

<b>Title of Report</b>	<b>Business Regulations - Service Plan Update</b>
<b>For Consideration By</b>	Corporate Committee
<b>Meeting Date</b>	13th December 2022
<b>Classification</b>	Open
<b><u>Ward(s) Affected</u></b>	All
<b><u>Group Director</u></b>	Rikardo Hyatt, Climate, Homes and Economy

## 1. **Introduction**

- 1.1. The Food Law Enforcement Service Plan 2022/23 was presented to the Corporate Committee on 28th June 2022. The plan was approved by the Committee. The report now being presented;
  - provides an update on the performance of the “Environmental Health Service against the Plan for the 2022/23 and to the end of quarter 2”, and the work undertaken to improve the quality of food premises in Hackney to protect the health of the public, to assist businesses to comply with their legal requirements;
  - demonstrates the impact of the Service in managing the services post Covid and the challenges being faced whilst at the same time meeting the needs of the regulators;
  - notes the greater emphasis placed on driving up compliance through advice, education, inspections of establishments considered to be flouting the law, and the necessary interventions undertaken.
  - Reflects on the service at the end of the 2021/22 financial year.
- 1.2. This report also highlights the work of Hackney Trading Standards for 2022/23 and to the end of quarter 2. The plan outlines the Service’s achievements and identifies areas of interest for the future.
- 1.3. In fulfilling its duties, the Service provides support to individuals, communities and businesses in the borough to enable people to buy goods and services with confidence and security, by offering advice to businesses to help them to comply with the law as well as dealing with commercial noise and nuisance complaints.
- 1.4. The Service also fulfils an important role in relation to public safety and health, for example through ensuring safe storage of dangerous items and by preventing the sale of dangerous products including the supply of age-restricted products to minors.

- 1.5. The Service also seeks to ensure there is a fair trading environment and helps businesses comply with legislation in order to protect consumers from unfair trading practices.

## **2. Recommendations**

- 2.1. This report is for informative purposes and to provide an update to the Corporate Committee. There are no recommendations set out in this report. The Corporate Committee can note the level and scope of work being carried out to meet the requirements of the plan.**

## **3. Reason(s) for decision**

- 3.1. The Food Standards Agency recommends that food service plans are submitted for Member approval to ensure local transparency and accountability.
- 3.2. Trading Standards have a duty to ensure consumer protection law is enforced fairly and proportionately.

## **4. Background**

### Policy Context

- 4.1. The Food Law Enforcement Service Plan (FLESP) is a statutory plan which sets out how the Council will undertake enforcement of food safety legislation.
- 4.2. The Plan is prepared in accordance with the Food Standards Agency's (FSA) Framework Agreement (2000), issued 1st April 2001, and is an important part of the process to ensure that national food safety priorities and standards are addressed and delivered locally. It also focuses on key deliverables, provides an essential link with financial planning, provides objectives for the future including identifying major issues that cross service boundaries and provides a means of managing performance and making performance comparisons.
- 4.3. The performance of the Food Safety Service is measured against its fulfilment of the Plan and fulfilling the services statutory requirements.
- 4.4. Due to the Cyber attack in October 2020 and the time it is taking to procure and implement a new information management system, it is not possible to provide an accurate return on data for Q1 & Q2 2022/23. The six month updates presented in Annex 1 and 2 provide an update against the service plan agreed by the Corporate Committee on 28th June 2022 and KPI set.
- 4.5. **Review of 2021/22 - Food Safety:** The FLESP is prepared in accordance with the Food Standards Agency's (FSA) Framework Agreement (2010). In 2021/22 the service prioritised the highest risk category inspection (category

A and B) with 100% of category A and B premises due for inspection within 28 days of the due date. This is along with 95% of service requests and consumer complaints about food and other businesses actioned within 10 working days, and 100% of new premises registered with the Council inspected within 28 days excluding those not yet trading.

- 4.6. The 2021/2022 Food Law Enforcement Service Plan identified a staff resource deficit of 2.3 FTE. This, coupled with long term staff sickness (some related to Covid-19) and the relevant inactivity during the lockdown periods, due to the direction issued by the Regulators, resulted in a backlog of food hygiene and food standards inspections.
- 4.7. The FSA obtained government permission to temporarily deviate from the inspection programme and suspend all routine food hygiene inspections. This decision was also taken to recognise that local authority environmental health departments would divert human resources to public health functions to cope with the demands of the pandemic. In response to this, the FSA identified 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 of Hygiene Improvement Notice, follow ups of Hygiene Emergency Prohibition Notices etc).

#### Medium priority

- All category 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 category C, all D and E for hygiene.
- Category B or C/ medium or low risk for standards.
- Overdue/due interventions not already captured above.

- 4.8. Officers undertook 1229 inspections in comparison to the 147 allocated. This was due to the service concentrating on clearing the backlog of unrated premises inspections, completion of Food Hygiene Rating System (FHRS)

reinspections which were not deemed a priority in accordance with the FSA's Guidance and diversion of human resources to the Covid Response Team.

- 4.9. In the 2021/22 FLESP it was estimated the Service would receive 600 registration forms. The total number of registration forms received from 1st April 2021 to 31st March 2022 stood at 814, with 433 businesses being inspected. It should be noted that whilst the actual inspection figure remains low in comparison to the figure of registration forms received, all newly registered businesses up to 1st October 2021 were contacted as part of the Food Standard Agency's (FSA) Recovery Plan-Phase to establish whether the businesses were ready to trade, many of which were not at the time of initial contact.
- 4.10. When contacted later, the vast majority of businesses had ceased trading. There was also an element of duplicated registration forms from businesses wishing to escalate their ratings appearing on the FSA's Food Hygiene Rating Scheme website. Businesses registered after 1st October 2021 were contacted in April 2022 to establish whether they are currently trading and those which are were inspected by the end of June 2022.
- 4.11. Table 1.0 below shows the performance of the Environmental Health service against key deliverable in 2021/22

**Table 1.0 - Performance Data – 12 months review**

	Mar 21	Apr 21	May 21	Jun 21	Jul 21	Aug 21	Sep 21	Oct 21	Nov 21	Dec 21	Jan 22	Feb 22	Mar 22
<b>No. of Food Inspections</b>	46	51	96	81	43	55	46	70	69	59	52	98	88
<b>No. of Cat A&amp;B inspections carried out</b>	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *
<b>% of Cat A&amp;B inspections within 28 days</b>	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *
<b>Percentage of Premises that are Broadly Compliant</b>	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *

No. of Food Premises Ceased Trading	39	12	17	13	8	14	7	14	12	5	1	7	24
No. of Food Premises Revisits	7	7	4	7	9	10	7	8	2	0	0	7	0
Total No. of new food registration forms received	139	108	108	75	66	70	55	62	67	44	83	60	82
No. of Formal Notices	0	1	0	0	0	0	0	0	0	0	0	0	0
No. of Formal & Voluntary Closures	0	1	0	0	0	1	0	0	0	0	1	0	0
No. of food hygiene written warnings	46	51	79	75	43	55	46	70	69	40	20	96	88
No. of food samples taken	0	0	0	0	0	0	0	0	0	0	0	0	0
No. of Service Requests	69	55	43	60	62	50	40	49	57	18	71	36	54
No. of Infectious diseases notifications received	1	0	10	2	26	28	28	36	22	22	24	29	33

\*data unavailable due to the cyber attack

- 4.12. **Health and Safety** - The work of the team in relation to health and safety enforcement has been severely disrupted due to the two major events in 2020. The first is the global pandemic. Due to the volume of work created by the increased number of enquires and the reliance on other council services on the expertise of the environmental health staff, a Covid Response Team (CRT) was formed in July 2020. This team was staffed with three Environmental Health Officers, one Trading Standards Officer, one Environmental Protection Officer and one Senior Enforcement Officer. The second has been the loss of an information management system due to the Cyber Attack in October 2020. All non statutory functions were stalled as the

teams concentrated on the pandemic response. However as table 2.0 below shows the number of reportable accidents investigated in the 12 months.

**Table 2.0 Accident investigations**

	Mar 21	Apr 21	May 21	Jun 21	Jul 21	Aug 21	Sep 21	Oct 21	Nov 21	Dec 21	Jan 22	Feb 22	Mar 22
<b>No. of Accidents notifications received (RIDDOR)</b>	4	5	8	6	6	2	12	10	9	4	4	3	7

- 4.13. **Trading Standards** - The Team focuses on the highest risk premises, categorised as Upper and Upper Medium inspections. In 2021/22 there were 149 High Risk, 190 Upper medium Risk and 267 (37 by alternative enforcement action) Low Medium inspections undertaken. In 2022/23 163 high risk, 209 Upper Medium and 293 (73 by alternative enforcement action) Low Risk inspections due to be undertaken. Table 3.0 sets out the inspection data for the service.

**Table 3.0 - Inspections Data**

<b>Risk Category</b>	<b>Category A – High (to be Inspected 2021/22)</b>  (e.g. a premises selling products subject to safety legislation such as knives)	<b>Category B1 – Upper Medium (to be Inspected 2021/22)</b>  (E.g. a car dealer or premises selling high value goods. There could be an associated consumer credit agreement)	<b>Category B2 – Low Medium (Inspected every 5 years)</b>  (e.g. a trader which is a newsagent which is inspected with respect to pricing compliance)	<b>Category C– Low (No recommended frequency)(e.g. a trader inspected for Ownership details)</b>	<b>Total</b>
<b>Total number of premises</b>	149	190	267	N/A	606 Annual target
<b>Number of visits Mar</b>	0	0	0	80	80

<b>Total Number of visits since April 2021</b>	<b>149</b>	<b>190</b>	<b>267</b> <b>37 by alternative enforcement visits</b>	<b>0</b>	<b>606</b> <b>excludes low risk)</b>
<b>Percentage of visits carried out in each risk category since April 2021</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>N/A</b>	<b>100%</b>
<b>Target for percentage of visits to be completed at the end of March 2022</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>N/A</b>	<b>100%</b>

4.14. **Food Hygiene Inspection Programme** – This concentrates on the handling, preparation, and storage of food in ways that prevent foodborne illness. Members will be aware from the FLESP that premises are categorised and the frequency of inspection depends primarily on their category as specified in the Food Law Code of Practice, see below. Table 4.0 below shows the progress with inspections to the end of Q2 2022/23. The frequency of inspection is for each category:

- A: every 6 months (2 inspections/year)
- B: every 12 months
- C: every 18 months
- D: every 2 years
- E: every 3 years

4.15. To the end of Q2 2022/23, 459 inspections have been carried out. Of these:

- 22 were category A
- 68 were category B
- 118 were category C
- 1 was category D
- 250 were category E

4.16. **Table 4.0 - Performance Data**

	April 22	May 22	June 22	July 22	August 22	Sept 22	Total
No. of Food Inspections	59	63	85	98	95	71	474
No. of Cat A&B inspections carried out	N/A*	N/A*	N/A*	N/A*	11	6	17*
% of Cat A&B inspections within 28 days	N/A*	N/A*	N/A*	N/A*	100%	100%	100%
Percentage of Premises that are Broadly Compliant	N/A*	N/A*	74.5*	76.1%*	74.4%*	74.7%*	74.1%**
No. of Food Premises Ceased Trading	14	35	27	82	62	78	298
No. of Food Premises Revisits	1	2	4	5	9	8	29
Total No. of new food registration forms received	54	68	24	68	66	54	334

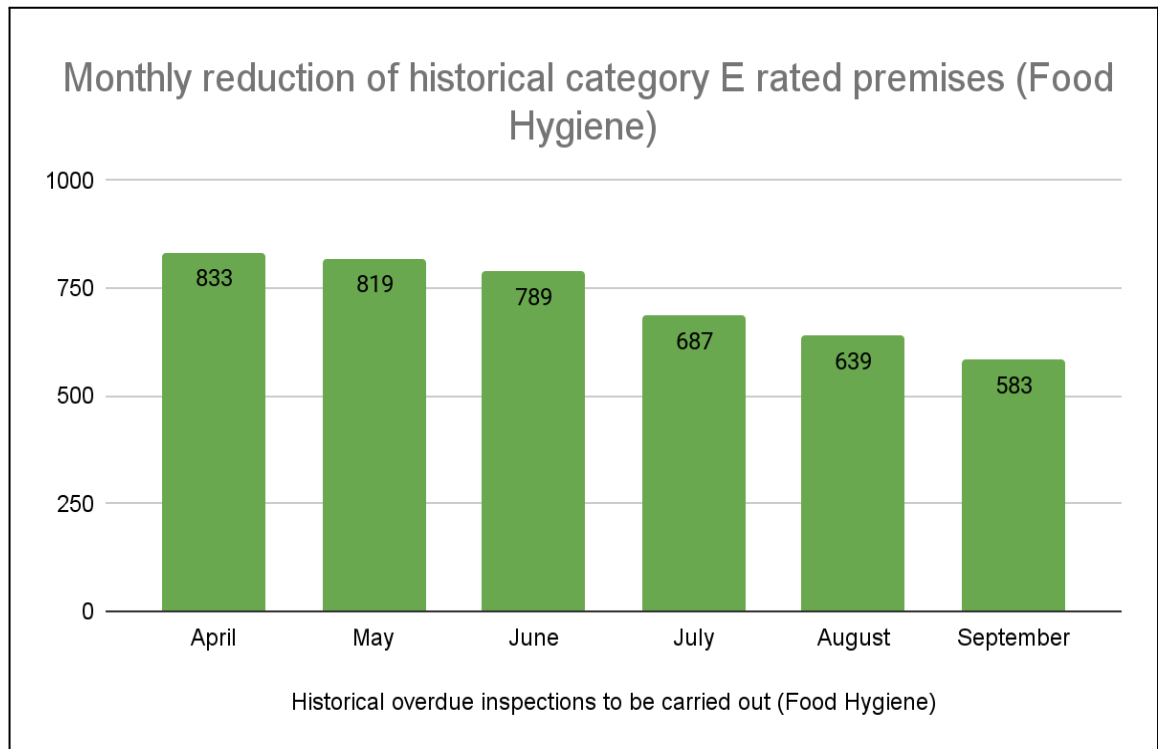
\*Unable to calculate due to a loss of the information management system

\*\*These live figures were taken from the FSA's website' FHRS Portal as: businesses with ratings 3 and above. These are considered dynamically accurate. However, the actual percentage figure is much higher as it is calculated by factoring in 'awaiting inspection' figures of 21.5% which are considered to be non-compliant. With the addition of more resources to reduce the 'awaiting inspection' figures along with the programmed inspection the broadly compliant figure would have been **96.2%** (by adding 3.2% exempt and 8.3% excluded) as these categories are normally regarded as broadly compliant.

4.17. Chart 1.0 below shows the total number of overdue category E inspections as of April 2022 and the number of overdue inspections carried out. It should be noted the figures were extracted from Civica APP (information management system) as premises profiles and not the usual 'tagged' list as this was lost during the cyber attack, thus these are estimated figures. Since April 2022, 250 inspections have been completed.



**Chart 1.0 - Overdue Inspections**



4.18. The Category E project is being dealt with by two dedicated Officers on a part-time basis (1 FTE). It is envisaged that this strategy will considerably reduce the overdue inspections and free up the rest of the resources to concentrate on routine programmed inspections and the inspections of unrated businesses.

4.19. **Food Hygiene Rating Scheme (FHRS)**

4.20. The FHRS is key to the Food Standards Agency's strategic objective: safer food for the nation. Restaurants, takeaways, cafés, sandwich shops, pubs, hotels, supermarkets and other retail food outlets in the Borough, as well as other businesses where consumers can eat or buy food, are given a hygiene rating as part of the scheme.

4.21. Table 5.0 below shows the number of 0 - 5 rated businesses in April 2019 to date.

4.22. Currently, businesses that are rated 0-2 are encouraged to request a re-rating once the improvements highlighted during the initial inspection have been completed.

4.23. The number of premises in Hackney with a FHRS of 3 remains high when compared to London and nationally, and work continues with these

businesses to assist businesses to improve hygiene and achieve a higher rating.

- 4.24. The Service also offers a paid re-inspection for those businesses who actively want to achieve a better rating to encourage new/retain customers. A business can apply at any time and more than once.
- 4.25. Businesses rated 4 and 5 are those businesses that are compliant across a range of food hygiene parameters in terms of hygiene in the business, the structure of the business and the confidence in management demonstrated at the time of the inspection.

**Table 5.0 - FHRs distribution from April 2022 - September 2022**

FHRs Rating	Apr - 22	May - 22	Jun - 22	Jul - 22	Aug - 22	Sep - 22
5 - Very good	1307	1323	1333	1334	1334	1338
4 - Good	646	652	649	650	659	655
3 - Generally satisfactory	379	376	377	377	380	376
2 - Improvement required	88	86	84	84	82	86
1 - Major improvement required	57	59	58	58	55	56
0 - Urgent improvement required	3	4	3	3	1	0
<b>Total rated establishments</b>	<b>2480</b>	<b>2500</b>	<b>2504</b>	<b>2506</b>	<b>2511</b>	<b>2511</b>
<b>Establishments with rating of 3 or better</b>	<b>2332</b>	<b>2351</b>	<b>2359</b>	<b>2361</b>	<b>2373</b>	<b>2369</b>
Awaiting inspection	788	823	808	846	844	812
Exempt	124	124	122	122	120	120
Sensitive	1	1	1	1	1	1
Excluded	274	306	320	324	323	311*
<b>Total establishments</b>	<b>3667</b>	<b>3754</b>	<b>3755</b>	<b>3799</b>	<b>3799</b>	<b>3755</b>

- These are businesses that have ceased trading

- 4.26. Table 6.0 below shows that there are no businesses categorised as '0' rated in Hackney and '1' rated premises (2.2%) is better than the London average at 2.3%. The figures for '2' - '5' rated premises remains higher than the London and National average, but this is directly linked to the programme of work in the plan to reduce the number of overdue inspections and the high number of category E inspections.

**Table 6.0 - Food Hygiene Rating Scheme**

Ratings	0	1	2	3	4	5
Hackney (%)	0.0	2.2	3.3	15.0	26.0	53.5
London (%)	0.4	2.3	2.8	10.4	20.6	63.5
National (%)	0.2	1.4	1.5	6.4	15.3	75.2

4.27. **Food Standards Inspection Programme** – This concentrates on compliance with composition, presentation, labelling requirements and management controls. Food standards inspections are also carried out on a risk based programme. Only category A inspections are considered a priority and are inspected on their due date. The Code of Practice specifies the frequency of inspection. Premises that fall under a category C rating may be dealt with via the alternative enforcement strategy.

The frequency of inspection for Category:

- A: every 12 months
- B: every 2 years
- C: every 5 years

4.28. To the end of Q2 2022/23, 189 inspections have been carried out. Of these:

- 3 were category A
- 68 were category B
- 118 were category C

4.29. There has been an overall decrease in enforcement activities mainly due to improved engagement with businesses and the positive effects of face-to-face contact and support by ward Officers out of the district. Table 7.0 below shows a comparison of enforcement activities undertaken to the end of Q2 2022/23 against previous years.

**Table 7.0 - Enforcement action breakdown**

Enforcement action	2015/16 (end of yr)	2016/17 (end of yr)	2017/18 (end of yr)	2018/19 (end of yr)	2019/20 (to 30.09.20)	2021/22 (end of yr)	2022/23 (to 30.09.22)
Total number of Food Hygiene Written warnings issued	973	580	619	742	287	732	463
Hygiene Emergency Prohibition notices	0	4	0	0	0	0	0

(formal closure)							
Voluntary Closures due to Food Hygiene imminent risk	4	3	17	8	1	1	0
Premises receiving a Hygiene Improvement notice	43	39	63	18	8	0	0
Seizure/detention of food	7	0	0	0	0	0	0
Prosecution of food premises	3	0	0	0	0	0	0
<b>Total</b>	<b>1030</b>	<b>626</b>	<b>699</b>	<b>768</b>	<b>296</b>	<b>733</b>	<b>463</b>

- 4.30. **Health and Safety** - In fulfilling the Health and Safety Service Delivery Plan Officers use a number of intervention approaches to regulate and influence businesses in the management of health and safety risks, including provision of advice and guidance to individual businesses or groups, proactive interventions including inspections and reactive interventions e.g. to investigate accidents or complaints.
- 4.31. Hackney Officers may use enforcement powers, including formal enforcement notices, to address occupational health and safety risks and secure compliance with the law. Prosecution action may be appropriate to hold duty-holders to account for failures to safeguard health and safety. See table 8.0 below.

**Table 8.0 - Accident investigations**

	April 22	May 22	June 22	July 22	August 22	Sept 22
No. of Accidents notifications received (RIDDOR)	4	12	12	9	4	17

- 4.32. The priority of the Environmental Health team is on the recovery of the food inspection programme, hence, only matters of highest concern are being investigated by the team and participation in peer led projects in commercial kitchen settings, such as checks on gas and electricity safety.
- 4.33. Health and safety inspections are prioritised with the highest risk category (Category A) inspections to be undertaken. The risk rating for this is set out in a HSE Local Authority Circular - 67/2 (revision 11). For 2022/23. No high risk category A premises have yet been identified.

4.34. **Covid-19**

- 4.35. The pandemic had a significant impact on the Service. On the 1st April 2019 the service had 2471 registered food businesses. By September 2022 the service had 3755 registered food businesses, an increase of 52%. At the same time resources have not increased and the burden on the team is at such a level now that tough choices on service delivery are being considered for 2023/24, which could include not delivering non statutory services.
- 4.36. During the pandemic a Covid Response Team (CRT) was formed. The CRT has been at the forefront of the Council's response Covid pandemic. It was put together at a very early stage, as it became apparent that the operational skill set and expertise required for the response lay with the professionally qualified staff working in the Council's own Environmental Health Team (EHT).
- 4.37. The team quickly established themselves and continued until September 2022 to be a vital and integral part of the Council's overall Covid response. They have proved to have been particularly adept and skillful in not only reading the quantum of ever changing legislation, but also ensuring that the most relevant requirements to the local environment in Hackney are quickly prioritised and implemented.
- 4.38. Since it was set up in July 2020 and to 31st March 2021 the team has undertaken:
- 3123 visits to businesses across the borough consisting of both reactive & proactive inspections.
  - Received and responded to 348 service requests.
  - Sent 275 warning letters.
  - Issued 51 prohibition notices & 28 improvement notices.
  - Answered 51 Member, Mayoral and customer enquiries.
  - Issued 10 fixed penalty notices at £1,000 each.
  - Several focussed action days with other partners (particularly the Police, Public Health and Enforcement).
- 4.39. The team actively contributed to many Covid related forums such as the incident management team, daily huddles & advice sessions, Covid workplace working groups, businesses forums, the City & Hackney Covid-19 working group, the local Pub Watches and Community forums to name a few. They have also forged strong and effective partnerships with departments such as the Public Health Team, Communications and the Police.
- 4.40. The profile of the team and the value of the work they have contributed to has changed the perception of other services within the council, and the environmental health service is engaged at many more levels with senior

managers and colleagues across the council calling on contributions from the team.

4.41. **Trading Standards**

4.42. The Trading Standards Team delivers on both statutory and Mayoral priorities, as well as delivering targeted project work of National and local importance. These projects are determined by the Chartered Trading Standards Institute, by monitoring trends and fulfilling local priorities.

4.43. **Inspections**

4.44. The data in table 9.0 below, compares the enforcement visits figures for the last two years. Visits are categorised as High, Upper Medium, Lower Medium or low. The basis of the scheme is that each business within a local authority’s area receives a score in relation to the risk posed by the business, as opposed to a scheme which is based purely on inspection as a means of determining the risks. This means that businesses not previously risk rated (e.g. builders working from home) because they were not “inspectable” will now be risk rated as they can present a Trading Standards risk which can be dealt with via other mechanisms (e.g. surveys, test purchases or internet examinations, etc).

**Table 9.0 – Inspection comparison to end Q2 2020/21 & 2021/22**

Risk Category	High 2021	High 2022	Upper Med 2021	Upper Med 2022	Lower Med 2021	Lower Med 2022
Total Number of Visits	149	163	190	209	162	212
Percentage % of visits carried out in each risk category April- Sept 2019	100% (149 out of 149)	100% (163 out of 163)	100% (190 out of 190)	93% (209 out of 209)	37% (162 out of 267)	65% (212 out of 293)

4.45. The scheme comprises a hazard element (previously known as the national element) that is scored on the basis of business category and a likelihood of Compliance element (previously known as the local element) that is particular to the individual business and determined by local authorities. An example of:

- An example of a high risk premises could be a premises selling products subject to safety legislation such as knives.
- An example of an Upper Medium Inspection could be a car dealer or premises selling high value goods.
- An example of a Lower Medium example is a trader which is a newsagent which is inspected with respect to pricing compliance.
- Finally a Low risk premises could be one inspected just to confirm ownership details. See table 10.0 below.

**Table 10.0 - Categorisation of business types**

<b>Category A – High (Inspected 12 months)</b> (e.g. a premises selling products subject to safety legislation such as knives)	<b>Category B1 – Upper Medium (Inspected 12 months)</b> (E.g. a car dealer or premises selling high value goods. There could be an associated consumer credit agreement)	<b>Category B2 – Low Medium (Inspected every 5 years)</b> (e.g. a trader which is a newsagent which is inspected with respect to pricing compliance)
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4.46. The Service has re-focussed on risk based inspections as well as carrying out intelligence led projects. The Consumer Rights Act 2015 amends Officers' powers of entry and has led to a reduction in the overall number of visits conducted. However the visits are more targeted at the higher risk visits.

4.47. **Consumer Complaints investigated**

4.48. From April – September 2022 there were a total of 195 consumer complaints received from members of the public. See table 11.0 below.

**Table 11.0 - number of referrals to the Trading Standards Service**

Referrals	Other	Total
136	59	195

4.49. Referrals are received from the Consumer Advice Bureau (CAB). Referrals are sent to the Service for action if necessary. They may also be used for intelligence.

4.50. **Table of Weights & Measures Inspections**

4.51. The Trading Standards Team conducts tests on spirit measures from licensed premises and visits to check whether patrons are being served correct measures, see table 12.0 below. Trading Standard establishments in several locations in Hackney. This work will increase in the run up to Christmas.

4.52. The Service's weights and measures officers have conducted weights and measures inspections at pubs or wine bars. Contraventions included using unstamped measures or having the incorrect notices. Further inspections of scales have also been conducted at the Markets in Hackney

**Table 12.0 - number of weights & measure inspections**

Total Number of weights and measures inspections	49
Percentage of visits compared to annual target (49 out of 72)	68%

4.53. **Counterfeit Goods**

4.54. The Service has been involved in a number of enforcement operations to combat the supply of counterfeit goods in the borough. This has resulted in the seizure of a variety of goods such as laptop chargers, phone accessories, tobacco, perfume, jewellery, DVDs, clothing and other fashion accessories. The service has been involved in a Multi Agency Operation seizure of counterfeit/unsafe electrical chargers, mobile phone accessories and electronic items such as chargers, headphones and earphones as well as toys.

4.55. At these inspections Officers have seized goods with a value in excess of £12,400.

4.56. **Test Purchasing**

4.57. From 1st April 2022 to 30th September 2022 there have been 5 test purchase operations conducted. The products ranged from alcohol, knives and tobacco and vaping goods, and 1 sale of a Vape item to a minor. This surpasses the annual target of 4 operations.

4.58. **Animal Feed**

4.59. Hackney Trading Standards regulates the safety of Animal Feed in the Borough by ensuring that businesses are compliant with Animal feed regulations with ten of the twenty-nine businesses visited thus far. Officers



have visited a range of supermarkets who supply some of their waste for Animal feed. Animal feed plays an important part in the food chain and the main aims are to help protect consumer and animal health. Businesses involved in the production, use, transportation, storage, or marketing of animal feeds must be registered or approved by Trading Standards.

4.60. **Tobacco Enforcement Work**

4.61. Trading Standards, alongside partners in Public Health, joined forces in the fight against illegal tobacco. Public Health currently funds one post which will combat illegal tobacco and alcohol. Table 13.0 below show the work undertaken in Q1 & Q2 2022/23

**Table 13.0 - Tobacco Enforcement**

KPI	Q1	Q2
No of premises from which tobacco was seized per quarter and advice given to retailers	4	3
No of cigarettes seized	2200	400
Volume of hand rolling tobacco seized in kg	0.75	5
Volume of shisha seized	0	2
Value of hand rolling kg	<b>£1712.50</b>	<b>£832.00</b>

4.62. **London Trading Standards Week**

4.63. This year, the focus of the week covered 5 key areas. These were the Online Market Place, Lettings Agents and Client Money Protection, Doorstep Crime, Vapes and Illegal Tobacco. Each of these areas of work is actually part of the Team's Key areas of focus, so fits well with local objectives and priorities. There was also a media campaign that has been launched by the central LTS team and which will be fed into by each authority. Visits were conducted in areas in the borough with the relevant business types. Finally visits were conducted to premises offering vapes and illegal tobacco.

4.64. **Lettings**

4.65. Visits and revisits have been carried out, possible action being considered against a number of agents who were non compliant.

4.66. **Illegal Alcohol enforcement**

4.67. Table 14.0 highlights the work has been carried out to tackle and identify the supply of illegal alcohol in the borough. The source of some of the illegal spirits has been identified and has led to Hackney Trading Standards passing information to HMRC. This has led to two separate investigations into importers supplying spirits illegally in the borough, one of whom is a business based in Newham and the other a business based in Germany, illegally using a consumer loophole to supply spirits to businesses in the borough via Amazon.

**Table 14.0 - table of Seizures**

KPI	Q1	Q2
Volume of alcohol seized	2 litres of whiskey	0
Value of alcohol seized	non duty paid £52.50	0

4.68. **Nicotine Products**

4.69. The service has been carrying out inspections across the borough on businesses which sell e-cigarettes, e-liquids and nicotine pods. Businesses have been given advice regarding labelling underage sales, advertising and the more problematic issue of CBD or Cannabidiol, which is an extract from

the Cannabis Sativa plant and is legal in the UK in this form. CBD is very topical currently and UK consumer demand for this compound is growing largely due to its alleged potential health benefits and overall good safety profile.

4.70. There are currently no CBD regulations or manufacturing standards in the UK. There are no strict laws that place a burden on UK manufacturers to have accurate CBD label content or to verify the CBD content of a CBD oil. In fact, if looking at other international markets, with the exception of the United States who have some basic regulation, a regulatory framework for CBD-containing products is largely absent. So given the lack of regulation and standards in the UK and abroad, it would be reasonable to assume that CBD mislabelling is likely to be a UK problem. A significant quantity of non-compliant stock has been found, somewhere there is a traceability issue and others where the required safety warnings, both written and tactile, are missing. These products have been seized and removed from the marketplace as they pose a danger to residents. The team has also been able to identify the importer of a large amount of the incorrectly labelled product from Malaysia. This importer now has a UK office and has withdrawn the products from across the EU and relabelled and boxed them with compliant details at some considerable cost to the company, as their products were throughout the UK and EU market place. To date £2000 of illegal these products have been seized

4.71. **Financial Investigations**

4.72. **Proceeds of Crime Act (POCA) update**

4.73. Three Officers in the Team are completing the work required to obtain their qualifications and complete their Personal Development Plans to obtain authorisation. This involves contacting financial institutions and reviewing banking data.

4.74. Two cases are currently under investigation with a potential POCA benefit of £247,000.

4.75. **Impacts Outputs Framework**

4.76. Table 14.0 below demonstrates work of the team into the national consumer protection services framework to better illustrate the way Trading Standards work contributes both locally and nationally to local and national priorities and benefits the local population. The framework helps to benchmark services and test the efficiency and effectiveness of trading standards services across England, Scotland and Wales.

**Table 14.0 Outcomes April - September 2022**

Impact	Description	Outcome Q1	Q2
No of scam victims supported	Total no of victims identified in the month by the NTS National Scams Team	3	14
Businesses tested for compliance with the law using underage volunteers OR for compliance with mandatory Challenge 21/25 conditions using older individuals	Number of individual premises tested for Alcohol (Only include data for premises for which test purchases have been attempted.)	9	13
Tackling the availability of illicit tobacco	Number of premises from which products were seized  Volume of tobacco seized (l) and value (£)	4 seizures 2200 cigarettes 0.75kg Hand Rolling Tobacco Value £1712.50	3 seizures 400 Cigarettes 5 kg Hand Rolling Tobacco 2KG Shisha Value £832.00

Tackling the availability of illicit alcohol	Number of premises from which products were seized  Volume of alcohol seized (l) and value (£)	2 litres of whiskey seized  non duty paid  £52.50	No illegal alcohol seized this quarter
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#### Equality impact assessment

4.77. N/A

#### Sustainability and climate change

4.78. N/A.

#### Consultations

4.79. N/A.

#### Risk assessment

4.80. N/A

### **5. Comments of the Group Director of Finance and Corporate Resources.**

5.1. This report and appendices note the performance, level and scope of work being carried out to meet the requirements of service plans within Business Regulation.

5.2. The aims and objectives of the programmes described in this report will be delivered within the constraints of the existing Business Regulation service budgets.

5.3. The report notes (Paragraphs 4.74) the financial investigations under the Proceeds of Crime Act (POCA). Income received from compensation orders awarded in favour of the Council contributes to the cost of staff involved in POCA investigations and enforcement action.

### **6. Comments of the Director of Legal, Democratic and Electoral Services**

6.1. This report is to inform and provide an update to the Corporate Committee in relation to the performance, level and scope of work being carried out to meet the requirements of service plans within Business Regulations (Environmental Health Service and Trading Standards Service). There are no immediate implications arising from this report.

## **Appendices**

- Appendix 1 - Environmental Health Service - 6 month update against the 2022/23 service plan.
- Appendix 2 - Trading Standards Service - 6 month update against the 2022/23 service plan.

## **Background documents**

None

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Appendix 1 - Environmental Health Service - 6 month update against the 2022/23 service plan

PI Code	Short Name	Frequency of reporting	Directorate	2022/2023 Target	As of 31.09.22	RAG
NH PRS 030	% of service requests/consumer complaints about food businesses actioned within 10 working days	Monthly	Climate, Homes and Economy	100%	100%	Green
NH PRS 032	A & B category food hygiene inspections carried out within 28 days of the due date	Monthly	Climate, Homes and Economy	100%	100%*	Green
NH PRS 034	% of Broad Compliance for food hygiene (accumulative)	Monthly	Climate, Homes and Economy	TBC**	75%	Green
NH PRS 035	% of unrated food premises inspected excluding registered premises not yet trading	Monthly	Climate, Homes and Economy	100%	100%	Green
NH PRS 036	Number of unrated food premises	Yearly	Climate, Homes and Economy	Less than 200	103***	Yellow

\*Due to the cyber attack and the pandemic we have been unable to calculate our 2022/2023 annual/6 month target however, where an A or B category rated premises has been identified it has been inspected within +/- 28 days.

\*\*previously we were unable to report on A & B inspections carried out in 28 days and unrated figures due to the cyber attack However, since August we have been able to calculate the figures. August and September 100%. BC figure in Q1 74.5% and Q2 75.1%. The low BC figure is attributed to the increased unrated premises, if they were all rated the BC figure would stand at 94% (indicative), higher than the pre pandemic BC figure.

\*\*\*As part of the FSA 2021-2023 Recovery plan we have contacted approximately 275 businesses which will be allocated for inspection in Q3 and Q4 when the backlog is expected to be cleared.

\*\*\*\*The service will resume the customer service satisfaction survey at the end of Q4 and there after every quarter from 2023/24.

### Inspection statistics

#### The number and types of food businesses and their risk rating planned for food hygiene inspections 2022/2023

Due to the cyber attack we have been unable to identify the exact number due/overdue and the number and types of food businesses and their risk rating planned for food hygiene and standards inspections. These businesses are usually tagged on the premises database, however this is currently unavailable. The Service has been working closely with ICT to develop a temporary method of identifying and tagging premises due for inspection in 2022/23.

In April 2022 it was estimated roughly 302 routine category A - D inspections were due. This number is lower from previous years due to the cyber attack and due to the hard work of the team during the pandemic. It is envisaged Officers will need to physically survey the district to capture the details of businesses missing from our temporary database in order to ensure the correct data is migrated to the new database.

The service has encountered initial teething problems with the new database, however a skeletons database should be operational at the end of 2022 with the final go live date in April 2023. However it is predicted the Service may not make a full recovery until 2023/24 due to the work required to build a food business database.

The Food Standards Agency (FSA) recognised that many local authority resources were diverted to public health functions due to the pandemic and as such the service was unable to carry out the full inspection programme. The FSA has issued updated guidance in response to the pandemic which all local authorities must have regard to. The Recovery Plan, implemented on the 1st July 2021 to 2023/24, provides a framework for re-starting a delivery system inline with the Food Law Code of Practice.

The recovery plan has two phases:

Phase 1 - 1st July - 30th September 2021: - Completed

- Prioritise new businesses for inspection;
- Plan intervention programme from September 2021 onwards.

Phase 1 of the recovery plan concluded with 334 businesses contacted to establish whether they are currently trading, ceased trading or due to start imminently. Businesses who are currently/due to start trading have been included in the inspection programme with over 100 unrated premises inspections carried out from Q1 to Q2.

Phase 2 - 1st October 2021 - 2023/2024:

All category A (hygiene) inspected; - Ongoing

- All category B (hygiene) or A (standards) receive an inspection; - Ongoing.
- All category C (hygiene) and less than broadly compliant receive an inspection; - Ongoing.
- All category D (hygiene) and less than broadly compliant receive an inspection; - Ongoing.



- All category C (hygiene) and broadly compliant or better receive an inspection (new food standards delivery model to be implemented in 2023/24). - Ongoing.

For the successful delivery of the FSA's recovery plan, it was imperative that a new database was implemented at the end of phase one in September 2021, however this has not been possible. The service has since begun training and migrating historical inspections into our new database, Arcus. In the meantime the service will continue to use the established workarounds.

We are confident that the 'delivery plan' is on course to achieving the milestones enshrined within the plan.

**Environmental Health Performance (Food Hygiene and Food Standards) against Key Service Performance Indicators 2022/23 - 6 months update (01.04.22 - 30.9.22)**

Item no	What are the priorities?	Where to intervene?	Update	RAG
1.	Develop the Food Law Enforcement Service Plan		Completed	
2.	To submit the LAEMS return to the Food Standards Agency		FSA suspended the annual returns (LAEMS) due to the pandemic. Each local authority submitted a questionnaire regarding inspections and resources available.	
4.	The number of food businesses in the borough, subject to food hygiene controls, stood at 3605 in April 2022 and it is estimated that an additional 350 businesses will register in 2022-2023. 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.	As of 30/09/2022 the current number of food businesses in the borough subject to food hygiene and standards stands at 3764. This figure substantially increased from last year and when the figure stood at 3218, an increase of 546 (17%) due to the influx of new registration forms received. During the pandemic businesses attempted to diversify to comply with government restrictions relating to essential traders.  The service previously determined that no more than 70 unrated premises should be on the database at any one time. As of March 2022 there were 225 unrated premises, due to the loss of the premise database (CIVICA APP) it has been difficult to calculate how many of which have been inspected.  However, as part of the FSA's recovery plan we have contacted all unrated businesses which have been allocated as high priority within our inspection programme as these are deemed to be non-complaint until they are inspected and this can have a negative impact on the overall	

			broadly compliant figure once they can be calculated.	
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 premise rated category A-C are visited every 6-18 months.	Data is uploaded to the FSA National website every fortnight. Ratings can be viewed at <a href="http://www.ratings.gov.uk">www.ratings.gov.uk</a> . However, we experienced delays in updating scores due to the loss of Civica Businesses are encouraged to apply for re-rating inspections upon carrying out necessary improvements.	
6.	Broad Compliance with Food Safety Legislation	The end of year target for the service is to have 89% of all businesses inspected to be broadly compliant.	The Service has recently been able to calculate the BC Figure; Q1 74.5% and Q2 75.1%. Which would equate to just over 96% if there were no businesses awaiting inspections.  Previously we were unable to report on A & B inspections carried out in 28 days and unrated figures due to the cyber attack However, since August we have been able to calculate the figures. August and September 100%. BC figure in Q1 74.5% and Q2 75.1%. The low BC figure is attributed to the increased unrated premises, if they were all rated the BC figure would stand at 94% (indicative), higher than the pre pandemic BC figure.	

7.	<p>The Borough hosts a large number of annual festivals and other outdoor events as well as regular markets 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.</p>	<p>To develop better joint working with Markets and Street Trading to improve compliance among street food businesses.</p> <p>Participation at HEAT. /HSAG to consider all large scale events that take place in Hackney.</p>	<p>The Service participates in HEAT/HSAG meetings covering events held in Queen Elizabeth Olympic Park and other smaller events held throughout the Borough that have enabled interventions to ensure the provision of safe food at the event planning stage.</p> <p>Due to the passing of HM The Queen Hackney Carnival was cancelled as a mark of respect.</p>	
8.	<p>Healthier Catering Commitment (HCC)</p>	<p>The Team is delivering the project on behalf of Public Health as part of the Council's obesity strategy.</p>	<p>The Healthier Catering Commitment Lead Officer has been continuing to sign up new independent food businesses to the Healthier Catering Commitment in the past six months. In addition to signing up new businesses, the Officer has created a questionnaire which has been given to the current participants of the scheme. This is designed to find out what the businesses need as business in these current times. These have been distributed to most of the businesses and the Officer is currently awaiting some to answer these and get back to her. Once all of these have been collected, the answers will be evaluated and it will be decided what will be added as an additional benefit to the scheme. Some current options include Health and Safety Level 3 Training, Nutrition Training, Vegan cooking training and chances to connect with other independent local food business owners. This decision will be made by the end of the year.</p>	

			<p>The Healthy Catering Commitment Officer has also been working with ReLondon who have carried out some online training with EHO's in the food safety team. EHO's have now been trained on how to discuss the issue of food waste with food businesses, and explain to them how they can deal with this in the most effective way possible.</p> <p>Promotional materials regarding the NHS Healthy Start scheme have been sent to newsagents across the borough. This is in an attempt to raise the profile of the scheme and encourage new parents to sign up and gain the benefits if possible.</p> <p>The Officer has also been in discussions with ReLondon and the sustainability team within Hackney working on how to add some further sustainability conditions to the HCC scheme in the future. At the moment these are likely to be surrounding the topic of food business packaging, and environmentally the best approach to take with this. This will hopefully also include some further training with the food safety EHO's so they can talk to businesses about the best way to deal with this.</p>	
9.	Use of the Training Centre to improve food safety knowledge in local businesses and 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.	Due to the pandemic and the requirement for all staff to work from home the training centre was temporarily suspended. It is unlikely the training centre will return as the service will need to prioritise the FSA's recovery plan and implement a new database.	
10.	Primary Authority Principle (PAP)	This Service will look to engage businesses to establish a PAP to support businesses, raise standards and	All PAP agreements have ended as businesses wished to end the agreement and the Services resources were stretched due to the pandemic hence we will not take on any further agreements in the immediate/foreseeable future.	

		ensure a consistent approach to enforcement.		
11.	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.	The Service will strive to bring poor rated businesses into broad compliance.	44 revisits, where necessary, have been undertaken to date. There are currently no '0' rated businesses.	
12.	It is expected that the Service will receive over 1000 service requests in 2022/23		270 service requests were received at the end of Q2 (there has been a slight reduction compared with the same period last year due to the ease of covid related restrictions.	
13.	Proactive food sampling will be carried out in an intelligence-led way based on national, regional and local priorities and the Service will participate in relevant national surveys. Reactive sampling will be carried out where necessary in response to complaints and referrals but also during or following inspections.		Due to the pandemic and diversion of human resources to the Covid response Team the service did not participate in any national or local studies. However, the service will participate in local and national samples in Q3 and Q4.	
14.	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.		166 Infectious Disease notifications were received during the reporting period. Appropriate actions taken and investigated where deemed necessary in liaison with the regional Health Protection Team (PHE, now called UKHSA) were taken.	
15.	The Service has arrangements in place to ensure that it is able to implement the requirements of Food Law of Code Practice		Four Food Alerts issued by the Food Standards Agency were satisfactorily responded to during the reporting period.	

	in respect of food alerts.			
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\*Due to the pandemic the FSA suspended the normal format of LAEMS returns. All local authorities were required to provide figures on due and overdue inspections.

### ENVIRONMENTAL HEALTH - Health and Safety - Performance against Service Performance Indicators 2022/23 - 6 months update - (01.04.22 - 30.9.22)

PI Code	PI Short Name	Annual Target	2021/22	2022/23 (1/4/22 - 30/9/22)
NH PRS 033	Percentage of category A (health and safety) risk premises inspected	100%	100%	N/A* (100%)

\* No category 'A' premises were due for inspection.

### Health & Safety Performance against Service Performance Indicators 2022/23 - 6 month update (01.04.22 - 30.9.22)

What are the priorities?	Why intervene?	Where to intervene?	How to intervene?	When to intervene?	Update	RAG
1. Inspection of cat A high risk premises.	High risk	All high risk premises which have been tagged for inspection.	All high risk premises and any emerging high risk premises will be inspected in accordance with the established procedures.	On-going 2022/23 By the end of March 2023	No high risk premises had been tagged or identified within the reporting period.	
2. Develop and deliver the health and safety delivery plan.	A comprehensive service plan detailing the activities of the team is essential to provide focus and direction to the team  To ensure that reports are made within the prescriptive timescales and the details of the events have been	This Plan sets out the H&S service's priorities and resources identified.	Other interventions	Development by the end of April 2022,  Delivery by the end of Q4 2023	Completed	
3. Investigations of incidents and complaints using LAC 22/13(rev1)		10% of all RIDDOR notifications will be investigated.	Incident & ill health investigation.	On-going in 2022/23	67 RIDDOR notifications were received and all were satisfactorily actioned and	

	accurately represented.				investigated, as required	
4. Proactive work in accordance with the beauty sector strategy including the monitoring of reports and complaints to identify reports of ill health, accidents, incidents, poor performance, trends and local issues which may require further interventions or issues which may need to be taken forward nationally.	<p>The Environmental Health Team carries out health and safety inspections of Massage and Special Treatment (MST) premises to assist the Licensing Team determines initial applications. Subsequently all premises deemed to be carrying out high risk activities are inspected annually, upon receipt of renewal application. All H&amp;S related complaints related to MST premises are also investigated. Statutory return – performance information will be submitted to the Health and Safety Executive.</p> <p>To assess the adequacy of the electricity safety and maintenance</p>	The environmental health team will inspect all premises that apply for a new licence to provide UV light treatment, IPL, sauna, steam, spa, tattooing and body piercing) not ear and nose piercing)	Inspections and other appropriate interventions.	On-going in 2022/23	All new and renewal MST applications were responded to where high risk activities were considered to be involved.	
5. To take	To assess the	Carry out targeted	Through	On-going		

appropriate enforcement actions in respect of electricity safety issues under the Electricity at Work Regulation 1989	gas safety and maintenance procedures	interventions in hospitality setting	inspection, examination of safety procedures, and certification	g 2022/23	Actions being taken when relevant matters of evident concern in relations to electricity risks are identified.	
6.To take appropriate enforcement actions in respect of gas safety under the Gas Safety (Installation and Use) Regulations 1998- as amended		Carry out targeted interventions in catering premises	Through inspection, examination of safety procedures, and certification	On-going 2022/23	Refresher training for officers being organised	
7. Assess the adequacy of Welfare Provisions for the work related road safety delivery drivers under Workplace	To make an objective assessment  Undertake appropriate interventions consistent with Health and safety enforcement Policy.	Where necessary, based on the local knowledge intelligence or as part of the complaints investigation	Through inspection and questioning of riders and drivers etc	On-going 2022/23	Following a refresher training officers have been identifying gas related risks and taking appropriate actions.  A meeting with IWGB ( a Union representing the riders) was arranged and agreed that actions will be taken on a complaint basis.	
8. To take appropriate formal enforcement actions of H&S matters, when warranted.		Premises found to be unsafe will be faced with a graduated approach to enforcement. This could be a warning letter, an enforcement Notice or prosecution, in line with the enforcement policy.	Inspection or other appropriate interventions	On-going 2022/23	No complaint has yet been received.	



9. Development of standard operating procedures (SOP)	Up to date and accurate standard operating procedures are essential to the team.	A programme of review of H&S SOPs. Revised/new procedures will be integrated in the team's work stream.	Development and review of procedures	By end of Q3 2022/23	All relevant procedure notes will be reviewed and updated where necessary.	
10. Submission of LAE1 report	Statutory requirement	Annual and 6-month submissions	Statutory return of performance information will be submitted to Health and Safety Executive	By end of May 2022	Completed. LAE1 form was successfully submitted well within the time limit. No issues or enquiries were raised by the HSE in relation to information provided.	
11. Matters of Evident Concern (MEC) arising from multi-agency projects	Joint agency projects allow entry into premises that we would not normally inspect. This facilitates intelligence gathering on those business activities and their compliance with H&S regulations.	Projects with internal and external partners on, for example, illegal sale of tobacco, licenced premises and enforcement of illegal shisha premises. Officers will also deal with MEC whilst carrying out food hygiene and food standards inspections	Other intervention Inspection, joint operations	On-going 2022/23	Within the reporting period a number of Health and Safety concerns were noted by the officers when carrying out non H&S visits. Given that there is still no Information management system available figures for these actions is difficult to be manually determined	
12. Responsible Authority role/Event safety	To ensure public safety issues arising from licensed events and premises in the Hackney are minimised.	Beneficial to employers, workers and the wider economy.	Advice, guidance and inspections	On-going 2022/2023	No such events were organised during the reporting period.	
13. Initiate an awareness and enforcement	To ensure public and employee safety arising	Project will encompass all food businesses and appropriate checks	Advice, guidance and education and formal actions	In Q4 -2022 Statistic	Due to the impact of Covid-19 pandemic this	

programme for risks associated with poor maintenance of shop signs and gas safety in commercial food businesses.	from poor planned maintenance	will be made during programmed inspections and other visits to commercial premises	as required	s to be included in LAE1 form in May 2022	project will be initiated in Q4 onwards.	
14. Review the Authorisation of Inspectors through completion of the Competency Framework involving assessments of skills, knowledge and competencies.	To ensure that currently appointed Inspectors are equipped with relevant skills and knowledge to carry out statutory functions and can discharge responsibilities efficiently.	Development of appropriate competency framework and discussions with team members	Objective assessments	On-going 2021/22	Two officers seconded from other services within the Business Regulation Unit were assessed and authorised in Q1 to effectively deal with H&S risks within the hospitality sector.	
15. Covid Response Team (CRT) to continue to provide support and expert advice to the business under the direction of the Public Health Department (PHD). to help control any serious outbreaks of infection.	To help control the infection; in the event of varying strains spreading within the community without any control which in turn may lead to a consequential spike in the infection rate.	Any commercial premises such as Places of work with density of occupation and or other settings which can act as reservoir of infection	All premises and settings deemed by the PHD as capable of impacting adversely either locally or regionally.	By providing advice and guidance as and when required and by carrying out outreach visits if deemed necessary and if necessary taking formal enforcement actions under the H&S legislation	For the reporting period a dedicated Senior EHO was placed within the Public Health team to provide expert advice and guidance during the reporting period on a 0.5 FTE basis and was able to periodically issue guidance and provide support.	

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Appendix 2 - Trading Standards Service - 6 month update against the 2022/23 service plan - 6 month update (01.04.22 - 30.9.22)

KPI	Frequency of Reporting	Target	RAG
High Risk Inspections	Monthly*	100% by 31 <sup>st</sup> March 2023	
Upper Medium Risk Inspections	Monthly	100% by 31 <sup>st</sup> March 2023	
Complete all Animal Feed inspections by the end of year. (Statutory visits under Food Standards Agency)	Monthly	100% by 31 <sup>st</sup> March 2023	
Minimum 6 Weights and Measures inspections (Statutory requirement from National Measurement Office)	Monthly	100% by 31 <sup>st</sup> March 2023	

Item no	What are the priorities ?	Where to intervene?	Update	RAG								
1	High Risk Visits	To visit 100% of the high risk inspections by 31 <sup>st</sup> March 2023. Monthly reporting.	<p>Trading Standards have visited 100% of the high risk inspections in Q1 &amp; Q2.</p> <table border="1"> <thead> <tr> <th>Quarter</th> <th>Number of Visits</th> </tr> </thead> <tbody> <tr> <td>Q1</td> <td>117</td> </tr> <tr> <td>Q2</td> <td>46</td> </tr> <tr> <td>Total</td> <td>163</td> </tr> </tbody> </table>	Quarter	Number of Visits	Q1	117	Q2	46	Total	163	
Quarter	Number of Visits											
Q1	117											
Q2	46											
Total	163											
2	Upper Medium Risk Visits	To visit 100% of the Upper Medium risk premises by 31 <sup>st</sup> march 2023. Monthly reporting.	<p>Trading Standards have visited 100% of the Upper Medium risk inspections in Q1 &amp; Q2.</p> <table border="1"> <thead> <tr> <th>Quarter</th> <th>Number of Visits</th> </tr> </thead> <tbody> <tr> <td>Q1</td> <td>106</td> </tr> <tr> <td>Q2</td> <td>103</td> </tr> <tr> <td>Total</td> <td>209</td> </tr> </tbody> </table>	Quarter	Number of Visits	Q1	106	Q2	103	Total	209	
Quarter	Number of Visits											
Q1	106											
Q2	103											
Total	209											
3.	Underage sales	Maintain the reduction in	From 1/4/22 to 30/9/22 there have been 5 test purchase operations conducted. The products ranged from alcohol,									

	programme	underage to combat anti-social behaviour and to promote the health and well-being of young people. The target is to conduct 4 operations a year. One a quarter.	knives and tobacco and vaping goods and 1 sale of a Vape item to a minor. This surpasses the annual target of 4 operations.																								
4.	Tobacco Control	Reduction in illegal sales and the use of tobacco in support of government efforts to encourage smoking cessation.  To participate in appropriate/related health initiatives.	Trading Standards alongside partners in Public Health joined forces in the fight against illegal tobacco. Public Health currently funds one post which will combat illegal tobacco and alcohol.  <table border="1"> <thead> <tr> <th>KPI</th> <th>Q1</th> <th>Q2</th> </tr> </thead> <tbody> <tr> <td>No of premises from which tobacco was seized per quarter and advice given to retailers</td> <td>4</td> <td>3</td> </tr> <tr> <td>No of cigarettes seized</td> <td>2200</td> <td>400</td> </tr> <tr> <td>Volume of hand rolling tobacco seized in kg</td> <td>0.75</td> <td>5</td> </tr> <tr> <td>Volume of shisha seized</td> <td>0</td> <td>2</td> </tr> <tr> <td>Value of hand rolling kg</td> <td>£1712.50</td> <td>£832.00</td> </tr> <tr> <td>Volume of alcohol seized</td> <td>2 litres of whiskey</td> <td>0</td> </tr> <tr> <td>Value of alcohol seized</td> <td>non duty paid £52.50</td> <td>0</td> </tr> </tbody> </table>	KPI	Q1	Q2	No of premises from which tobacco was seized per quarter and advice given to retailers	4	3	No of cigarettes seized	2200	400	Volume of hand rolling tobacco seized in kg	0.75	5	Volume of shisha seized	0	2	Value of hand rolling kg	£1712.50	£832.00	Volume of alcohol seized	2 litres of whiskey	0	Value of alcohol seized	non duty paid £52.50	0
KPI	Q1	Q2																									
No of premises from which tobacco was seized per quarter and advice given to retailers	4	3																									
No of cigarettes seized	2200	400																									
Volume of hand rolling tobacco seized in kg	0.75	5																									
Volume of shisha seized	0	2																									
Value of hand rolling kg	£1712.50	£832.00																									
Volume of alcohol seized	2 litres of whiskey	0																									
Value of alcohol seized	non duty paid £52.50	0																									

			No of test purchases for under age sales of tobacco and alcohol	9	13									
5	Animal Feed	Ensure any animal feed issues are dealt with effectively and efficiently.	Trading Standards have visited 10 out of 29 registered premises up to the end of Q2.	<table border="1"> <thead> <tr> <th>Quarter</th> <th>No of Visits</th> </tr> </thead> <tbody> <tr> <td>Q1</td> <td>6</td> </tr> <tr> <td>Q2</td> <td>4</td> </tr> <tr> <td>Total</td> <td>10</td> </tr> </tbody> </table>		Quarter	No of Visits	Q1	6	Q2	4	Total	10	
Quarter	No of Visits													
Q1	6													
Q2	4													
Total	10													
6.	Weights & Measures	Ensure a minimum of 6 Weights & Measures inspections. (Statutory requirement from National Measurement Office)	Trading Standards have visited 49 premises to the end of Q2 with respect to weights & measures inspections. This program is ahead of the minimum of 36 for this period.	<table border="1"> <thead> <tr> <th>Quarter</th> <th>Number of Visits</th> </tr> </thead> <tbody> <tr> <td>Q1</td> <td>18</td> </tr> <tr> <td>Q2</td> <td>31</td> </tr> <tr> <td>Total</td> <td>49</td> </tr> </tbody> </table>		Quarter	Number of Visits	Q1	18	Q2	31	Total	49	
Quarter	Number of Visits													
Q1	18													
Q2	31													
Total	49													
7.	Consumer Advice and Education	Promote the Service and deliver advice to residents and businesses.  Respond to consumer complaints and service requests.	A Winter Warmer event was held for over 55s on Tuesday 1st November 2022.This project will take place in Q3.  Trading standards will provide advice to minimise the risk of our elderly citizens from becoming victims of scams and rogue traders.											
8.	Product Safety	Target of 1 project.	Various electrical Goods have been seized during TS operations as well as being counterfeit some are unsafe. There is work needed around the Ridley Road area with skin lighteners and cosmetic products.Target of 1 project has been achieved.  OPSS referrals regarding goods imported by companies within the borough have been actioned. A number of these are for businesses based at Mail Forwarding/registered office addresses, which makes it very difficult to take action											

			or advise the trader as they are based abroad mainly in China.	
9.	LTS week	Participation in London Trading Standards week	<p>All members of the team were involved in parts of the work during the LTS week. The week consisted the following:-</p> <ul style="list-style-type: none"> <li>• Visit areas in borough at building sites with scaffolding which historically there have been issues with rogue traders to ensure traders were aware of consumer cancellation rights and had provided appropriate paperwork.</li> <li>• Online surveillance of companies in Hackney including checks on social media checking legal compliance including cancellation rights.</li> <li>• Ten letting agents were visited as well as five agents websites to ensure legal compliance.</li> <li>• Finally visits were conducted to premises offering vapes and illegal tobacco. A total of thirteen were visited with receiving warnings for breaches of display requirements.</li> </ul>	
10.	Lettings	Conduct 3 per Q per officer and deal with any complaints	Target has been achieved. Visits and revisits are being carried out, possible action being taken against a number of agents who were non compliant. Three notices of intent being sent to persistent non compliant traders.	
11	Tackling Counterfeit Goods	Reduce the level of non-compliance and raise awareness through appropriate publicity.	<p>Project/Monitoring of traders in Ridley Road and Hackney Road is ongoing.</p> <p>Traders have been checked to ensure licences are displayed as well as them showing ownership details. In addition traders were asked to ensure all prices are displayed. Traders are checked to ensure no illegal counterfeit or unsafe items are displayed. Those traders who do not comply are subject to longer term investigation.</p> <p>Multi Agency Operation seizure of counterfeit/unsafe electrical chargers from three premises. Seizures have taken place in the Dalston investigations. Further work on counterfeit goods in the borough is planned. Shop owners and market operators could be prosecuted for aiding and abetting and money laundering if it can be proved they are aware what their tenants are selling, or have been written to to advise them of this, this was discussed.</p> <p>Ridley Road Sunday seller was discussed and the Sunday operation has been raised with Police who are willing to assist.</p>	
12.	Operation Liberal	Conduct visits at various building sites	Operation Liberal visits during LTS week looking for rogue traders speaking with businesses. Scams team referrals within Hackney for local residents being taken in by scam mail and sending of payments to these companies. Victims will be visited for advice and guidance. Ensure information for residents is updated and current scams are advised and leaflet on cash back scams notified.	

13.	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. Website information to be maintained and updated as necessary. Suitable information for press releases to be passed to the Communications Team.	One article has been published on the council website, another article is with them to be sent out.													
14.	Carry out Licensing checks	Ensure compliance with licensing principles.	The service continues to process Licensing applications as a Responsible Authority. Licensing applications and variations received have been responded to on time, five voluntary variations to application have been submitted and accepted by the applicant. Most applications now have terms required included in initial documents, The 'reduce the strength' condition is now being requested for off licences now.													
15.	Intel gathering	Prepare IDB intelligence reports where appropriate	<p>IDB stands for Intelligence Database. This system is used by most Trading Standards authorities. These IDB reports are uploaded by officers throughout the country from complaints received from the public. Most of these are received from the citizen advice service. At regional managers meetings the number of reports generated are reported and they analyse these reports to drive regional priorities</p> <table border="1"> <thead> <tr> <th>Year</th> <th>Referrals</th> <th>Other</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>2022/23 Q1</td> <td>70</td> <td>27</td> <td>97</td> </tr> <tr> <td>2022/23 Q2</td> <td>66</td> <td>32</td> <td>98</td> </tr> </tbody> </table>	Year	Referrals	Other	Total	2022/23 Q1	70	27	97	2022/23 Q2	66	32	98	
Year	Referrals	Other	Total													
2022/23 Q1	70	27	97													
2022/23 Q2	66	32	98													
16.	Enforcement actions	One Formal action per officer	Investigations are ongoing. Cases related to Trade Marks offences have an unlimited time limit but staff are on target to submit at least one report within one year.													
17.	POCA	Complete 2 financial investigations. Train 3 FI officers	Trainees are completing the work required to obtain their qualifications and complete their Personal Development Plans to obtain authorisation. This involves contacting financial institutions and reviewing banking data. One case to be submitted via a section 16 statement on 25th October 2022..													



15.	Complaints and service requests	Respond to complaints and service requests.	To the end of Q2 2022 there were a total of 195 consumer complaints received from members of the public.										
16.	No of scam victims supported	Total no of victims identified in the month by the NTS National Scams Team	<table border="1"> <thead> <tr> <th data-bbox="655 360 1011 423">Quarter</th> <th data-bbox="1011 360 1366 423">Number</th> </tr> </thead> <tbody> <tr> <td data-bbox="655 423 1011 486">Q1</td> <td data-bbox="1011 423 1366 486">3</td> </tr> <tr> <td data-bbox="655 486 1011 548">Q2</td> <td data-bbox="1011 486 1366 548">14</td> </tr> <tr> <td data-bbox="655 548 1011 611">Total</td> <td data-bbox="1011 548 1366 611">17</td> </tr> </tbody> </table>		Quarter	Number	Q1	3	Q2	14	Total	17	
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