

## The Highland Council

### Transport, Environmental and Community Services Committee 19 September 2013

Agenda Item	<b>5</b>
Report No	<b>TEC 65/13</b>

#### Review of Food Safety Service Plan for 2012/13

#### Report by Director of Transport, Environmental and Community Services

##### Summary

This report invites Members to approve the review of the Food Safety Service Plan for 2012/13.

#### 1. Background

- 1.1 When acting as the statutory Food Authority the Council must have regard to the 'Framework Agreement on Local Authority Food Law Enforcement' which sets out the standards agreed with the Food Standards Agency.
- 1.2 The Framework Agreement requires each food safety service to document and implement a food service plan in accordance with a specified standard. A documented performance review of the plan requires to be carried out at least once a year. Both the plan and the review have to be submitted for Member approval to ensure local transparency and accountability.
- 1.3 The Food Safety Service Plan for 2012/13 was approved by this Committee on 15 March 2012. The review of the Food Service Plan for 2012/13 is contained in **Appendix A**.
- 1.4 The Food Safety Team Plan for 2013/14, including specific targets, was approved by this Committee on 14 March 2013.

#### 2. Implications

- 2.1 There are no resource implications arising from this report.
- 2.2 The current Framework Agreement the Food Standards Agency indicates that full compliance with all inspection frequencies will be expected. As stated in previous reports to the Committee, the food safety service cannot achieve this standard with current resources. Work is prioritised on areas of highest potential risk.
- 2.3 There are no equality implications arising from this report.
- 2.4 There are no climate change/carbon clever implications arising from this report.

2.5 There are no risk implications arising from this report.

**3. Recommendation**

3.1 Members are invited to approve the review of the Food Safety Service Plan for 2012/13 as detailed in **Appendix A**.

Designation: Director of Transport, Environmental and Community Services

Date: 6 September 2013

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Background Papers:

Food Standards Agency 'Framework Agreement on Local Authority Food Law Enforcement'

<http://www.food.gov.uk/enforcement/enforcework/frameagree/>

TEC Services - Environmental Health  
Food Safety Service Plan 2012/13  
Review

**Appendix A**

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### 1. Introduction

- 1.1 The Environmental Health Service of Transport, Environmental and Community Services (TEC Services) acts as the statutory Food Authority to provide food regulatory and advice functions within the Highland Council area. The Food Safety Service Plan 2012/13 outlined the Environmental Health approach to delivering all aspects of food regulatory and advice functions. This was approved by the TEC Services Committee on 15<sup>th</sup> March 2012. This document reviews the 2012/13 Food Safety Service Plan.

### 2. Food Premises Inspections

#### 2.1 Food Hygiene

In 2012/13 premises in the two highest risk categories (A, B) were prioritised for inspection in terms of the minimum frequency laid in the Code of Practice. Priority was also given to the inspection of C category premises.

- 2.2 Resources did not permit the inspection of all premises in categories C or D in terms of the minimum frequencies specified in the Code of Practice.

### 2.3 Food Hygiene Inspections - performance

Category	Inspection frequency (minimum)	Due in 2012/13	Done by due date	2012/13 %	2011/12 %	2010/11 %
A	Every 6 months	45	43	96%	94%	100%
B	Every year	258	250	97%	96%	98%
C	Every 18 months	968	722	75%	91%	92%
D	Every 2 years	272	57	21%	46%	42%

### 2.4 In total officers carried out 1996 visits to premises in connection with food hygiene:

Visit Type	2012/13	2011/12	2010/11
Full inspection	1329	1626	1546
Sampling visit/sampling survey	75	632*	680*
Advisory/Educational Visit	38	47	38
Partial Inspection	298	312	116
Visit - ceased trading or no access	256	223	140
total	1996	2840	2520
Shellfish sample visits	1005	*na	*na

### 2.5 Food Standards

Food Standards work is concerned with composition and labelling of food. In 2012/13 all premises in the highest risk category and manufacturers in the medium risk category were prioritised for inspection in terms of the minimum frequency specified in the Code of Practice.

### 2.6 Resources did not permit the inspection of all premises in category 'Medium' in terms of the minimum frequencies specified in the Code of Practice.

### 2.7 Food Standards Performance:

Category	Inspection frequency (minimum)	Due in 2012/13	Done by due date	2012/13 %	2011/12 %	2010/11 %
High	Every year	20	16	80%	90%	96%
Medium manufacturers	Every 2 years	57	31	54%	53%	53%

### 2.8 In total officers carried out 969 visits to premises in connection with food standards:

Visit Type	2012/13	2011/12	2010/11
Full inspection	650	490	589
Sampling visit/sampling survey	129	59	198
Advisory/Educational Visit	9	16	9
Partial Inspection	103	143	57
Visit - ceased trading or no access	78	88	64
total	969	796	917

### 3. Enforcement Action

- 3.1 In carrying out food hygiene and food standards duties, officers apply the general principles of proportionality (i.e. that enforcement action taken is in proportion to the risk posed) when considering enforcement. However, there are circumstances where enforcement is the appropriate action to resolve contraventions of legislation.

In 2012/13, officers undertook the following enforcement actions:

	2012/13	2011/12	2010/11
Sent warning letters regarding contraventions	928	1269	1027
Made revisits to premises	193	113	95
Served improvement notices requiring improvements within premises	16	12	13
Secured a voluntary closure agreement with premises	3	4	1
Served a remedial action notice restricting activities	3	0	0
Secured voluntary surrender of food	1	5	1

### 4. Food Complaints

- 4.1 **The total number of food complaints received in 2011/12 was 95.** The complaints covered the following matters:

Type	2012/13	Examples	2011/12	2010/11
Complaints regarding food (e.g. unfit, foreign bodies)	40	<ul style="list-style-type: none"><li>foreign object in milk shake</li><li>live beetle in meal</li><li>pie with mould</li><li>raw burger being sold</li><li>snail found in frozen peas</li></ul>	68	49
Complaints on hygiene of premises or staff	39	<ul style="list-style-type: none"><li>raw sewage leak at premises</li><li>cats being kept in food shop</li><li>poor hygiene in hotel kitchen</li></ul>	39	54
Complaints regarding food standards (e.g. labelling or composition)	16	<ul style="list-style-type: none"><li>labelling of ham</li><li>selling out of date food</li></ul>	16	19

All complaints were investigated by officers.

### 5. Provision of Advice to Business and the public

- 5.1 **In 2012/13 officers dealt with 195 requests for information on food safety (255 in 2011/12).** These covered such areas as setting up new food businesses, food hygiene training, exporting food, labelling, and operating a food business from a domestic house.

### 6. Food Sampling

- 6.1 Environmental Health currently has a contract for bacteriological examination and chemical analysis of foodstuffs with Dr. AC Mackie, Public Analyst, City of Edinburgh.

- 6.2 The food sampling target figures (on which the contracts with the food examiners have been agreed) are based on a target of three samples per 1,000 population, per year. Target figures for 2011/12 were **500 bacteriological** samples and **500 chemical** samples (composition and labelling). Sample is targeted at high risk local manufacturers and involvement with national surveillance surveys.

6.3 In 2012/13 officers took **the following food samples**

	2012/13 total	2012/13 satisfactory	2011/12 total	2011/12 satisfactory
Microbiological	340	84%	245	90%
Chemical (includes labelling)	423	80%	269	74%

6.4 In addition **1166 samples of shellfish** were taken in 2012/13 as part of the shellfish sampling schemes for biotoxins and to monitor classified shellfish waters (**1221 taken in 2011/12**)

7. **Control and Investigation of Outbreaks and Food Related Infectious Disease**

7.1 Environmental Health works closely with colleagues within NHS Highland's public health team to investigate incidents of infectious disease. Standard infectious gastroenteritis questionnaires are used by all Officers for investigation of infectious diseases.

**In 2012/13 officers:**

- **Investigated 10 possible outbreaks (all suspected viral)**
- **Investigated 9 reports from the public on suspicion of food poisoning**
- **carried out 215 individual interviews following confirmed infectious disease reports to NHS Highland.**

8. **Food Safety Incidents**

8.1 **Horse Meat Contamination**

In January 2013, the Food Safety Authority of Ireland published details of food sampling that identified the presence of horse and pig DNA in beef burgers. These finding triggered wide spread investigations throughout Europe which has led to horse meat being discovered in a wide range of meat products. Environmental Health has been carrying out local work into the scandal including taking over 80 local samples and carrying out focussed inspections at 17 businesses in Highland. These included abattoirs, catering butchers, game processors and meat product manufacturers. All samples have been clear of horse meat contamination. Environmental Health provided a swift response to provide local reassurance to both consumers and food businesses.

8.2 National and international Food Alerts are brought to the attention of Environmental Health by the Food Standards Agency. **In 2012 officers received 107 food alerts. This included 6 alerts requiring action and notification of 41 withdrawals of product.** Examples of alerts requiring action in 2012/13 included Chicken Pakora that was handled and packaged in an unapproved establishment and sandwiches, baguettes, wraps and filled rolls because they have been produced in a premises in Glasgow that had been served with a Hygiene Emergency Prohibition Notice due to a rodent infestation.

## **9. Liaison with other organisations**

9.1 Environmental Health takes measures to ensure that enforcement action taken in its area is consistent with that in neighbouring authorities. The Principal Food Safety Officer is a member of the North of Scotland Food Liaison Group (NSFLG) which comprises members of all food authorities in the north of Scotland, i.e. Highland, Orkney, Shetland, Aberdeenshire, Aberdeen and Moray. **In 2012/13 the EHOs taking special responsibility for food safety attended 4 meetings of this group.**

## **10. Food Safety and Standards Promotion**

10.1 The resources available to Environmental Health are limited and hygiene inspections of high risk food premises have been given priority. Consequently food safety promotion has to be very focussed. In 2012/13 Environmental Health gave presentations at the Black Isle Show and did a number of advertisements relating to food safety.

## **11. Resources**

11.1 **Financial allocation** TEC Services is a multi-disciplinary Service that combines Environmental Health with a number of other functions. It is not possible to extrapolate costs relating to food safety specifically. The total Environmental Health revenue budget for 2012/13 was £1.962 million. This included all staffing costs, training, travel and subsistence and overheads. The TEC Services revenue budget for the same period was £60.682 million.

### **11.2 Staffing allocation**

The Food Safety team had a significant change in 2012/13 with the deletion of the Principal Food Safety Officer post following a team restructure. The responsibilities of this post were shared across the Environmental Health management team and 2 EHOs volunteered to take a lead for food hygiene and food standards issues respectively. The new arrangements are being monitored.

The following numbers of officers were working on food safety law in 2012/13:

- food hygiene and standards enforcement: **11.1** full-time equivalent staff
- Shellfish monitoring (FSA funded): **4.5** full-time equivalent staff
- Farm Hygiene (FSA funded): **0.75** full-time equivalent staff

## **12. Areas of Improvement – Review of specific 2012/13 targets**

12.1 Last year's plan set 6 targets for improvement. Progress on these targets is reviewed below:

### **1. Implement Food Standards Agency guidance on cross-contamination**

In 2012/13 work on this area continued with an Implementation Strategy being approved by TECs Committee in November 2012. Training and briefing sessions were also held with officers. Further letters and guidance were sent out to premises identified as high risk. Pilot inspections were also carried out of premises. Work has continued with other North of Scotland local authorities on taking a

consistent approach to implementing the new guidance. This issue **has** been carried forward as an improvement area in 2013/14.

**2. Launch the Food Hygiene Information Scheme in May 2012 and continue preparatory work for further launches.**

The initial launch of FHIS went ahead in May 2012 covering around 950 premises throughout the Highlands. Work continued throughout 2012/13 with further launches in October 2012 and March 2013.

The conclusion of FHIS roll-out **was** carried forward as an improvement area in 2013/14 and the final launch was completed in June 2013, almost a year early from the initial proposed completion date of June 2014. The website now covers 3,300 Highland food businesses and also provides apps that consumers can download for their telephones to allow searches while away from their homes.

**3. Review export health certificate procedures and charges**

Work continued on this issue in 2012/13 with a report going to TECs Committee in November 2012 approving a review of charges. A COSLA/SOCOEHs (Society of Chief Officers of Environmental Health Scotland) working group has been established to take forward a national approach to charges and guidance. The Highland Council have representation on this group. This issue **has** been carried forward as an improvement area in 2013/14

**4. Ensure requirements of new Shellfish Sampling contract with the FSA are achieved**

A great deal of work was undertaken in 2012/13 with the FSA on establishing performance measures and ensuring the contract requirements were being achieved. This work progressed well with no significant issues being identified.

**5. Develop local shellfish action groups**

Initial contact was made with key partners SEPA and Scottish Water but the groups were not developed due to competing work priorities. This issue **has** been carried forward as an improvement area in 2013/14.

**6. Review approval of egg packers**

Limited work on this area was carried out in 2012/13 due to competing priorities. This issue **has** been carried forward as an improvement area in 2013/14.

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