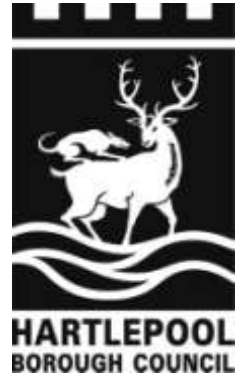


REGENERATION SERVICES COMMITTEE AGENDA



Monday 23 July 2018

at 2.00pm

**in Committee Room B
at the Civic Centre, Hartlepool.**

MEMBERS: REGENERATION SERVICES COMMITTEE

Councillors Brown, Cook, Cranney, Lindridge, Moore, Smith and Vacancy

1. APOLOGIES FOR ABSENCE

2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS

3. MINUTES

3.1 Minutes of the meeting held on 18 June 2018 *(previously circulated and published)*.

4. BUDGET AND POLICY FRAMEWORK

No items.

5. KEY DECISIONS

No items.

6. OTHER ITEMS REQUIRING DECISION

6.1 Food Law Enforcement Service Plan – *Assistant Director, Environment and Neighbourhood Services*



7. ITEMS FOR INFORMATION

- 7.1 Referral from Council - Armistice Day Commemorations – Verbal Update –
Assistant Director (Economic Growth and Regeneration)

ITEMS FOR INFORMATION

Date of next meeting – Monday 24 September 2018 at 2.00pm in the Civic Centre,
Hartlepool.



REGENERATION SERVICES COMMITTEE

23rd July 2018



Report of: Assistant Director (Environment & Neighbourhood Services)

Subject: FOOD LAW ENFORCEMENT SERVICE PLAN
2018/19

1. TYPE OF DECISION/APPLICABLE CATEGORY

Non-Key decision.

2. PURPOSE OF REPORT

2.1 To consider the Food Law Enforcement Service Plan for 2018/19.

3. BACKGROUND

- 3.1 The Food Standards Agency has a key role in overseeing local authority enforcement activities. They have duties to set and monitor standards of local authorities as well as carry out audits of enforcement activities to ensure that authorities are providing an effective service to protect public health and safety.
- 3.2 On 4 October 2000, the Food Standards Agency issued the document "Framework Agreement on Local Authority Food Law Enforcement". The guidance provides information on how local authority enforcement service plans should be structured and what they should contain. Service Plans developed under this guidance will provide the basis on which local authorities will be monitored and audited by the Food Standards Agency.
- 3.3 The service planning guidance ensures that key areas of enforcement are covered in local service plans, whilst allowing for the inclusion of locally defined objectives.
- 3.4 The Food Law Enforcement Service Plan for 2018/2019 is available in **Appendix 1** and takes into account the guidance requirements. The Plan details the Service's priorities for 2018/19 and highlights how these priorities will be addressed.

4. PROPOSALS

4.1 The Service Plan for 2018/19 has been updated to reflect last year's performance.

4.2 The Plan covers the following:

(i) Service Aims and Objectives:

That the Authority's food law service ensures public safety by ensuring food, drink and packaging meets adequate standards.

(ii) Links with Community Strategy, Corporate and Departmental Plans:

How the Plan contributes towards the Council's main priorities (Jobs and the Economy, Lifelong Learning and Skills, Health and Wellbeing, Community Safety, Environment, Culture and Leisure and Community Learning and Strengthening Communities).

(iii) Legislative Powers and Other Actions Available:

Powers to achieve public safety include programmed inspections of premises, appropriate registration/approval, food inspections, provision of advice, investigation of food complaints and food poisoning outbreaks, as well as the microbiological and chemical sampling of food.

(iv) Resources, including financial, staffing and staff development.

(v) A review of performance for 2017/18.

5. SUMMARY OF MAIN ISSUES RAISED IN THE PLAN

5.1 During 2017/18 the service completed 100% of all programmed food hygiene, food standards and feed hygiene interventions planned for the year. In total 421 food hygiene interventions were completed, 281 food standards and 6 feed hygiene interventions. (By comparison during 2016/17 387 food hygiene; 273 food standards and 14 feed hygiene interventions were undertaken).

5.2 In addition to the planned interventions 94 new food businesses were registered and inspected during the year.

5.3 As at the 1st April 2018, 99.2% of businesses in the borough were "Broadly Compliant" with food safety requirements (on 1st April 2017 the figure was 98.5%). For food standards 97.3% of businesses achieved broad compliance (in 2017 the figure was 97.2%). We aim to concentrate our resources to increase our current rate by the end of 2018/19, however given the current financial climate this will be extremely challenging.

5.4 On 1st April 2012 Hartlepool Council migrated from the Tees Valley Food Hygiene Award scheme, which the Council has operated since 1 April 2007, to the national Food Hygiene Rating Scheme (FHRS). The FHRS scheme was launched by the FSA in November 2010 as a FSA / local authority partnership initiative to help consumers choose where to eat out, or shop for food. It was developed with the aim that it would become the single national scheme for England, Wales and Northern Ireland.

5.5 The profile of Hartlepool food premises is as follows:

Hygiene Rating	No of Premises @ 1.4.12	No of Premises @ 1.4.13	No of Premises @ 1.4.14	No of Premises @ 1.4.15	No of Premises @ 1.4.16	No of Premises @ 1.4.17	No of Premises @ 1.4.18
5 ('Very Good')	407 (59.1%)	434 (60.9%)	456 (66.7%)	471 (68.3%)	502 (72.2%)	539 (76.9%)	561 (80.6%)
4 ('Good')	139 (20.2%)	164 (23.0%)	149 (21.8%)	136 (19.7%)	125 (18.0%)	107 (15.3%)	101 (14.5%)
3 ('Generally Satisfactory')	86 (12.5%)	63 (8.9%)	63 (9.2%)	56 (8.1%)	55 (7.9%)	43 (6.1%)	28 (4.0%)
2 ('Improvement Necessary')	28 (4.1%)	22 (3.1%)	9 (1.3%)	18 (2.6%)	8 (1.2%)	10 (1.4%)	4 (0.6%)
1 ('Major Improvement Necessary')	12 (1.7%)	13 (1.8%)	7 (1.0%)	9 (1.3%)	3 (0.4%)	2 (0.3%)	2 (0.3%)
0 ('Urgent Improvement Necessary')	1 (0.1%)	0 (0%)	0 (0%)	0 (0%)	2 (0.3%)	0 (0%)	0 (0%)
'Awaiting Inspection'	16 (2.3%)	17 (2.4%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)
Sub Total	689	713	684	690	695	701	696
'Exempt'	47	49	45	44	45	42	42
'Excluded'	7	9	10	10	1	1	10
Sensitive	0	32	32	1	8	9	1
Total	743	803	771	745	749	753	749

5.6 It is very pleasing to note that 99.1% of the premises inspected during 2017/18 received a hygiene rating of '3' ('Generally satisfactory') and above. This is 7.3% greater than six years ago when the scheme was introduced and 0.8% greater than a year ago.

5.7 The service is committed to focussing its resources on carrying out interventions at those businesses which are deemed not to be 'broadly compliant' and has liaised with businesses that have been awarded a hygiene rating of '2' or less offering advice and support. Enforcement action will be taken to secure compliance where necessary.

5.8 During the year eighteen businesses requested re-rating visits. Of these seventeen businesses were re-inspected in accordance with the FHRS. Sixteen businesses demonstrated an improvement in standards and their

rating increased following an unannounced inspection; 10 achieved the highest rating.

- 5.9 The team has continued to offer tailored advice and information on request with 60 advisory visits to businesses being carried out during the year.
- 5.10 Whilst no Hygiene Emergency Prohibition Notices were served on businesses during 2017/18, 1 voluntary closure was agreed. Two Hygiene Improvement Notices were issued; one requiring the provision of a wash hand basin and the other was for the provision of food hygiene training.
- 5.11 The results of the food sampled as part of this years' microbiological sampling programme were good, with 82/98 (83.7%) reported as satisfactory. The results from the environmental samples were broadly similar, with 79/100 (79%) being reported as satisfactory with an additional 7 results reported as borderline.
- 5.12 The authority participated in 5 regional surveys: 'Hygiene in school kitchens', 'Imported fresh herbs survey', Bakery survey, 'Chilled RTE foods survey' and 'Farm shop survey.' All but 2 of the survey samples were reported as satisfactory.
- 5.13 Of the 26 ad hoc food samples taken 8 were reported as borderline and 3 as unsatisfactory. Nine of these samples were taken from 2 premises in response to complaints. Advice was given and re-sampling undertaken to secure improvements.
- 5.14 The results for the food standard samples were very good, with 11/12 samples meeting statutory requirements. An area of work which we were unable to complete during 2016/17 due to resource constraints was the Colours* in Takeaway Meals from Indian Restaurants and Takeaways sampling survey. This was incorporated into this year's Food Standards sampling programme. Only one unsatisfactory result was obtained which concerned the presence of Sunset Yellow in a Chicken Tikka Masala dish. Appropriate advice was given to the food business operator.
- 5.15 As far as possible resources have been directed towards carrying out initiatives which will contribute to the Public Health Framework Outcomes.
- 5.16 During 2017/18 promotional/campaign work was carried out on the initiatives detailed overleaf and this work will be continued during 2018/19:

1) Takeaways Project

We are acutely aware of the impact that access to unhealthy food is having on the rising rates of obesity and health inequalities. Research has shown that fast food takeaways provide a source of some of the unhealthiest food that is available in our communities.

Work has continued on a Takeaways Project, the aim of which is to:

- i) *Work with takeaway businesses and the food industry to make food healthier*

Through the use of interventions such as sampling, provision of information and advice we aim to support businesses to improve the healthiness of the food they offer while helping the business to save money.

We have worked with the Chinese and Indian Communities and we plan to roll out the project to other sectors.

- ii) *Explore and where possible use regulatory and planning measures to address the proliferation of hot food takeaway outlets*

We will continue to work with other regulators, including colleagues in the Planning team to encourage good practice within the takeaway sector. In particular we have explored the use of planning measures to restrict the proliferation of hot food takeaways in areas of over concentration or where vulnerable groups of children and young people are a concern.

All the relevant hot food takeaways in Hartlepool have been identified and mapped. The density of local and future provision of takeaways is addressed in the Council's emerging Local Plan.

2) Food Safety Awareness Campaigns

Each year about half a million people are confirmed as suffering from food poisoning; the most common causes of which are Campylobacter, Clostridium perfringens, Norovirus and Salmonella. To tackle food poisoning we will raise awareness of food safety by supporting national initiatives such as the Food Standards Agency's Food Safety Week campaign.

3) Holiday Hunger Scheme

During the school holidays, many children do not receive the meals they would usually get free at school. To address this issue the Council operates a Holiday Hunger Scheme that involves providing organisations with funding so that they can develop their own bespoke schemes for tackling food poverty that directly address the needs of communities.

To ensure the safe provision of food we liaise with Health Improvement colleagues and all recipients of grant funding, ensuring that food businesses are registered and complying with relevant food law.

We will support the food business operator and their clients through the provision of information, advice and demonstrations on a range of topics including food safety, effective hand washing and signpost them to

resources, such as the GermWatch Teaching and Learning materials for primary schools and recipes.

4) Allergy Awareness Campaign

We will use a range of interventions including sampling, provision of information and advice and working with colleagues in other local authorities to raise awareness regarding allergens and food labelling legislation.

- 5.17 During 2018/19 there are 298 programmed food hygiene interventions, 98 programmed food standards inspections and 5 feed hygiene inspections planned. (The number of premises liable for inspection fluctuates from year to year as the programme is based on the risk rating applied to the premises which determines the frequency of intervention). An estimated 100 re-visits and 80 additional visits to new/changed premises will be required during the year.
- 5.18 The Public Protection Section continues to face significant financial pressures due to ongoing Council savings and, as such, the need to prioritise service delivery and maximise effectiveness remains paramount. During 2018/19 we will target our resources effectively using a range of interventions, including providing advice to businesses, with the aim of influencing behaviours and improving the management of food safety risks which will have impact on wider public health outcomes. We will continue to explore how we can contribute to the Public Health Outcomes Framework and funding streams to support this area of work.
- 5.19 We will continue to work in partnership with the North East Public Protection Partnership's Better Business for All Working Group to explore what we can do to deliver our services better to promote economic growth in the region.
- 5.20 From 1st April 2018 we will introduce a dual system for dealing with re-rating requests made under the Food Hygiene Rating Scheme. All businesses will be entitled to submit a request for one free re-rating visit however they must wait a minimum of three months for the visit. If the business pays a fee of £150 they can expedite the process and may also make multiple requests for re-rating visits. This system has been agreed and introduced by the other Tees Valley local authorities.
- 5.21 The Food Standards Agency is carrying out a wide ranging review of food/feed regulation. The programme is intended to create a system that is modern, risk-based, proportionate, robust and resilient. Leaving the European Union will change patterns of food production, trade and consumption. We will need to keep abreast of and respond to any changes to legislation, guidance and policy decision and monitor the impacts of any changes to the regulatory framework. We will continue to review and update our Food and Feed Quality Management System and Standard Operating Procedures to reflect the changes.

6. RISK IMPLICATIONS

- 6.1 If the Food Law Enforcement Law Service Plan 2018/19 is not adopted we will not meet the requirements of the Food Standards Agency Framework Agreement on Local Authority Food Law Enforcement.

7. FINANCIAL CONSIDERATIONS

- 7.1 There are no financial considerations to this report.

8. LEGAL CONSIDERATIONS

- 8.1 If the Food Law Enforcement Law Service Plan 2018/19 is not adopted we will not meet the requirements of the Food Standards Agency Framework Agreement on Local Authority Food Law Enforcement.

9. CONSULTATION

- 9.1 There is no requirement to undertake specific or general consultation during the preparation of the proposals set out in the report.

10. CHILD AND FAMILY POVERTY CONSIDERATIONS

- 10.1 There are no child and family poverty implications relating to this report.

11. EQUALITY AND DIVERSITY CONSIDERATIONS

- 11.1 There are no equality and diversity implications relating to this report.

12. STAFF CONSIDERATIONS

- 12.1 There are no staff considerations relating to this report.

13. ASSET MANAGEMENT CONSIDERATIONS

- 13.1 There are no asset management considerations relating to this report.

14. RECOMMENDATIONS

- 14.1 That the Regeneration Services Committee approves the Food Law Enforcement Service Plan for 2018/19.

15. REASONS FOR RECOMMENDATIONS

- 15.1 The Food Law Enforcement Service Plan 2018/19 needs to be adopted to comply with the requirements of the Food Standards Agency Framework Agreement on Local Authority Food Law Enforcement.

16. BACKGROUND PAPERS

- 16.1 There are no background papers for this report.

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Hartlepool Borough Council

Food Law Enforcement Service Plan 2018/19

FOOD SERVICE PLAN 2018/19

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INTRODUCTION

This Service Plan details how the food law service will be delivered by Hartlepool Borough Council. The food law service covers both food and feed enforcement.

The Plan accords with the requirements of the Framework Agreement on Local Authority Food Law Enforcement, and sets out the Council's aims in respect of its food law service and the means by which those aims are to be fulfilled. Whilst focussing primarily on the year 2018/19, longer-term objectives are identified where relevant. Additionally, there is a review of performance for 2017/18 and this aims to inform decisions about how best to build on past successes and address performance gaps.

The Plan is reviewed annually and has been approved by the Regeneration Services Committee.

1 SERVICE AIMS AND OBJECTIVES

1.1 Service Aims and Objectives

Hartlepool Borough Council aims to ensure:

- that food and drink intended for human consumption which is produced, stored, distributed, handled or consumed in the borough is without risk to the health or safety of the consumer;
- food and food packaging meets standards of quality, composition and labelling and reputable food businesses are not prejudiced by unfair competition; and
- the effective delivery of its food law service so as to secure appropriate levels of public safety in relation to food hygiene, food standards and feeding stuffs enforcement.

In its delivery of the service the Council will have regard to directions from the Food Standards Agency (FSA), Approved Codes of Practice, the Regulators' Code and other relevant guidance.

1.2 Links to Corporate Objectives and Plans

This service plan fits into the hierarchy of the Council's planning process as follows:

- Hartlepool's Community Strategy - the Local Strategic Partnerships (the Safer Hartlepool Partnership) and the Health and Wellbeing Board
- Public Protection Service Plan
- Food Law Enforcement Service Plan - sets out how the Council aims to deliver this statutory service and the Public Protection service's contribution to corporate objectives.

Overall Aim / Vision

The Council's overall aim is:

“To take direct action and work in partnership with others, to continue the revitalisation of Hartlepool life and secure a better future for Hartlepool people.”

The Council's aim is based on, and virtually identical to, the Hartlepool Partnership's long term vision, agreed in July 2008, looking 20 years ahead, which is:-

‘Hartlepool will be a thriving, respectful, inclusive, healthy, ambitious and outward-looking community, in an attractive and safe environment, where everyone is able to realise their potential.’

The Council has adopted eight themes that the Partnership has agreed forms part of the sustainable Community Strategy:-

- Jobs and the Economy
- Lifelong Learning and Skills
- Health and Wellbeing
- Community Safety
- Environment
- Housing
- Culture and Leisure and Community Learning
- Strengthening Communities

The Council has a ninth theme, which covers what the Council is doing to sustain its capacity to deliver excellent, value for money services in the future:-

- Organisational Development

To contribute to the Council's overall aim/vision, through this Food Law Enforcement Service Plan, the Commercial Services team has made a commitment to ensure the safe production, manufacture, storage, handling and preparation of food and its proper composition and labelling.

This Food Law Service Plan contributes towards the main themes in the following ways:

- **Jobs and the Economy**

By providing advice and information to new and existing businesses to assist them in meeting their legal requirements with regard to food law requirements, and avoid potential costly action at a later stage;

- **Lifelong Learning and Skills**

By providing and facilitating training for food handlers on food safety as part of lifelong learning, and promoting an improved awareness of food safety and food quality issues more generally within the community;

- **Health and Wellbeing**

By ensuring that food businesses where people eat and drink, or from which they purchase their food and drink, are hygienic and that the food and drink sold is safe, of good quality and correctly described and labelled to inform choice;

- **Community Safety**

By encouraging awareness amongst food businesses of the role they can play in reducing problems in their community by keeping premises in a clean and tidy condition;

- **Environment**

By encouraging businesses to be aware of environmental issues which they can control, such as proper disposal of food waste;

- **Culture and Leisure and Community Learning**

By exploring ways to promote high standards of food law compliance in hotels, other tourist accommodation, public houses and other catering and retail premises.

- **Strengthening Communities**

By developing ways of communicating well with all customers, including food business operators whose first language is not English, and ensuring that we deliver our service equitably to all.

- **Organisational Development**

To contribute towards the key outcomes of improving the efficiency and effectiveness of the organisation and to deliver effective customer focussed services, meeting the needs of diverse groups and maintaining customer satisfaction.

The Council is committed to the principles of equality and diversity. The Food Law Enforcement Service Plan consequently aims to ensure that the same high standards of service is offered to all, and that recognition is given to the varying needs and backgrounds of its customers.

2 BACKGROUND

2.1 Profile of the Local Authority

Hartlepool is located on the north-east coast of England to the north of the River Tees. The Borough consists of the main town of Hartlepool, the seaside resort of Seaton Carew and a number of small outlying villages. The total area of the Borough is 9,390 hectares. The residential population is 92,028 of which ethnic minorities comprise 3.4% (2011 census).

Hartlepool is a unitary authority, providing a full range of services. To the south of Hartlepool is the wider Teesside conurbation which includes the boroughs of Middlesbrough, Stockton on Tees and Redcar and Cleveland, and which together with Hartlepool and Darlington makes up the Tees Valley sub-region. Bordering Hartlepool to the north is the administrative area of County Durham.

The borough has a long and proud history, with the original settlement of Hartlepool dating back to Saxon times. Originally an important religious settlement the town's early development resulted from the existence of a safe harbour and its role as a port for the city of Durham and subsequent grant of a Royal Charter from King John in 1201.

The main phase of Hartlepool's expansion took place from the mid 19th Century with the building of a new railway and docks to serve the export of coal. The town continued to expand over the next 100 years as port trade increased and the development of heavy industries including steel making, shipbuilding and manufacturing. Like most industrialised towns in the north of England, Hartlepool has suffered over the last half century from structural reform of these industries and the town has had to look for new opportunities to diversify the economy.

Over the past 20 years Hartlepool has experienced some transformational changes through public and private investment. This has included the transformation of the former South Docks area into a fabulous 500-berth marina where the town hosted The Tall Ships Race in 2010.

The tourist industry impacts upon recreational opportunities, shopping and leisure facilities, including the provision of food and drink outlets restaurants, bars and cafes. There are currently 749 food establishments in Hartlepool, all of which must be subject to intervention to ensure food safety and standards are being met.

2.2 Organisational Structure

Hartlepool Borough Council is a democratic organisation. Following a referendum held on 15th November 2012, Hartlepool Borough Council agreed a revised Constitution which sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people.

The Council moved from operating under an Elected Mayor and Cabinet model of governance to an arrangement based on Committees of 33 elected Councillors who are responsible for agreeing policies about provision of services and how the Council's money is spent.

Under the Council's governance arrangements, most day-to-day decisions are taken by five Policy Committees. These Policy Committees cover the following main service areas

- Finance and Policy Committee
- Adult Services Committee
- Children's Services Committee
- Neighbourhood Services Committee
- Regeneration Services Committee

The Regeneration Services Committee provides political oversight for food law enforcement.

The Council is made up of four Departments:

- Chief Executives
- Childrens and Joint Commissioning Services
- Adults and Community Based Services
- Regeneration and Neighbourhoods

The food law service is delivered through the Public Protection section of the Regeneration and Neighbourhoods Department.

2.3 Scope of the Food Service

The Council's Commercial Services team is a constituent part of the Regeneration and Neighbourhood Services Department and is responsible for delivery of the food service. The food service covers both food and feed enforcement.

Service delivery broadly comprises:

- programmed interventions of premises for food hygiene, food standards and feed hygiene;
- registration and approval of premises;
- microbiological sampling and chemical analysis of food and animal feed;
- food & feed inspection;
- checks of imported food/feed at retail and catering premises;
- provision of advice, educational materials and courses to food/feed businesses;
- investigation of food and feed related complaints;
- investigation of cases of food and water borne infectious disease, and outbreak control;
- dealing with food/feed safety incidents; and
- promotional and advisory work.

Effective performance of the food law service necessitates a range of joint working arrangements with other local authorities and agencies such as the Food Standards Agency (FSA), Public Health England (PHE), HM Revenue & Customs (HMRC), Department of Environment, Food & Rural Affairs (Defra), Animal & Plant Health Agency (APHA) & the Veterinary Medicines Directorate (VMD).

The Council aims to ensure that effective joint working arrangements are in place and that officers of the service contribute to the on-going development of those arrangements.

The service is also responsible for the following:

- health and safety enforcement;
- the provision of guidance, advice and enforcement in respect of smoke free legislation;
- water sampling; including both private and mains supplies & bathing water;
- port health and
- provision of assistance for animal health and welfare inspections, complaint investigation and animal movement issues.

2.4 Demands on the Food Service

The Council is responsible for 749 food premises within the borough mostly comprising retailers, manufacturers and caterers. The food businesses are predominantly small to medium sized establishments and the majority of these are liable to food hygiene and food standards interventions.

In addition there are 88 registered feed businesses for which the Council is the enforcing authority.

The delivery point for the food enforcement service is at:

Civic Centre
Victoria Road
Hartlepool
TS24 8AY

Telephone: (01429) 266522

Members of the public and businesses may access the service at this point from 08.30 - 17.00 Monday to Thursday and 08.30 - 16.30 on Friday.

A 24-hour emergency call-out also operates to deal with Environmental Health emergencies which occur out of hours. Contact can be made on (01429) 266522, then Option 1, then Option 2.

2.5 Enforcement Policy

The Public Protection Enforcement Policy was updated and revised in 2011 and covers food and feed law enforcement.

The Service will take account of the 2014 Regulator's Code when carrying out its interventions.

3 SERVICE DELIVERY

3.1.1 Interventions Programme

The Council has a wide range of duties and powers conferred on it in relation to food law enforcement. The Council must appoint and authorise inspectors, having suitable qualifications and competencies for the purpose of carrying out duties under the Food Safety Act 1990 and Regulations made under it and also specific food regulations made under the European Communities Act 1972, which include the Food Safety and Hygiene (England) Regulations 2013 and the Official Feed and Food Controls (England) Regulations 2009 (as amended).

Authorised officers can inspect food at any stage of the production, manufacturing, distribution and retail chain. The Council must draw up and implement an annual programme of risk-based interventions so as to ensure that food and feeding stuffs are inspected in accordance with relevant legislation, the Food Law Code of Practice and centrally issued guidance.

The Code allows local authorities to choose the most appropriate action to be taken to drive up levels of compliance with food law by food establishments. In so doing it takes account of the recommendations in the 'Reducing Administrative Burdens: Effective Inspection and Enforcement'.

Interventions are defined as activities that are designed to monitor, support and increase food law compliance within a food establishment. They include:

- Inspections / Audit;
- Surveillance / Verification;
- Sampling;
- Education, advice and coaching provided at a food establishment; and
- Information and intelligence gathering.

Other activities that monitor, promote and drive up compliance with food law in food establishments, for instance 'Alternative Enforcement Strategies' for low risk establishments and education and advisory work with businesses away from the premises (e.g. seminars/training events) remain available for local authorities to use.

3.1.2 Broadly Compliant Food Establishments

The Code established the concept of ‘Broadly Compliant’ food establishments. In respect of food hygiene, “broadly compliant”, is defined as an establishment that has an intervention rating score of not more than 10 points under each of the following components;

- Level of (Current) Hygiene Compliance;
- Level of (Current) Structural Compliance; and
- Confidence in Management/Control Systems

“Broadly Compliant”, in respect of food standards, is defined as an establishment that has an intervention rating score of not more than 10 points under the following:

- Level of (Current) Compliance
- Confidence in Management/Control Systems

Local Authorities are required to report the percentage of “Broadly Compliant” food establishments in their area to the FSA on an annual basis through the Local Authority Enforcement Monitoring System (LAEMS). The Agency will use this outcome measure to monitor the effectiveness of a local authority’s regulatory service.

As at the 1st April 2017, 99.2% of businesses in the borough were “Broadly Compliant” with food safety requirements (in 2017/18 the figure was 98.5%). For food standards 97.3% of businesses achieved broad compliance (in 2017/18 the figure was 97.2%). We aim to concentrate our resources to increase our current rate by the end of 2018/19 however given the current financial climate this will be extremely challenging.

The Food Law Enforcement Plan will help to promote efficient and effective approaches to regulatory inspection and enforcement that will improve regulatory outcomes without imposing unnecessary burdens. The term enforcement does not only refer to formal actions, it can also relate to advisory visits and inspections.

3.2 Service Delivery Mechanisms

3.2.1 Intervention Programme

Local Authorities must document, maintain and implement an interventions programme that includes all the establishments for which they have food law enforcement responsibility.

Interventions carried out for food hygiene, food standards and for feeding stuffs are carried out in accordance with the Council’s policy and standard operating procedures on food/feed premises inspections and relevant national guidance.

Information on premises liable to interventions is held on the APP computerised system. An intervention schedule is produced from this system at the commencement of each reporting year.

The food hygiene, food standards and feeding stuffs intervention programmes are risk-based systems that accord with current guidance. The current premises profiles are shown in the tables below:

Food Hygiene:

Risk Category	Frequency of Inspection	No of Premises
A	6 months	0
B	12 months	12
C	18 months	120
D	24 months	339
E	36 months or other enforcement	278
Unclassified	Requiring inspection / risk rating	0
No Inspectable Risk (NIR)		0
Total		749

Food Standards:

Risk Category	Frequency of Inspection	No of Premises
A	12 months	1
B	24 months	94
C	36 months or other enforcement	654
Unclassified		0
No Inspectable Risk (NIR)		0
Total		749

Feed Hygiene:

Registered Activity	No of Premises
R5 Distributor	1
R7 Supplier of Surplus Food	11
R8 Transporter	3
R9 Stores	1
R10/11 On Farm Mixer	10
R12 Co Product Producer	1
R13 Livestock Farm	40
R14 Arable Farm	21
Total	88

The intervention programme for 2018/19 comprises the following number of scheduled food hygiene and food standards interventions:

Food Hygiene:

Risk Category	Frequency of Inspection	No of Interventions
A	6 months	0
B	12 months	12
C	18 months	68
D	24 months	145
E	36 months or alternative enforcement strategy	73
Unclassified		0
Total		298

Food Standards:

Risk Category	Frequency of Inspection	No of Interventions
A	12 months	1
B	24 months	50
C	36 months or alternative enforcement	47
Unrated		0
Unclassified		0
Total		98

Approved Establishments:

There are 2 approved food establishments in the borough; a fishery products establishment and a manufacturer of food ingredients. These premises are subject to more stringent hygiene provisions than those applied to registered food businesses. These premises require considerably more staff resources for inspection, supervision and advice on meeting enhanced standards.

Primary Producers:

On 1 January 2006 EU food hygiene legislation applicable to primary production (farmers & growers) came into effect. On the basis that the local authority officers were already present on farms in relation to animal welfare and feed legislation, the responsibility was given to the Commercial Services team to enforce this legislation. The service has 73 primary producers.

Feed Hygiene Intervention Programme 2017/18:

The National Trading Standards Board (NTSB) is responsible for the co-ordination of grant funding allocations for the FSA Feed Delivery Programme. The NTSB has allocated the North East Trading Standards Association (NETSA) group funding to carry out work over a three year period. As a member of this group Hartlepool Council will receive funding to meet the costs of the following feed inspections:

Risk Category	No of Interventions
R05 Distributor	0
R07 Feed/Materials / Ingredients/Surplus Food	1
R08 Transporter	0
R09 Stores	0
R10/ R11 On-farm Mixer	1
R12 Co-Product Producer	1
R13 Livestock Farms	2
R14 Arable Farms	0
Total	5

An estimated 10% of all programmed interventions relate to premises where it is more appropriate to conduct visits outside the standard working time hours. Arrangements are in place to visit these premises out of hours by making use of the Council's flexible working arrangements, lieu time facilities and, if necessary, paid overtime provisions. In addition, these arrangements will permit the occasional inspection of premises which open outside of, as well as during standard work time hours. The Food Law Code of Practice requires inspections of these premises at varying times of operation.

As a follow-up to primary inspections, the service undertakes revisits in accordance with current policy. For the year 2018/19, the intervention programme is expected to generate an estimated 100 revisits. A number of these premises revisits will be undertaken outside standard working hours and arrangements are in place as described above to facilitate this.

It is anticipated that consistent, high quality programmed interventions by the service will, over time, result in a general improvement in standards, reducing the frequency for recourse to formal action. The performance against intervention targets for all food hygiene and food standards inspections is reported annually to the Regeneration Services Committee via the Service Plan.

Port Health

Hartlepool is a Port Health Authority although currently no food or feed enters the port. Work in relation to imported food control can therefore ordinarily be accommodated within the day-to-day workload of the service, however if circumstances were to change whereby food or feed was imported/exported additional resources would be required which would have an effect on the programmed intervention workload and other service demands.

Fish Quay

There is a Fish Quay within the Authority's area which provides a market hall although it is not currently operational and there are associated fish processing units, one of which is an approved establishment.

3.2.2 Registration and Approval of Premises

Food and feed business operators must register their establishments with the relevant local authority. This provision allows for the service to maintain an up-to-date premises database and facilitates the timely inspection of new premises and, when considered necessary, premises that have changed food/feed business operator or type of use.

The receipt of a food/feed premises registration form initiates an inspection of all new premises. In the case of existing premises, where a change of food/feed business operator is notified, other than at the time of a programmed intervention, an assessment is made of the need for inspection based on the date of the next programmed intervention, premises history, and whether any significant change in the type of business is being notified. It is anticipated that approximately 95 additional food premises inspections will be generated for new food businesses during 2018/19.

A competent authority must with some exceptions, approve food business establishments that handle food of animal origin. If an establishment needs approval, it does not need to be registered as well.

Food premises which require approval include those that are producing any, or any combination of the following; minced meat, meat preparations, mechanically separated meat, meat products, live bivalve molluscs, fishery products, raw milk (other than raw cows' milk), dairy products, eggs (not primary production) and egg products, frogs legs and snails, rendered animal fats and greaves, treated stomachs, bladders and intestines, gelatine and collagen and certain cold stores and wholesale markets.

The approval regime necessitates full compliance with the relevant requirements of Regulation (EC) No 852/2004 and Regulation (EC) 853/2004. There are 2 premises in the Borough which are subject to approval; a fishery products establishment and a manufacturer of food ingredients.

Since 1 January 2006 feed businesses have been required to be approved or registered with their local authority under the terms of the EC Feed Hygiene Regulation (183/2005). This legislation relates to nearly all feed businesses. This means, for example, that importers and sellers of feed, hauliers and storage businesses now require approval or registration. Livestock and arable farms growing and selling crops for feed are also within the scope of the provisions of the regulation.

3.2.3 Microbiological and Chemical Analysis of Food/Feed

An annual food/feed sampling programme is undertaken with samples being procured for the purposes of microbiological or chemical analyses. This programme is undertaken in accordance with the service's Food/Feed Sampling Policy.

All officers taking formal samples must follow the guidance contained in and be qualified in accordance with relevant legislative requirements and centrally issued guidance, including that contained in the Food Law Code of Practice/Feed Law Code of Practice and associated Practice Guidance. Follow-up action is carried out in accordance with the service's sampling policy.

Microbiological analysis of food and water samples is undertaken by the Public Health England's Food, Water & Environmental Laboratory based at York. Chemical analysis is undertaken by an appointed Public/Agricultural Analyst.

Sampling allocations from Public Health England (PHE), which is responsible for the appropriate laboratory facilities, are based on a credits system dependant on the type of sample being submitted and examination required.

The allocation for Hartlepool is 8,300 credits for the year 2018/19. Points are allocated as follows:

Sample type	No of credits
F1:Food Screen	10
F2:Food Basic	25
F3:Food Complex	35
W1:Water Screen	10
W2:Water Basic	20
W3:Water Complex	25
M1:Dairy Products	10
E1:Environmental Screen	10
E2:Environmental Basic	25
E3:Environmental Complex	35
Certification	15

If an authority uses less than 80% of its allocation, it is possible that the allocation may be reduced. In the event of over-performance, PHE will raise an invoice in April of the following year for payment of the cost of the workload over and above the agreed baseline allocation.

A sampling programme is produced each year for the start of April to assess the microbiological quality of food, water and environmental surfaces and composition and labelling of food. The sampling programme for 2018/19 includes national and regional surveys and local interventions.

Sampling programmes have been agreed with the Food Examiners and Public/Agricultural Analysts. These have regard to the nature of food/feed businesses in Hartlepool and will focus on locally manufactured/processed foods/feed and food/feed targeted as a result of previous sampling and complaints.

The service aims to meet a national target set in 2007 by the Food Standards Agency, the Local Authorities Coordinators of Regulatory Services (LACORS) and the Association of Port Health Authorities that imported food should make up 10% of the food samples taken by local and port health authorities.

Microbiological Food Sampling Plan 2018/19

April Study 64 – RTE pastry based foods	May Study 64 – RTE pastry based foods	June Study 64 – RTE pastry based foods
July Study 64 – RTE pastry based foods	August XR 33 – Touch screens Imported dried/fresh RTE fruit	September XR 33 – Touch screens XR34 - Milkshakes
October XR 34 – Milkshakes XR 35 – Minced meat and meat preparations	November XR 35 – Minced meat and meat preparations	December Imported nuts and seeds
January Local survey - tbc	February Rice from restaurants and takeaway premises	March Rice from restaurants and takeaway premises

Composition and Labelling Sampling Plan 2018/19

Survey	Number of Samples
Colours* in Takeaway Meals from Chinese Restaurants and Takeaways. (*Sunset Yellow - E110 , Ponceau 4R - E124, Quinoline Yellow - E104)	10 (plus any re-samples)
Acrylamide in food	10 (plus any re-samples)
Allergens in catering premises	10 (plus any re-samples)
Food Labelling – local suppliers	20
Adhoc samples arising from emerging priorities identified during the year	tbc

Feeding Stuffs Sampling Plan 2018/19

At present feeding stuffs sampling is being given a low priority due to the lack of local manufacturers and packers. An annual feeding stuffs sampling plan however has been drawn up having regard to national enforcement priorities and to carry out sampling at the most appropriate time of the year in respect of farms, pet shops and other retail establishments. The Authority has secured funding from the NTSB to participate in a 3 year regional sampling programme. This funding will supplement our sampling budget.

During 2018/19 no sampling of animal feeding stuffs is planned, however we will respond to any emerging national or local issues.

Private Water Supplies

A local brewery uses a private water supply in its food production. Regular sampling is carried out of this supply in accordance with relevant legislative regulations.

3.2.4 Food Inspection

The purpose of food inspection is to check that food complies with food safety requirements and is fit for human consumption, and is properly described and labelled. As such, the activity of inspecting food commodities, including imported food where relevant, forms an integral part of the food premises intervention programme. Food inspection activities are undertaken in accordance with national guidelines.

3.2.5 Provision of Advice and Information to Food/Feed Businesses

It is recognised that for most local food businesses contact with an officer of the service provides the best opportunity to obtain information and tailored advice on legislative requirements and good practice. Officers are mindful of this and aim to ensure that when undertaking premises interventions sufficient opportunity exists for food business operators to seek advice.

In addition, advisory leaflets including those produced by the Food Standards Agency are made available.

In February 2006 the Food Standards Agency introduced Safer Food Better Business (SFBB) aimed at assisting smaller catering businesses to introduce a documented food safety management system. Since this time significant resources have been directed towards assisting businesses to fully implement a documented food safety management system.

Guidance is also prepared and distributed to food businesses relating to changes in legislative requirements. The service also encourages new food/feed business operators and existing businesses to seek guidance and advice on their business. It is estimated that 80 such advisory visits will be carried out during the year.

The Council operates the national Food Hygiene Rating Scheme whereby each business is awarded a rating which reflects the hygiene conditions found at the time of the primary inspection. The business' rating is made available to the public via the Food Standards Agency's website and the business is provided with a sticker to display on their premises. The service has made a commitment to work with businesses to improve their rating; in particular those awarded a rating of less than '3' (generally satisfactory).

A limited level of promotional work is also undertaken by the service on food safety, with minimal impact on programmed enforcement work. Feeding stuffs advice is available via the Council's web site.

3.2.6 Public Health Initiatives

In recent years significant resources have been directed towards carrying out initiatives which will contribute to the Public Health Framework Outcomes.

During 2018/19 the Public Protection team plan to carry out the following initiatives:

1) Takeaways Project

We are acutely aware of the impact that access to unhealthy food is having on the rising rates of obesity and health inequalities. Research has shown that fast food takeaways provide a source of some of the unhealthiest food that is available in our communities.

We will continue to work on a Takeaways Project. As part of the plan we aim to:

- i) *Work with takeaway businesses and the food industry to make food healthier*

Through the use of interventions such as sampling, provision of information and advice we aim to support businesses to improve the healthiness of the food they offer while helping the business to save money.

We have already worked with the Chinese and Indian communities and we plan to roll out the project to other sectors.

- ii) *Explore and where possible use regulatory and planning measures to address the proliferation of hot food takeaway outlets*

We will continue to work with other regulators, including colleagues in the Planning team to encourage good practice within the takeaway sector. In particular we will support the use of planning measures to restrict the proliferation of hot food takeaways in areas of over concentration or where vulnerable groups of children and young people are a concern.

All relevant hot food takeaways in Hartlepool have been identified and mapped. The density of local and future provision of takeaways is addressed in the Council's Local Plan.

2) Food Safety Awareness Campaign

Each year about half a million people are confirmed as suffering from food poisoning; the most common causes of which are Campylobacter, Clostridium perfringens, Norovirus and Salmonella. The FSA has published research suggesting that the official figures seriously underestimate the real incidence as many people who experience food poisoning often recover quickly from the symptoms and do not report their illness to their GPs.

Cases of food poisoning almost double during the summer, and research shows that the undercooking of raw meat and the contamination of bacteria onto the food we eat are among the main reasons.

To try to tackle food poisoning we will aim to raise awareness of food safety by supporting national initiatives such as the FSA's Food Safety Week campaign.

3) Holiday Hunger Scheme

During the school holidays, many children do not receive the meals they would usually get free at school. To address this issue the Council operates a Holiday Hunger Scheme that involves providing organisations with funding so that they can develop their own bespoke schemes for tackling food poverty that directly address the needs of communities.

The following areas form the grant scheme's key priorities, with funding targeted at:

- Organisations that are supporting children and young people through the provision of healthy and nutritious meals, snacks or food parcels during the school summer holiday period.
- Organisations providing family-based activities over the school holiday period, where practical healthy eating and/or cooking skills education could be incorporated.
- Organisations providing crafts or physical activity opportunities, which would benefit from the provision of healthy and nutritious meals, snacks or food parcels as part of the activity
- Organisations specifically working with vulnerable and/or disadvantaged families or children and young people in areas of high socio-economic deprivation, where food poverty rates may be higher.

To ensure the safe provision of food we liaise with Health Improvement colleagues and all recipients of grant funding, ensuring that food businesses are registered and complying with relevant food law. We will support the food business operator and their clients through the provision of information, advice and demonstrations on a range of topics including food safety, effective hand washing and signpost them to resources, such as the GermWatch Teaching and Learning materials for primary schools and recipes.

4) Allergy Awareness Campaign

We will use a range of interventions including sampling, provision of information and advice and working with colleagues in other local authorities to raise awareness regarding allergens and recent changes in food labelling legislation.

5) Better Business for All

Better Business for All (BBfA) brings together businesses and regulators to consider and change how local regulation is delivered and received.

It involves the creation of local partnerships to identify the issues facing local businesses and shape the provision of effective support services to them. It was initially developed by the Government's Better Regulation Delivery Office (BRDO) in 2011-2012, working with two Local Enterprise Partnership (LEP) pathfinders.

Drawing on good practice and material provided by LEPs and regulators, a toolkit of resources was created for local partnerships, launched in October 2012.

The objectives are:

1. to provide advice and support to business;
2. increase business awareness of regulatory officers;
3. ensure effective co-ordination across regulatory services;
4. simplify the local regulatory system and processes; and
5. establish partnerships between regulatory services and local businesses.

While BBfA is aimed at all businesses, the focus is on smaller businesses, as these generally need the most help to comply with the law.

The North East Public Protection Partnership has established a regional BBfA Working Group. During 2018/19 we will continue to participate in the working group to explore what we can do to deliver our services better to promote economic growth in the region.

3.2.7 Investigation of Food / Feed Complaints

The service receives approximately 105 complaints, each year concerning food/feed, all of which are subject to investigation. An initial response is made to these complaints within two working days. Whilst many complaints are investigated with minimal resource requirements, some more complex cases may be resource-intensive and potentially affect programmed intervention workloads.

All investigations are conducted having regard to the guidance on the 'Home Authority Principle'.

The procedures for receipt and investigation of food/feed complaints are set out in detailed guidance and internal policy documents.

3.2.8 Investigation of Cases of Food Poisoning and Outbreak Control

Incidents of food related infectious disease are investigated in liaison with the North East Public Health England Centre and in the case of outbreaks in accordance with the Outbreak Control Policy.

Where it appears that an outbreak exists the Environmental Health Manager (Commercial) or an EHO, will liaise with the local Consultant in Health Protection and the North East Public Health England Centre, to determine the need to convene an Outbreak Control Team. Further liaison may be necessary with agencies such as the Food Standards Agency, the York Public Health England Food, Water and Environmental Laboratory, Public Analyst, Hartlepool Water and Northumbrian Water.

It is estimated that between 150-175 food poisoning notifications are received each year, a large proportion of which are confirmed cases of Campylobacter.

As relatively little benefit has been demonstrated from the investigation of individual sporadic cases of Campylobacter only those who are food handlers or live/work in a residential care home are routinely investigated.

Any cluster or outbreak identified by the North East Public Health England Centre or Environmental Health will be investigated following the agreed outbreak investigation arrangements. In the event of any major food poisoning outbreak a significant burden is likely to be placed on the service and this would inevitably impact on the performance of the intervention programme.

3.2.9 Dealing with Food / Feed Safety Incidents

A national alert system exists for the rapid dissemination of information about food and feed hazards and product recalls, this is known as the food/feed alert warning system.

All food and feed alerts received by the service are dealt with in accordance with national guidance and internal quality procedures. Food and feed alert warnings are received by the service from The Food Standards Agency via an

electronic mail system. Several officers have also subscribed to receive alerts via their personal mobile phones.

The Environmental Health Manager (Commercial) or, if absent, the Head of Public Protection ensures that a timely and appropriate response is made to each alert.

The out of hours contact telephone number for the service is (01429) 266522, then Option 1, then Option 2.

In the event of a serious local incident, or a wider food safety problem emanating from production in Hartlepool, the Food Standards Agency will be alerted in accordance with guidance.

Whilst it is difficult to predict with any certainty the number of food safety incidents that will arise, it is estimated that the service is likely to be notified of 70-100 food alerts, product recalls or withdrawals during 2018/19, a small proportion of which will require action to be taken by the Authority. In addition we will receive approximately approximately 100 allergy alerts.

This level of work can ordinarily be accommodated within the day-to-day workload of the service, but more serious incidents may require additional resources which may have an effect on the programmed intervention workload and other service demands.

3.2.10 Complaints relating to Food / Feed Premises

The service investigates all complaints that it receives about food/feed safety and food standards conditions and practices in food/feed businesses. An initial response to any complaint is made within two working days. In such cases the confidentiality of the complainant is paramount. All anonymous complaints are also currently investigated.

The purpose of investigation is to determine the validity of the complaint and, where appropriate, to seek to ensure that any deficiency is properly addressed. The general approach is to assist the food/feed business operator in ensuring good standards of compliance, although enforcement action may be necessary where there is failure in the management of food/feed safety, or regulatory non-compliance.

Based on the number of complaints received during 2017/18 it is estimated that approximately 105 such complaints will be received in 2018/19.

3.3 Complaints against Our Staff/Service

Anyone who is aggrieved by the actions of a member of staff is encouraged, in the first instance, to contact the employee's line manager. Details of how and who to make contact with are contained in the inspection report left at the time of an inspection.

Formal complaints are investigated in accordance with the Council's corporate complaint procedure.

3.4 Liaison Arrangements

The service actively participates in local and regional activities and is represented on the following:

- Tees Valley Heads of Public Protection Group
- Tees Valley Food Liaison Group
- North East PHE/Local Authority Sampling Group
- Tees Valley Public Health Group
- North East Public Protection Partnership
- North East Trading Standards Liaison Group, which incorporates the North East Trading Standards Animal Feed Group (NETSA).

There is also liaison with other organisations including the Chartered Institute of Environmental Health, the Trading Standards Institute, Public Health England, Defra / Animal & Plant Health Agency (APHA), OFSTED and the Care Quality Commission.

Officers also work in liaison with other Council departments including the Planning Services and Licensing teams.

3.5 Home Authority Principle / Primary Authority Scheme

The introduction of the Primary Authority Scheme in April 2009 under the provisions of the Regulatory Enforcement and Sanctions Act 2008 placed a statutory obligation on the Council to provide a significantly expanded range of Home Authority services to local businesses when requested by that business. There are opportunities for local authorities to recover costs from businesses to provide this premium service.

The Authority is committed to the Home Authority Principle, although at present there are no formal arrangements with food/feed businesses to act as a Primary Authority. The Authority does however act as Originating Authority for a brewery and a food manufacturer. Regular visits are made to these premises to maintain dialogue with management and an up to date knowledge of operations.

4 RESOURCES

4.1 Financial Resources

The annual budget for the Consumer Services section in the year 2018/19 is:

	£ 000.0
Employees	563.1
Other Expenditure	59.0
Grant Funding	(31.7)
Income	(7.7)
Net Budget	582.7

This budget is for all services provided by this section including Health & Safety, Animal Health, Trading Standards and resources are allocated in accordance with service demands.

4.2 Staffing Allocation

The Assistant Director (Environment and Neighbourhoods) has overall responsibility for ensuring the delivery of the Council's Public Protection service, including delivery of the food/feed law service, in accordance with the service plan.

The Head of Public Protection, with the requisite qualifications and experience, is designated as lead officer in relation to food safety and food standards functions and has responsibility for the management of the service.

The resources determined necessary to deliver the service in 2018/19 are as follows:

1 x 0.20 FTE Head of Public Protection (with responsibility also for Health & Safety, Licensing, Trading Standards & Environmental Protection)

1 x 0.5 FTE Environmental Health Manager (Commercial) (with responsibility also for Health & Safety and Animal Health)

3 x 0.8 FTE EHO (with requisite qualifications and experience and with responsibility also for Health & Safety)

1 x 0.46 FTE Part-time EHO (with requisite qualifications and experience and with responsibility also for Health & Safety)

1 x FTE Technical Officer Food (with requisite qualifications and experience)

Funding for an additional resource (1 x FTE EHO/Technical Officer) to carry out public health interventions was secured via the Public Health Grant. Due to a member of staff currently taking maternity leave we have had a period of time where the staffing level was depleted which has had an impact on our ability to deliver all of the planned interventions.

The Head of Public Protection has responsibility for planning service delivery and management of the Food Law Service, Health & Safety at Work, Licensing, Public Health, Water Quality, Trading Standards, Animal Health & Welfare, Environmental Protection and I.T. as well as general management responsibilities as a member of the Public Health Departmental Management Team.

The Environmental Health Manager (Commercial) has responsibility for the day to day supervision of the Food/Feed Law Service, Health & Safety at Work, Public Health, Water Quality and Animal Health & Welfare. The Environmental Health Manager (Commercial) and a Senior Trading Standards Officer are designated as lead officers for imported food control and animal feed enforcement.

The EHOs have responsibility for the performance of the food premises intervention programme as well as the delivery of all other aspects of the food law service, particularly more complex investigations. In addition these officers undertake Health & Safety at Work enforcement.

The Technical Officer (Food) is also responsible for interventions, including inspections as well as revisits, investigation of less complex complaints and investigation of incidents of food-borne disease.

Authorised Trading Standards Officers have responsibility for the performance of the feed premises intervention programme as well as the delivery of all other aspects of the feed law service.

Administrative support is provided by Support Services based within the department.

All staff engaged in food/feed safety law enforcement activity are suitably trained and qualified and appropriately authorised in accordance with guidance and internal policy.

Staff undertaking educational and other support duties are suitably qualified and experienced to carry out this work.

4.3 Staff Development

The qualifications and training of staff engaged in food/feed law enforcement are prescribed and this will be reflected in the Council's policy in respect of appointment and authorisation of officers.

It is a mandatory requirement for officers of the food/feed law service to maintain their professional competency by undertaking a minimum of 20 hours continuous professional development (CPD) training each year which may involve attendance at accredited short courses, seminars or conferences. This is also consistent with the requirements of the relevant professional bodies.

The Council is committed to the personal development of staff and has in place Personal Development Plans for all members of staff.

The staff Personal Development Plan scheme allows for the formal identification of the training needs of staff members in terms of personal development linked with the development needs of the service on an annual basis. The outcome of the process is the formulation of a Personal Development Plan that clearly prioritises training requirements of individual staff members. The Personal Development Plans are reviewed six monthly.

The details of individual Personal Development plans are not included in this document but in general terms the priorities for the service are concerned with ensuring up to date knowledge and awareness of legislation, building capacity within the team with particular regard to approved establishments, the provision of food hygiene training, developing the role of the Food Safety

Officer, and training and development of new staff joining the team. Detailed records are maintained by the service relating to all training received by officers.

4.4 Equipment and Facilities

A range of equipment and facilities are required for the effective operation of the food/feed law service. The service has a documented standard operating procedure that ensures the proper maintenance and calibration of equipment and its removal from use if found to be defective.

The service has a computerised performance management system, the Authority Public Protection computer system (APP). This is capable of maintaining up to date accurate data relating to the activities of the food/feed law service. A documented database management standard operating procedure has been produced to ensure that the system is properly maintained, up to date and secure. The system is used for the generation of the intervention programmes, the recording and tracking of all food/feed interventions, the production of statutory returns and the effective management of performance.

5. QUALITY ASSESSMENT

The Council is committed to quality service provision. To support this commitment the food law service seeks to ensure consistent, effective, efficient and ethical service delivery that constitutes value for money.

A range of performance monitoring information will be used to assess the extent to which the food service achieves this objective and will include on-going monitoring against pre-set targets, both internal and external audits and stakeholder feedback.

Specifically the Environmental Health Manager (Commercial) will carry out accompanied visits with officers undertaking interventions, investigations and other duties for the purpose of monitoring consistency and quality of the inspection and other visits carried out as well as maintaining and giving feedback with regard to associated documentation and reports.

It is possible that the Food Standards Agency may at any time notify the Council of their intention to carry out an audit of the service.

6 REVIEW OF 2017/18 FOOD SERVICE PLAN

6.1 Review against the Service Plan

It is recognised that a key element of the service planning process is the rational review of past performance. In the formulation of this service plan a review has been conducted of performance against those targets established for the year 2017/18.

This service plan will be reviewed at the conclusion of the year 2018/19 and at any point during the year where significant legislative changes or other relevant factors occur during the year. It is the responsibility of the Head of Public Protection to carry out that review with the Assistant Director (Environment and Neighbourhood Services).

The service plan review will identify any shortfalls in service delivery and will inform decisions about future staffing and resource allocation, service standards, targets and priorities.

Following any review leading to proposed revision of the service plan Council approval will be sought.

6.2 Performance Review 2017/18

This section describes performance of the service in key areas during 2017/18.

6.2.1 Intervention Programme

Our target is to complete 100% of the intervention programme for food hygiene, food standards and feeding stuffs. These are extremely challenging targets.

During the year we successfully completed all planned food hygiene, food standards and feed hygiene interventions. In total 421 food hygiene interventions were completed, 281 food standards interventions and 6 feed hygiene interventions.

We met our 2 working day response time for all complaints.

6.2.2 Registration and Approval of Premises

During 2017/18, 94 new food businesses were registered and inspected. Two premises subject to approval were inspected and given relevant guidance.

6.2.3 Food Sampling Programme

The food sampling programme for 2017/18 has been completed. This included food standard sampling which was carried out in partnership with the North East Food Sampling Group as part of the Food Standards Agency National Coordinated Food Sampling Programme 2017/18. The group received grant funding to carry out this work.

The results for the microbiological sampling programme for 2017/18 are given below.

Results for Microbiological Sampling Programme 2017/18

Samples/Survey	Number of Samples	Interpretation of Results		
		Satisfactory	Borderline	Unsatisfactory
Food Samples				
Hygiene in school kitchens survey	32	28	2	2
Imported fresh herbs survey	13	13		
Bakery survey	7	6	1	
Chilled RTE Foods survey	17	17		
Farm Shop survey	3	3		
Ad-hoc food sampling	26	15	8	3
Food Samples	98	82	11	5
Swabs	82	67	6	9
Cloths	18	12	1	5
Total Samples Premises visited:38	198	161	18	19

The results of the food sampled as part of this years' sampling programme were good, with 82/98 (83.7%) reported as satisfactory. The results from the environmental samples were broadly similar, with 79/100 (79%) being reported as satisfactory with an additional 7 results reported as borderline.

The authority participated in 5 regional surveys: 'Hygiene in school kitchens', 'Imported fresh herbs survey', Bakery survey,' 'Chilled RTE foods suvey' and 'Farm shop survey.' All but 2 of the survey samples were reported as satisfactory.

Of the 26 ad hoc food samples 8 were reported as borderline and 3 unsatisfactory. Nine of these samples were taken from 2 premises in response to complaints.

Advice was given and unsatisfactory and borderline results were followed up with visits and re –samples taken.

The results of samples submitted for analysis for composition and labelling are shown below:

Results for Food Standards Sampling Programme 2017/18:

Nature of Sample	Reason for Sampling	Satisfactory	Unsatisfactory
Vodka	Complaint – Possibility Counterfeit / Adulteration	2	
Colours in Takeaway Meals Survey	Prohibited Colours	9	1
Total Samples 12 Premises Visited: 11		11	1

The results for the food standard samples were very good, with 11/12 samples meeting statutory requirements.

An area of work which we were unable to complete during 2016/17 due to resource constraints was the Colours* in Takeaway Meals from Indian Restaurants and Takeaways sampling survey. This was incorporated into this year's Food Standards sampling programme. Only one unsatisfactory result was obtained which concerned the presence of Sunset Yellow in a Chicken Tikka Masala dish. Appropriate advice was given to the food business operator.

No animal feedingstuffs were examined.

6.2.4 Food Inspection

The service undertook no formal seizure of unfit food in the year.

6.2.5 Promotional Work

Food safety promotion whether by advice, education, training or other means is a key part of the food team's strategy in changing behaviour and increasing compliance in businesses.

In February 2006 the Food Standards Agency introduced Safer Food Better Business (SFBB) aimed at assisting smaller catering businesses to introduce a documented food safety management system. Since this time our resources have been directed towards continuing to assist businesses to fully implement a documented food safety management system.

The team has continued to offer tailored advice and information on request with 60 advisory visits to businesses being carried out during the year.

A variety of information leaflets, some in foreign languages are available including a 'Top 5 Tips' leaflet created to assist Chinese food business operators to implement practices to provide healthier menu choices. Circular letters are issued as required to inform food business operators of food safety matters relevant to their operations e.g. changes in legislation, food alerts.

6.2.6 Food Hygiene Rating Scheme

Since 1st April 2007 Hartlepool Council has operated a food hygiene rating scheme known as the 'Tees Valley Food Hygiene Award Scheme'. The scheme was operated in conjunction with the four other Tees Valley Local Authorities (Middlesbrough, Stockton, Redcar & Cleveland and Darlington Borough Councils).

On 1st April 2012 Hartlepool Council migrated to the 'Food Hygiene Rating Scheme' (FHRS); a FSA / local authority partnership initiative to help consumers choose where to eat out, or shop for food.

The 'Food Law Code of Practice', requires that a risk rating is undertaken which is used to determine the frequency of intervention for the business. The hygiene rating is derived from the risk rating which is given to a business following every 'primary' inspection.

Of the seven main categories used to determine the overall rating score the following three factors are used to create a hygiene rating:

1. Food Hygiene and Safety
2. Structure and Cleaning
3. Management and Control

These ratings are the only ones that are directly controllable by the business and are the reason they have been used to obtain the food business' hygiene rating.

The total score from the 3 categories is then used to derive the hygiene rating ranging from '0' ('Urgent improvement necessary') through to '5' ('Very Good'). The profile of the premises ratings is shown overleaf.

Hygiene Rating	No of Premises @ 1.4.12	No of Premises @ 1.4.13	No of Premises @ 1.4.14	No of Premises @ 1.4.15	No of Premises @ 1.4.16	No of Premises @ 1.4.17	No of Premises @ 1.4.18
5 ('Very Good')	407 (59.1%)	434 (60.9%)	456 (66.7%)	471 (68.3%)	502 (72.2%)	539 (76.9%)	561 (80.6%)
4 ('Good')	139 (20.2%)	164 (23.0%)	149 (21.8%)	136 (19.7%)	125 (18.0%)	107 (15.3%)	101 (14.5%)
3 ('Generally Satisfactory')	86 (12.5%)	63 (8.9%)	63 (9.2%)	56 (8.1%)	55 (7.9%)	43 (6.1%)	28 (4.0%)
2 ('Improvement Necessary')	28 (4.1%)	22 (3.1%)	9 (1.3%)	18 (2.6%)	8 (1.2%)	10 (1.4%)	4 (0.6%)
1 ('Major Improvement Necessary')	12 (1.7%)	13 (1.8%)	7 (1.0%)	9 (1.3%)	3 (0.4%)	2 (0.3%)	2 (0.3%)
0 ('Urgent Improvement Necessary')	1 (0.1%)	0 (0%)	0 (0%)	0 (0%)	2 (0.3%)	0 (0%)	0 (0%)
'Awaiting Inspection'	16 (2.3%)	17 (2.4%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)
Sub Total	689	713	684	690	695	701	696

'Exempt'	47	49	45	44	45	42	42
'Excluded'	7	9	10	10	1	1	10
Sensitive	0	32	32	1	8	9	1
Total	743	803	771	745	749	753	749

It is very pleasing to note that year on year the profile has improved with 99.1% of premises inspected during 2017/18 having received a hygiene rating of '3' ('Generally Satisfactory') and above. This is 7.3% greater than six years ago when the scheme commenced and 0.8% greater than a year ago.

The service is committed to focussing its resources on carrying out interventions at those businesses which are deemed not to be 'broadly compliant' and has liaised with businesses that have been awarded a hygiene rating of '2' or less offering advice and support. Where appropriate, enforcement action has been taken to secure compliance.

Under the FHRs there is a procedure which affords food business operators the opportunity to request a re-visit inspection once they have taken action to rectify non-compliances identified during an inspection. At the re-visit the establishment may be re-assessed and given a new hygiene rating. During the year 18 businesses submitted applications for a re-rating. Further information is provided in **6.2.7**.

The food hygiene ratings are published online at www.food.gov.uk/ratings

In total 52 establishments were considered to be 'exempt' (42) or 'excluded' (10) from the scope of the FHRs and as such they may not be rated. These are those who either do not supply food directly to consumers e.g. manufacturers or packers, or 'low risk establishments' which are not generally recognised by consumers as being a food business e.g. establishments like chemists or newsagents selling pre-packed confectionery amongst a range of goods.

Certain establishments operating from private addresses are classed as 'sensitive'. These are mainly childminders, but can include other establishments where caring services are being provided in the home environment as part of a family unit (as opposed to residential care). These establishments should not be rated.

6.2.7 FHRs Re-rating & Promotional visits

During 2016/17 officers worked closely with food business operators to improve food hygiene standards in our lowest rated premises. During the year 18 businesses submitted applications for a FHRs re-rating.

Of these 18 premises 17 businesses were re-inspected in accordance with the FHRs. Sixteen businesses demonstrated an improvement in standards and their rating increased following an unannounced inspection; 10 achieved the highest rating.

The results for the 16 businesses that improved are as follows:

FHRS Rating	1 to 5	2 to 5	3 to 5	4 to 5	2 to 4	3 to 4
Number of businesses	2	2	3	3	4	2

6.2.8 Food / Feed Complaints

During the year the service dealt with 44 complaints relating to the condition of food premises and/or food handling practice. In addition, 45 complaints were received regarding unfit or out of condition food or extraneous matter. A further 15 complaints concerning the composition or labelling of food items were received. No complaints were received regarding animal feeding stuffs.

Investigations into the above were undertaken within our target of 2 working days.

6.2.9 Food Poisoning

The service received 173 notifications of food borne illness during the year. The majority (121) of these notifications related to cases of *Campylobacter*; all of which appeared to be sporadic (isolated) cases.

Campylobacter is the most common bacterial cause of food poisoning in England and Wales. National data shows that while the incidence of *Salmonella* infections has steadily declined since the late 1990s those caused by *Campylobacter* had significantly increased and as a result in recent years the FSA has been spearheading a campaign to address this.

6.2.10 Food Safety Incidents

The Service received Food Alerts and a large number of Product Recall/Withdrawal notifications and Allergy Alerts from the Food Standards Agency during the year. All Food Alerts requiring action were dealt with expeditiously.

The Service also receives reports from the FSA regarding incidents involving food fraud, which may present a risk to health and require immediate investigation. Many of these relate to illicit alcohol due to the chemicals used as a substitution for genuine alcohol. In addition intelligence is received from HM Revenue & Customs (HMRC) regarding counterfeit alcohol.

6.2.11 Enforcement

Whilst no Hygiene Emergency Prohibition Notices were served on businesses during 2017/18, 1 voluntary closure was agreed. Two Hygiene Improvement Notices were issued.

6.2.12 Complaints against Our Staff/Service

No complaints were made against our staff during 2017/18.

6.2.13 Compliments About Our Staff/Service

The Public Protection Service regularly consults with users of the Service to establish whether the contact had been helpful and fair.

In 2017/18 the final satisfaction figure was 89.75% (in 2016/2017 the figure was 84.25%). As a figure of 100% would mean every customer being very satisfied with both the fairness and helpfulness of the officer concerned a final figure of 89.75% is a very good result and a testament to the work of the team.

In 2015 and 2017 the consumer watchdog magazine '*Which?*' analysed performance data submitted to the FSA and Food Standards Scotland by 386 UK local authorities for the previous year and ranked those local authority areas based on: the proportion of medium and high risk premises meeting hygiene requirements, the proportion of total premises rated for risk, and the proportion of planned interventions (such as inspections or follow up actions) the authorities achieved. On both occasions Hartlepool was ranked as one of the top ten performing local authorities within the UK.

6.2.14 Improvement Proposals/Challenges 2017/18

The following areas for improvement/challenges were identified in the 2017/18 Food Service Plan:

1. We will continue to carry out work with colleagues to secure improvement in Public Health through the Health Protection and Improvement Elements of the Core Public Health Strategy. In particular we will target our resources effectively using a range of interventions, including providing advice to businesses, with the aim of influencing behaviours and improving the management of food safety risks which will have impact on wider public health outcomes. We will continue to explore how we can contribute to the Public Health Outcomes Framework and funding streams to support this area of work.

We have continued to work with colleagues to deliver public health initiatives and identify new opportunities to contribute to the Public Health Outcomes framework. An area of work which we were unable to complete during 2016/17 due to resource constraints was the Colours* in Takeaway Meals from Indian Restaurants and Takeaways sampling survey. This work was completed as part of the Food Standards sampling programme for 2017/18.

2. We will review and update our Quality Management System/Standard Operating Procedures for Food and Feed to reflect changes in legislation and centrally issued guidance including Codes of Practice.

This work is ongoing.

3. We will continue to work in partnership with the North East Public Protection Partnership's Better Business for All Working Group to explore what we can do to deliver our services better to promote economic growth in the region.

This work is ongoing.

4. We will continue to identify additional income streams to supplement our budget.

7. KEY AREAS FOR IMPROVEMENT & CHALLENGES 2018/19

In addition to committing the service to specific operational activities such as performance of the intervention programme, the service planning process assists in highlighting areas where improvement is desirable. Detailed below are specifically identified key areas for improvement that are to be progressed during 2017/18.

1. We will continue to explore how we can contribute to the Public Health Outcomes Framework and funding streams to support this area of work. Our aim is to secure improvement in Public Health through the Health Protection and Improvement Elements of the Core Public Health Strategy.
2. We will continue to work in partnership with the North East Public Protection Partnership's Better Business for All Working Group to explore what we can do to deliver our services better to promote economic growth in the region.
3. We will continue to seek additional income streams to supplement our budget.
4. From 1st April 2018 we will introduce a dual system for dealing with re-rating requests. This system has been agreed by the five constituent members of the Tees Valley Food Liaison Group.

The scheme will enable food businesses to apply for one free re-rating revisit (as per the original scheme). To qualify they must have carried out the necessary improvements to their business and be willing to wait a minimum of three months from their last inspection (this period is known as a 'stand still' period). However, from 1st April 2018 businesses can elect to pay £150 if they wish to be inspected within three months of their inspection. They are also eligible to submit more than one application to be re-rated if they pay the £150 fee.

5. The Food Standards Agency is carrying out a wide ranging review of food/feed regulation. The programme known as Regulating our Future is intended to create a system that is modern, risk-based, proportionate, robust and resilient. Leaving the European Union will change patterns of food production, trade and consumption and this will require a flexible and responsive regulatory system

We will need to keep abreast of and respond to any changes to legislation, guidance and policy decision and monitor the impacts of any changes to the regulatory framework. We will review and update our Quality Management System/Standard Operating Procedures for Food and Feed as appropriate.