

3.2. Demands on the Food Safety Service

3.2.1. Premises Profile

As of February 22nd 2021 there were approximately 2,939 food businesses registered within Hackney, an increase of 311 from 2020/21. Due to the pandemic we have seen an exponential increase in domestic catering, public houses and retail establishments in efforts to diversify their business model to fit in with the government's restrictions on premises permitted to remain open for trade.

Historically the majority of food businesses in Hackney are catering premises at 62%. These are mainly sole trading micro businesses a number of which require 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 8% being made up of food manufacturers, exporters, distributors and importers which are likely to increase as a result of the EU Exit.

However, due to the pandemic we may see a shift in these percentages as businesses have been financially unable to continue trading and we move to more domestic/take away catering establishments to future proof their businesses.

3.2.2. Outdoor Events

Historically the Borough hosted 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 ranged from several large events such as the Hackney Carnival and events held in Queen Elizabeth Olympic Park to smaller churchyard-style events held throughout the Borough. However, due to the pandemic all outdoor events were prohibited in 2020/2021. It is thought these may resume in 2022.

3.2.3. Imported Food

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 that deal with the trade of illegally imported foods.

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 currently imported from countries outside of the European Union) however this has changed since the EU Exit: now all EU countries are treated as third countries'.

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 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 principally for chemical contamination such as pesticide residues. This area of work can have a high impact on the Service due to the number of businesses handling low cost imports to meet 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. This has led to increased related work activities such as sampling and surveillance activities.

The EU Exit will have an impact in this area as food from the EU will be deemed imported from 'third countries', and all imported/exported foods must comply with the laws, regulations and other legal and administrative procedures of the importing country.

Similarly, there have been changes for businesses supplying food to EU member states in terms of labelling requirements and export requirements. Since Hackney has a number of exportation manufacturers we will be required to provide health certification for exports and provide support and guidance to businesses regarding changes post-EU exit.

3.2.4. New Businesses

The number of food businesses in the Borough, subject to food hygiene control stands at 2,939. In 2020/2021 the service received a significant number of new food registrations, should the increase continue it is estimated that 6,000 registration forms would be received resulting in a 1,2305% increase from the previous financial year. In order to meet this demand the service would require an additional 35.1 FTE concentrating solely on unrated businesses.

This is a departure from the usual annual increase in new businesses which is largely attributed to commercial and domestic businesses diversifying to continue trading during the pandemic.

However, it is highly unlikely new registrations will follow this trajectory as restrictions are eased and businesses return to normal service.

It is estimated the Service will receive approximately 720 food business registration forms in 2021/22, this figure is largely dependent on the uncertainty of the pandemic and imposed government restrictions.

This is of great concern to the Food Safety Service as they place a greater demand on an already reduced service to ensure that these premises are 'fit for purpose' and food hygiene and standards compliant as they vary their supply of food.

The increase in newly registered businesses, if it continues on this trajectory, would require an 1.8 FTE to inspect within 28 days. Its imperative additional resources are found to cope with the increase as the consequences of food businesses operating without receiving an inspection increases the risk of food poisoning outbreaks within the borough. Poor allocation of funding may also result in another FSA audit as guidance issued during the pandemic highlighted the importance of additional resources during this time.

As part of the Food Standards Agencies Regulating our future programme food business registration was due to change with central registration. However, due to the cyber attack this has been placed on hold. Once normal service has resumed our relevant IT systems will need to be upgraded to accommodate this change in addition to a new database system. Additionally a new web based system will be required to prevent loss of data in the event of another cyber attack or disruption to services.

3.2.5. Food Hygiene Rating Scheme

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 due to 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 that have not made food safety a priority. However, the display of the rating sticker is still not mandatory in England but the Food Standards Agency is supportive of its introduction and additional legislation may be introduced after the EU exit transition period.

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.

Businesses that obtain a rating of 0 to 2 are re-visited to ensure that they are compliant and they are encouraged to request a re-inspection to improve their rating. The Food Standards Agency has introduced changes to the scheme so that Councils can charge (on a cost recovery basis) for any re-rating inspections and businesses will no longer be restricted to a single re-rating request. Since the introduction of the re-rating charging scheme requests for re-ratings have increased by 253% from 15 requests in 2018/19 to 53 requests in 2019/20. Unfortunately, due to FSA directions, the Service was unable to carry out re-ratings until government restrictions were lifted. In 2020/21 we received 7 requests.

Many businesses permitted to trade during the restrictions attempted to register their businesses with online delivery platforms such as Deliveroo and Uber Eats. Unfortunately, due to the cyber attack Hackney were unable to upload scores to the Food Hygiene Rating Scheme website which subsequently led to businesses being removed from online delivery platforms which resulted in numerous complaints against the service. The service has since been able to upload scores weekly.

3.2.6. Broad Compliance with Food Safety Legislation

Unfortunately we have been unable to calculate our broadly compliance figure since August 2020 which stood at 88%. It is envisaged the broadly complaint figure will increase in line with the significant increase of newly registered businesses however, the most appropriate enforcement action will continue to be used to deal with premises that are non-compliant following a primary inspection as a means of driving up full compliance and delivering sustainable improvements.

3.2.7. Food Allergens

Allergy awareness has received widespread media attention in the last few years due to the tragic deaths of customers exposed to allergen as such the Government has tightened the controls on allergen labelling for non-prepacked foods.

Changes to the Food Law Code of Practice have incorporated allergen controls as a food safety issue and the Service has been placing greater emphasis on allergen controls at food businesses during routine inspections. Issues regarding a lack of staff knowledge, poor communication between kitchen and front of house staff and potential cross-contamination have been found. Test purchasing of foods has also been undertaken from take-away premises which have been analysed for a specified allergen.

In order to ensure that catering premises in particular have robust systems in place to control allergens and can provide accurate information to customers, a specific project is being undertaken to address this aspect of food safety. A detailed assessment of allergen controls will be undertaken during routine food hygiene inspections of catering premises. Sampling (including test purchasing) will also be undertaken to assess controls based on inspection outcomes. Supporting information and guidance will be developed and provided to businesses and enforcement action will be taken where appropriate. Businesses will also be offered places on our Level 2 Food Allergen course once they have resumed.

3.2.8. Additional Priorities and Partnership Working

Joint working with other internal teams will improve following the recent re-organisation of Regulatory Services allowing the Food Safety service to take advantage of the Intelligence Hub and cross-services tasking arrangements to further improve efficiency of service delivery.

North East Sector Food Liaison Group: The authority participates in the North East Sector London Food Liaison Group, part of the Association of London Environmental Health Managers. Information is then exchanged with the London Food Coordinating group. General issues concerning policy, regulation and enforcement are discussed at this forum.

Events and Partnership Group: The Food Safety Service participates in the Hackney Special Advisory Group (HSAG) and the Queen Elizabeth Olympic Park Safety Advisory Group (QEOP SAG); 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.

Mobile Vending Operators: The Food Safety Service will continue to monitor increases of such premises in Hackney via the food premises registration process, complaints, referrals and surveys. In the past year this Service has engaged with the new Markets Manager and both sides agree that a closer working partnership would be beneficial to increase compliance across the 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. However, inspections of market traders are outside of programmed inspections and will require additional staffing resources. However, market traders registered outside the borough will not receive an inspection unless instructed by their home authority as per The Food Law Code of Practice. The Service will work with Markets and Street Trading to try and identify additional funding that will enable regular inspections, interventions and project work to be undertaken in relation to market and street traders.

Healthier Catering Commitment: this is a London-wide project supported by the Association of London Environmental Health Managers, the Chartered Institute of Environmental Health and the Greater London Authority to improve the nutritional quality of take away food across the capital. The project aims to encourage traders to provide healthier options to customers as part of an award scheme and businesses are assessed according to the measures taken to reduce overall calories, saturated fats, sugar and salt on their menus. As of 31st March 2020, 103 businesses signed up to HCC. In Hackney, the project is being delivered by Environmental Health with financial support from Public Health colleagues and forms a key part of the Council's obesity reduction strategy however, due to the pandemic LBH Public Health department are unable to continue funding into 2021/22.

Liaisons with other Organisations: The Council actively participates in liaising with a number of other local authorities, agencies and professional organisations in order to facilitate consistent enforcement, share good practice and reduce duplication of work.

3.2.9. Promotional Campaigns

The Service will continue to publish information, 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.

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.

3.2.10. Training Centre

Due to the pandemic the training centre has stopped, due to lack of resources and ICT support we were unable to hold training remotely. It is unlikely these services will resume in 2021/2022 due to demands on the service with overdue inspections unrated. The loss of revenue is estimated at £2,6000.

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 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).

4.0 SERVICE DELIVERY

4.1. Interventions at Food Establishments

4.1.1. The Food Safety Service will employ a full, partial or range of other official controls (interventions) (as permitted by the Food Law Code of Practice) to assist in raising the compliance rate and achieve broad compliance in food premises. Interventions including sampling, monitoring, surveillance, education or verification visits should enable a lighter touch for compliant premises, and also enable additional resources to be targeted on non-compliant premises in line with the Regulators' 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 authorised 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 (6 and 12 months respectively) and always within 28 days of the date due for inspection.

4.1.4. Historically the service prioritised inspections of higher risk category A and B premises due for inspection along with new and unrated premises and not broadly compliance. However, due to the pandemic emerging in Q4 of 2019/2020 this changed the priorities for the forthcoming year. In Q1 of 2020/21 the FSA temporarily suspended routine food hygiene inspections, standards inspections and other official controls to reduce the impact on local authority food/feed services due to the pandemic.

Priorities of controls and activities included:

High priority

- Ongoing surveillance to identify businesses trading and change of ownership or activities
- Interventions of establishments with a known history of non compliance
- Urgent reactive work including food incidences, food poisoning outbreaks, serious complaint investigations
- Overdue enforcement visits (service if Hygiene Improvement Notices, follow ups of Hygiene Emergency Prohibition Notice etc)

Medium priority

- All A, B and non complaint category C rated premises
- Newly registered food businesses
- Establishments applying social distancing which may impact food safety or the ability for LA to conduct a physical visit (care homes, voluntary organisations).

Low risk

- Compliant C, all D and E for hygiene
- B or C/ medium or low risk for standards
- overdue/due interventions not already captured above

4.2.1. Food hygiene inspections are given priority in accordance with the 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 the Food Law Code of Practice, the Service aims to inspect 100% of all food hygiene inspections due within the financial year. Priority will be given to the highest risk premises category A-B premises and all non-broadly compliant category C and category D premises that are due. In addition new and unrated premises will be inspected within the annual inspection cycle. The inspection of broadly compliant lower risk C, D and E category businesses will be given a lower priority within the programme. As a result of the coronavirus lockdown, a backlog of inspections will inevitably arise in addition to the predicted backlog of lower risk C and D categories of businesses which remained due during 2019/20. Therefore, given the existing constrained staffing resources, it may not be possible to carry out all inspections due, including the backlogs. Unless additional resources are made available the numbers of backlog of inspection will increase.

4.2.3. Partial inspections will be conducted on broadly compliant category C and D premises, in line with 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 a compliant business is not in control of risks or a public health risk is identified.

4.2.4. Due to the cyber attack we have been unable to identify the exact number of due and overdue inspections for 2021/22. These businesses are usually tagged on the premises database however this is currently unavailable. We have been working closely with ICT to develop a temporary method of identifying and tagging premises due for inspection in 2021/22.

4.2.5. In accordance with the Food Law Code of Practice, the Food Safety Service aims to inspect all food hygiene businesses due for inspection in 2021-22. Due and overdue category A and B premises, all unrated/new premises and not broadly compliant C premises will be inspected as a priority in the months for which they are due. Because of the FSA's directions, in response to the coronavirus crisis, inspection of missed high risk and unrated food businesses will be re-prioritised in accordance with the guidance provided by the FSA.

4.2.6. 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. Under the Food Hygiene Rating Scheme, new unrated businesses are deemed to be non-compliant until they are inspected. As such, not inspecting new businesses will reduce the overall broadly complaint figure.

4.2.7. Additional resources will be needed to tackle the inspection backlog as this cannot be addressed with current staffing resources.

4.2.8. Any complaint, received against a premises risk rated C, D or E may result in a Food Hygiene inspection. The decision to inspect will be based on the nature of the complaint and the officer's professional judgement.

4.2.9. The Service will utilise the tasking of Enforcement Officers within other Regulatory Service teams to identify whether premises overdue for inspection are still trading. This will contribute to improving the accuracy of the food register and database as well as remove closed premises from the inspection programme.

4.3. Food Standards Inspection Programme

4.3.1. Unfortunately due to the cyber attack we have been unable to identify food standards inspections due in 2020/21. In order to remedy this officers will inspect food standards in addition to food hygiene to build up a premises profile for food standards within the borough.

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 activities. Additionally, all chargeable re- inspection requests will be inspected on average within 2 weeks of receiving the request.

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 depending on guidance issued by the FSA with respect to the pandemic.

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. We are unable to calculate the total number of service requests due to the cyber attack however, from 2nd November 2020 to 12th March 2021, 213 service requests were received and it's anticipated that we will continue to receive an increased number of service requests in 2021/22.

Given the increased number of services requested a review will be undertaken to determine the type of complaints that the Service can continue to investigate given the reduction in resources available and the other demands on the Service. Consideration will be given to the provision of information to customers and the signposting to self-help and advice resources on the Council's and external websites. Work will be undertaken to further improve the website information for businesses and the content will be reviewed and expanded to provide a better resource for both food businesses and the public. Improved access to relevant information and signposting should help to remove some of the demands on the Service. See Annex 1

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 two Primary Authority Partnership arrangements with two locally-based national food businesses and work will be undertaken in 2021/22 to consolidate and build the partnerships. The Service also continues to act in an informal capacity with a number of manufacturers, importers and wholesalers in the borough, as a Home Authority. However, due to the demands placed on the service in 2021/22 we will be unable to take on additional partnership agreements.

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.

4.7. 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.

4.8. Food Sampling

4.8.1. A programme of food sampling will be carried out based on national, regional and local, intelligence-led priorities. Sampling may also be carried out in response to complaints and referrals but also during or following a primary inspection. All sampling is carried out in accordance with the Food Sampling Policy and Procedure.

4.8.2. The food sampling programme for 2021-22 will be developed to include London Food Co-ordinating Group (LFCG), FSA and Public Health England (PHE) programmes, the North East London Food Sector Group projects and local issues.

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

4.9. Control and Investigation of Outbreaks and Food Related Infectious Diseases

4.9.1. In response to the pandemic and the influx of covid related complaints to the service the team was split into two effectively forming a separate Food Safety Team and Covid Response Team. The CRT pooled resources from Trading Standards and Environmental Protection. The team was led by one Team leader and two Senior Environmental Health Officers. The team worked closely with LBH Public Health, Test, Track and Trace and a number of external agencies to investigate incidents of non-compliance with covid restrictions.

Dependent on resources available to the department and further government guidance/restrictions it is envisaged CRT duties will be absorbed in the Service with the addition of two Rapid Responders on call to investigate covid related incidences out of ours. These posts will be funded by LBH Public Health.

4.9.2. 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.

4.9.3. 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.

4.9.4. There have been no contingency resources identified for dealing with any outbreaks for 2021-22.

4.10. Food Safety Incidents

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

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

What we will do	Purpose	when
<p>Clear backlog of unrated premises and reduce to <70 per month.</p> <p>Inspect all unrated premises within 28 days of operating for food hygiene and food standards.</p>	<p>Ensure good food safety standards in all unrated premises to reduce the likelihood.</p> <p>Improve overall Broadway compliance figures.</p>	<p>2021/22 -2022/23</p> <p>Targets to be reviewed and set each quarter</p>
<p>Delivery of a target risk-based approach for all A, B, non broadly compliant C overdue from 2020/2021 inspections for food hygiene and food standards interventions.</p>	<p>To ensure good food safety standards in food premises in the district to reduce the likelihood of food poisoning incidents.</p>	<p>2021/22 -2022/23</p> <p>Targets to be reviewed and set each quarter</p>

<p>Adopt and Implement new premises database.</p>	<p>Comply with statutory requirements to implement and maintain a food business database with up-to-date and accurate information.</p> <p>Submit accurate LAEMS returns.</p> <p>Roll out mobile working solutions.</p>	<p>2021/22 -2022/23</p>
<p>Develop new procedures and processes lost in the cyber attack to ensure consistency with NESFLG and Food Law Code of practice graduated enforcement approach.</p>	<p>Devise procedures lost to ensure all businesses received a graduated enforcement approach where necessary.</p> <p>Ensure officers are aware of LBH enforcement policy.</p>	<p>2021/22 -2022/23</p>
<p>Deliver the Alternative Enforcement Strategy (AES) for low risk premises.</p>	<p>To monitor change of activities and maintain food safety compliance</p>	<p>Targets reviewed and set annually</p>
<p>Effective partnership working</p>	<p>To support the work of FSA, PHE, DEFRA, HMRC, the Police, Immigration and other relevant internal and external partners.</p> <p>To improve the consultation process for licensing applications for new and change of use premises.</p> <p>To improve joint working and intelligence sharing within Regulatory Services.</p>	<p>2021/22 -2022/23</p> <p>2021/22 -2022/23</p> <p>2021/22 -2022/23</p>
<p>Promote the Food Hygiene Rating Scheme</p>	<p>To allow consumers make informed choices, and driving up standards and the economy: Encourage the display of ratings.</p>	<p>2021/22 -2022/23</p>

5. RESOURCES

5.1 Resources for 2020-21 - Staffing Allocations

5.1.2 Resource Allocation per Activity

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 (27)*
Number of working days	210 days
1 FTE	210 days (1512 hours)

*Due to the coronavirus crisis it is estimated that approximately 27 weeks will be available to carry out programmed inspections.

** increased travel time to permit social distancing on public transport

5.1.3 Programmed Inspections

- High risk Category A, B (162) and all unrated premises, (assume 720 new premises, and 88 unrated premises carried over from 2020/2021) = 970 inspections due at 7.0 hours per inspection (including paperwork, notices and 30 minutes journey time**potentially more dependent on officer ward location as a result of removal of car permits) . (Due Food Standards inspections will be carried out at the same time) = 6,790 hours (4.5 FTE).
- Carry out partial inspections on the non broadly compliant category C: 95 premises at 4.5 hours an inspection (including paperwork and 30 minutes journey time) = 427.5 hours (0.30 FTE).

Therefore, total Food Hygiene inspection time **7,217.5 hours (4.8 FTE)**

- Programmed inspections overdue from 2020/2021*

502 category C
398 category D
153 category E
Total 1,053

Total resources required hours **7,371 hours (5 FTE)**

*due to the volume of unrateds, overdue B's and the cyber attack the service will not carry out overdue C, D and E inspections.

The total staffing resource required for carrying programmed inspections including overdues = 14,588.5 hours (9.8 FTE)

The total staffing resource required for carrying programmed excluding overdues inspections = 7,217.5 hours (4.8 FTE)*

Whilst this level of resourcing is not possible, difficult decisions will need to be made regarding the inspection programme. It is envisaged the Service will concentrate resources on the highest risk activities (unrateds, A, B and overdue non-broadly compliant C). Unfortunately this will lead to a backlog of compliant C, D and E inspections from 2020/21 and 2021/22 going forward into 2022/23.

5.1.4 Re-visits 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 the average number of monthly re-visits undertaken in 2019-20 up to 31st March 2020. For both food hygiene and food standards, it is estimated that there will be 200 re-visits @ 2hrs each (including paperwork and 30 minutes journey time) plus 10% follow-up visit = 39 @ 2 hrs = 848 hours.

Total resource required for re-inspections = **400 hours (0.26 FTE)**.

5.1.5 Re-inspections requests following programmed inspections (chargeable and non-chargeable)

Based on the 2019/20 figures there will be approximately 60 requests to carry out re-inspection primarily to improve the Food Hygiene Ratings

Total resource required for re-inspections = 60 @ 7 hours = **420 hours (0.28 FTE)**.

5.1.6 Service requests and complaints

It is expected that approximately 964 (based on 2020-21 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 964 hrs will be required to deal with these.

Total resource required for Service Requests = **964 hours (0.64 FTE)**.

5.1.7 Infectious Diseases and Outbreak Control

The resource required to deal with an outbreak will depend on the size and complexity of the incident. Based on 2019/20 there will be at least two outbreaks in 2021/22 requiring extensive investigation and actions. Investigation of any additional outbreaks will considerably reduce resources available in other areas. In accordance with the Infectious Disease protocol agreed with Public Health England, certain infectious diseases are not actioned by the Local Authority. It is estimated that further action (investigation, questionnaires, potting etc.) will be required on approximately 25% of all cases notified (28 cases) (based on a total of 110 cases for 2019-20) @ (1 hour each).

Resource required to investigate large outbreaks involving different areas will require at least 7 hours each, for two officers, to contain the outbreak on and an additional 7 hours for administration = 21 hours (0.02 FTE)

Total resource required for Infectious disease = 28 + 21= **58 hours (0.03 FTE)**.

5.1.8 Food Sampling

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

- 150 samples @ average 4 hours per sample (including paperwork and 30 minutes journey time) = 600 hours
- Follow up to adverse results (20% approx.); 30 @ 4 hours per sample = 120 hours.

Total resource required for Food Sampling = **720 hours (0.48 FTE)**

5.1.9 Proactive Action Days and Food Safety

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 2 action days (minimum 20 premises visits) throughout the year for project and collaborative operations.

Each action days involves approx. 8 officers (5 hours per day) = 40 hours per action day

Total resource required for Proactive Action days = **80 hours (0.05 FTE)**

5.1.10 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)***

As at the time of finalising the plan due to coronavirus containment activities it is unlikely that this aspect of work will be carried out therefore this required source will not be calculated in the total resources needed.

5.1.11 Food Hygiene Training to businesses.

In previous years the Training Centre was scheduled to carry out 10 training courses per year in Level 2 Food Hygiene and Food Allergens. Each course currently takes 10 hours of officer time and over the course of the year 10 hours' management time.

Due to the pandemic the service will provide training and this function will not be calculated in the total resource required.

Total resource required for Food Hygiene Training = **100 hours (0.06 FTE)**

5.1.12 Outdoor Events/Markets

These can occur almost every weekend during the summer months. The Service aims to undertake inspections at approximately 3 events during May to September. Two officers attend per event, for approximately 6 hours each. Preparation time for each event equates to four hours.

Additionally winter/Christmas themed events may occur during November to December. The service aims to undertake inspections at approximately 2 events during this time, requiring the similar resources as summer events.

Resource required for Outdoor events = 80 hours

Hackney Carnival (6 officers), approx 6 hours each with 4 hours preparation time = 60 hours

Total resource required for outdoor events including the resource for carnival: 140 hours (0.09 FTE)

5.1.13 Primary Authority Function

To be mostly carried out by the Team Leaders. A review of this function will take place in Q1 of 2021/22 and a decision made on whether to continue with these partnerships and the level of activity thus far has been very low.

Total non - inspection resources required for Environmental Health functions = approx. 2,782 hours (1.8 FTE)

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

Estimations of resource requirements for enforcement actions

Type of enforcement	Number estimated based on 2019-20	Estimate of hours	Total hours
Hygiene Improvement Notices	30	1 hour/notice	30
Hygiene Emergency Prohibition Notices/Orders	5 (anticipated)	18 hours	90
Voluntary Closures	10	10 hours	100
Seizures and detentions	5	18 hours	90
Simple Cautions	2 anticipated	72 hours	144
Prosecutions	2 anticipated	72 hours	144
Total estimated time			598

Total resource required for enforcement work = 598 hours **(0.40 FTE)**

Total staff to carry out non-inspection and enforcement work 3,380 hours **2.20 FTE**

Total staffing resources (excluding TBS support) required to carry out FLESP: 7 FTE

5.1.15 The staffing for food safety function for 2021-22 is as follows:

0.3 FTE x Regulatory Services Manager

1.0 FTE x Team Leaders - EH (TLEH) (Only 0.3 FTE will be dedicated to carry out reactive work).

2.0 FTE x Senior Environmental Health Officer (SEHO)

0.5 FTE x Business Support Officer (BSO)

1.0 FTE x Senior Environmental Health Officer contractor (SEHO, until Sept 2021)

Total staffing 4.8 FET

Total staffing resources to carry out district work (including 0.3 FTE for TLs to carry out administrative duties including providing assistance as required to officers) = 3.8 FTE

Staffing resource allocated for Health & Safety functions: 2.2 FTE

Staffing resource available to deliver the Food Safety and Standards Service Plan = 5.2 FTE

Total resource required to carry out programmed inspections: 4.8 FTE

Total non-inspection resources required for Environmental Health functions: 2.2 FTE

Total resource required: approximately 7 FTE

Deficit of 1.8 FTE* staff required to deliver 2021/22 food service plan

*This figure does not include the planned curtailment of discretionary functions which will be factored in once the proposed changes have been approved. This is likely to be around 0.5 FTE resulting in a total deficit of **2.3 FTE**. (see 5.1.3 above and 5.4 below).

5.1.16 Technical Business Support

The technical Business Support team is 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 databases, running reports for FOIs etc. = 1.5 FTE.

5.1.17 Resource allocation by Activity

Activity	FTE
Programmed Inspections due 2021/22	4.8
Re-visits following programmed inspections	0.26
Re-inspections requests following programmed inspections	0.28
Service Requests and Complaints	0.55
Infectious Diseases and Outbreak Control	0.03
Food Sampling	0.48
Proactive Action Days	0.05
Outdoor Events/ Markets (including Carnival)	0.06
Enforcement/Prosecution/Legal work	0.40
Approximate total <u>EHS</u> resources required to fulfil the plan for 2020-21	6.91
Technical Business Support	(1.5)

Approximate total resources required to fulfil the plan for 2020-21	<u>8.41</u>
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5.2 Authorisation and Competencies in line with new requirements of CoP

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

5.3 Staff Development Plan

5.3.1 Regularly held check-in meetings, for all staff, take place every 4-6 weeks. During these regular meetings personal development needs are assessed. and. Identified needs and plans for developments are facilitated and progress monitored on a continual basis.

5.3.2 All staff complete a 'competency framework' questionnaire on a periodic basis (as Food Law Code of Practice) to ensure that the officers have acquired the updated knowledge, skills and competencies to perform statutory functions.

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

5.3.4 Officers will be assisted in achieving 20 hours' Continual Professional Development (minimum 20 hours food law related), All officers will be provided online access to ABC Food Law' courses to gain knowledge and certified CPD points.

5.4 Allocation of resources to deliver the plan

5.4.1 The resources required to fulfil the plan for 2021-22 is approximately **8.41 FTE**. The total resource available is 4.8 FTE: **a deficit of 2.3 FTE**. Unless additional resources are made available, significant numbers of unrated premises may not be inspected within 28 days, broadly compliant premises may remain un-inspected in 2021/2022 and this will have a knock on effect for 2022/23 when we will have a backlog of inspections accumulated from this financial year.

The overdue inspections arose due to our premises management database being inaccessible due to the cyber attack. Additionally directions issued by the FSA in response to the pandemic to reduce footfall in businesses and divert human resources to public health functions.

As such, the team will not be able to achieve 100% of the 2021/22 inspection programme with the current resources available and the demands placed on the service.

However, carrying out all statutory duties, as per the Food Law Code of Practice, will have to be prioritised as not doing so may result in the FSA carrying out another audit and potentially placing LBH under special measures.

Commitments made in this plan will be severely hampered due to resources being diverted to deal with the Coronavirus pandemic, which resulted in no physical inspection being carried out in Q1 resulting in a considerable backlog. Some inspections due in Q2 may not be carried out by the due date as the direction from the Food Standards Agency, prohibiting physical inspections, at the time of finalising this plan (June 2020) had not been revised and no further guidance has been issued. It is, however, anticipated that resumption of carrying out official interventions will be allowed from mid July. In readiness, all food businesses have been provided with appropriate information, advice and guidance to those businesses which could remain open, such as take-aways, or will be re - reopening after a prolonged period of lockdown measures being in place which are expected to be relaxed in the near future. Given the constraint of staffing resources, the activities of the Service will be reviewed upon further guidance being received from the relevant central regulators with the view to re-prioritising our statutory and non-statutory functions. Any divergence from this plan may result in it being amended or agreed changes being attached as an addendum.

5.4.2 The current inspection backlog for food hygiene which mainly arose due the diversion of resources to fulfilling our undertaking to the Food Standards Agency in clearing the overdue backlog as identified in the FSA audit in 2017 and due to Covid 19 Pandemic.

5.4.3 In calculating the FTE requirement for 2021 -22, an estimate of time allocation has been assessed 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.

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 and internal procedures.

- 6 weekly team meetings (minuted)
- Development needs assessments and training plan
- Cascade training and team briefings
- Accompanied/validation inspections
- 4-6 weekly Check-In meetings

6.2 External Arrangements

6.2.1 The service will submit an annual return to the FSA - Local Authority Enforcement Monitoring System (LAEMS), as required by the Food Standards Agency.

6.2.2 Hackney's FHRS data is uploaded to the FSA's National platform on a fortnightly basis.

6.2.3 The service participates in activities with other North East London Sector Food Liaison Group to share good practices. Lessons learned will be used to develop a consistent approach across the sector.

6.2.4 The service participates in programmes devised by the FSA, Public Health England, the London Food Co-ordinating Group, and the Chartered Institute of Environmental Health Officers.

Appendix 1 - Proposed reduction of non-statutory and discretionary functions (Food Safety)

In order to free up resources for statutory functions it is proposed that in 2020/21 the following non-statutory and discretionary functions will be curtailed or modified. Once this proposal has been accepted by the management an estimate of FTE will be factored in the staffing resources calculations within the FLESP:

- **Business start up advice.** Businesses seeking advice will be redirected to the information available on the LBH and other relevant external agencies websites.
- **Consultancy work/advice.** This service will be discontinued and businesses will be guided to seek consultancy support from reputable sources.
- **Labelling of prepackaged foods.** Businesses seeking advice/support/guidance will be redirected to seek consultancy support from other reputable sources.
- **Food Safety, Hygiene and Allergens training centre.** Outsource the provision of training depending upon the demand. Approximately 105 hours (equivalent to carrying out 14.5 high risk premises inspections) is currently spent on preparing and delivering training.
- **Infectious Disease Notifications from PHE.** Investigations of notifications will only be dealt with in accordance with the Memorandum of Understanding between Local Authorities and Public Health England and additional guidance issued on a periodic basis.
- **General food complaints** which are based on the quality food and poor service
- **Investigation of food poisoning complaints.** All alleged food poisoning complaints will be triaged by the TLs and only those complaints which are linked to an outbreak and or supported by clinical confirmation or evidence which can enable the identification of the source etc will be actively investigated. Complaints received outside of this criteria will be dealt with as part of our routine inspection programme.
- **Anonymous complainants.** At the time of receipt (via LBH call centre and TBS) complainants will be informed of this policy, after reassuring that all complaints and information will be handled confidentially, will be notified that anonymous complaints will not be investigated but will only be kept in the relevant files.
- **Delivery platform enquiries.** Enquiries from Just eat and other internet delivery platforms made on behalf of the food business will not be entertained as policy.

NB: Non-statutory duties for Food Hygiene and Health and Safety have been included in this document as a holistic proposal for the Environmental Health Service.