

# Food Service Plan 2014/2015



*Directorate of the Urban Environment*

**Planning and Environmental Health Division**

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## **Introduction**

The Food Standards Agency's Framework Agreement on Local Authority Food Law Enforcement requires a local authority to produce a food service plan and stipulates what information must be contained in it. This document forms part of the Delivery Plans of the Environmental Health and Trading Standards Service within the Directorate of the Urban Environment (DUE) and must be approved by senior managers and/or members.

It is recommended that the service plan should contain details concerning the authority's area and the organisation of the authority and associated council plans. Information relating to these areas is contained in Appendix 1 and 2.

In April 2014, the food service within Dudley is provided by the Food and Occupational Safety (FOS) Service who deliver food safety and hygiene enforcement and the Trading Standards Service who deliver the food standards service. Both are part of the Directorate of the Urban Environment (DUE). To enable a seamless service to be provided the division of responsibilities and referral procedures have been developed and contained in quality procedures. In June 2014, the Environmental Health & Trading Standards Service is being re-modelled from three to two divisions and the food service will be delivered within the new Food and Consumer Safety division. The new specialist food team of Environmental Health Officers (EHOs) will deliver all of the food service including food standards, although trading standards officers will continue with food standards delivery in 2014-15 until a project plan to implement delivery of food standards by EHOs has been completed.

The Food Service Plan is presented annually to elected members of the Cabinet for endorsement, followed by referral to full Council for approval. Performance against the Plan is monitored quarterly by the section manager and reported to senior management.

## Service Aims and Objectives

The Authority's aim, through the Cabinet priorities and Council Plan, is to make Dudley Borough a high quality place to live, work and spend leisure time for all of our residents and visitors by supporting a thriving local enterprise economy through effective regulation and ensuring access to safe food.

Aims	Objectives
<ul style="list-style-type: none"> <li>• To enforce and ensure compliance with Food Safety and Food Standards legislation.</li> <li>• To monitor the quality and availability of food and water and reduce avoidable illness and disease.</li> <li>• To work to prevent avoidable illness and reduce the spread of communicable disease within the Borough.</li> <li>• To ensure food offered or exposed for sale is fit for human consumption and to expedite the removal of hazardous/risk product from the food chain.</li> <li>• To improve and sustain the health of the local people in the borough by contributing to the prevention of obesity by supporting actions in the Obesity Strategy.</li> <li>• To contribute to the key aims of the Government's "Food 2030" Strategy by protecting food safety, promoting healthy eating, promoting high standards of animal health &amp; welfare and promoting sustainability in food production.</li> <li>• To contribute to the Food Standards Agency Strategy 2010-15 key aims of:               <ul style="list-style-type: none"> <li>□ ensuring imported food and food produced in the UK is safe to eat,</li> <li>□ providing consumers with information about safe food and healthy eating and encouraging the production of healthier food products and catering meals,</li> <li>□ carrying out risk based and proportionate regulation which ensures food business proprietors (FBOs) are clear about their responsibilities and protects customers from fraud &amp; other risks.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• To carry out a programme of routine inspection of food premises to provide advice and assistance in complying with legislation.</li> <li>• To ensure food offered or exposed for sale is fit for human consumption and to expedite the removal of hazardous/risk product from the food chain.</li> <li>• To investigate where appropriate cases of communicable disease, including the investigation of practices and processes identified as sources of infection at commercial premises.</li> <li>• To investigate service requests relating to food and the conditions of food premises and where appropriate prepare reports for prosecution.</li> <li>• To take emergency action to close food businesses where there is an imminent risk to the public (e.g. rodent infestations)</li> <li>• To raise awareness of the food hygiene and safety performance of food businesses with consumers through the Food Hygiene Rating Scheme.</li> <li>• To implement procedures to ensure compliance with the Food Standards Agency Framework Agreement.</li> <li>• To produce and undertake a food sampling programme and to undertake reactive sampling as required in connection with outbreaks/service requests.</li> <li>• To ensure that all food service work is carried out in accordance with relevant codes of practice, quality systems and the division's enforcement policy.</li> <li>• To encourage food businesses to apply for and gain the Dudley Food for Health Award.</li> <li>• To respond to requests for advice, and where appropriate liaise and advise businesses in accordance with the Primary Authority scheme.</li> </ul>

## Scope of the Food service

The food service as of 1<sup>st</sup> April 2014 is provided by officers in the Food and Occupational Safety Service (FOS) and Trading Standards Service (TS). Structures of both services are detailed in the Delivery Plans for each service. However, following re-modelling of the Environmental Health & Trading Standards Service from 1<sup>st</sup> June 2014, the delivery of food standards will transfer during the course of the year from Trading Standards to EHOs on the food team within the new Food and Consumer Safety division. The information in this section on the scope of the food service reflects the situation from 1<sup>st</sup> June 2014.

	Food Safety & Hygiene Service	Food Standards Service
<b>Food Establishment</b>	<ul style="list-style-type: none"> <li>• 1 Principal EHO (with lead for food safety and during course of the year, lead for food standards)</li> <li>• 8.2 FTE (Full Time Equivalent) Environmental Health Officers (EHOs)</li> <li>• 1 Food Safety Officer</li> <li>• 1 Environmental Health Assistant</li> </ul>	<ul style="list-style-type: none"> <li>• Estimated 1 FTE Trading Standards Officers as of 1<sup>st</sup> April 2014 (TSOs) but this resource will reduce as food standards is transferred into the specialist food team during 2014-15. Principal TSO has lead for food standards until food standards transfers during course of the year to EHOs.</li> </ul>
<b>Responsibilities of Service</b>	<ul style="list-style-type: none"> <li>• Food safety and hygiene legislation enforcement</li> <li>• Issues relating to the premises, practices and conditions under which food is prepared, stored and handled.</li> <li>• Food sampling for microbiological examination</li> <li>• Proactive Health and Safety relating to local authority enforced food premises</li> <li>• The investigation of cases of food borne infectious disease, to identify its source and prevent further cases.</li> <li>• Water safety</li> <li>• Exhumations supervision</li> <li>• Proactive smoke free compliance and enforcement in food premises</li> <li>• Reactive investigations into unsafe food &amp; extrinsic foreign bodies</li> <li>• To register or approve food premises as legislation requires.</li> </ul>	<ul style="list-style-type: none"> <li>• Food Standards legislation enforcement</li> <li>• All regulations relating to the manner of marking and labelling of food, including labelling requirements of regulations relating to specific foods.</li> <li>• Food Composition</li> <li>• Food sampling for analysis</li> <li>• Issues relating to food that is falsely described or presented in contravention of Section 15 of The Food Safety Act 1990.</li> </ul> <p>N.B. The Agricultural Act and associated regulation relating to the labelling and sale of feeding stuffs will remain as a Trading Standards function.</p>



	64 Unrated (category not yet established)	
	There are currently 14 premises approved under Regulation EC No. 853/2004, i.e. meat products manufacturers, cold stores.	
Service Delivery points	Directorate of the Urban Environment, 4 Ednam Road, Dudley, DY1 1HL	
Hours of Opening	<ul style="list-style-type: none"> <li>Monday to Friday 9.00am to 5.00pm</li> </ul>	
Telephone numbers	<ul style="list-style-type: none"> <li>First line call handling is carried out by Dudley Council Plus (DCP) on 0300 555 2345</li> <li>Out of hours emergency calls are received by the DCP number 0300 555 2345 and diverted to the 24 hour service</li> </ul>	<ul style="list-style-type: none"> <li>01384 814673 (Trading Standards)</li> <li>0300 555 2345 (out of hours)</li> </ul>
E mail	<ul style="list-style-type: none"> <li><a href="mailto:foodandsafety@dudley.gov.uk">foodandsafety@dudley.gov.uk</a></li> </ul>	<ul style="list-style-type: none"> <li>tsonline@dudley.gov.uk</li> </ul>
website	<ul style="list-style-type: none"> <li><a href="http://www.dudley.gov.uk/foodsafety">www.dudley.gov.uk/foodsafety</a></li> </ul>	<ul style="list-style-type: none"> <li><a href="http://www.dudley.gov.uk">www.dudley.gov.uk</a></li> </ul>

## Service Delivery 2014/2015

Detailed below are the planned activities for the Food Service in 2014/2015

Activity	Food Safety & Hygiene	Food Standards	Comments
<p>Planned Interventions Programme</p>	<ul style="list-style-type: none"> <li>• Target is to visit 100% of Cat A-C, 100% Cat D &amp; 20 % Cat E premises due for inspection plus all unrated premises.</li> <li>• The number of planned interventions in 2014-15 is 1115*, 528 high risk (Cat A-C) and 532 low risk (Cat D 477 &amp; Cat E 55) plus 95 unrated premises.</li> <li>• Premises are risk assessed in compliance with the FSA system and are split into categories ranging from A to E. Annual strategy for Cat D &amp; E may vary- see comment (i)</li> <li>• The inspection programme to be carried out is split between categories as follows:            Category A: 7            Category B: 126            Category C: 388            Category D: 477            Category E: 271 (but only 20% to be inspected)            Unrated premises: 95</li> <li>• For premises which operate outside of normal office hours, inspections or interventions will be carried out when the business is trading. See comment (ii).</li> <li>• It is anticipated that approx 250 revisits to carry out enforcement will be undertaken in 14/15, including a small number of re-visit requests under the Food Hygiene Rating Scheme (FHRS). See comment (iii)</li> </ul>	<ul style="list-style-type: none"> <li>• As of April 2014, Trading Standards use the NTSB (previously known as LACORS) risk assessment system. Premises are risked from Category A, through B1 and B2 to Cat C.</li> <li>• Target is to inspect 100% (18) Cat A and 100% Cat B (50) premises due for inspection plus some unrated premises (exact number will depend on resources available).</li> <li>• Based on 13/14 it is anticipated that approximately 10 food standards revisits will be undertaken in 14/15. Re-visits &amp; enforcement are required for all premises not broadly compliant under the Code of Practice) (i.e. current compliance score of 40 and/or confidence in management score of 30)</li> </ul> <p>N.B. Project plan to transfer food standards from Trading Standards Officers (TSOs) to EHOs in 2014-15 will need to move to FSA food standards risk rating system rather than NTSB system which is designed for food standards inspections carried out jointly with</p>	<p>* These figures can only be estimated as they include new food businesses which under FSA reporting are now included in the programme as due inspections. It is not possible to estimate how many new businesses will register each year but there has been a growth in new small food businesses year on year.</p> <p>(i) Strategy for Category D &amp; E low risk food establishments: On an annual basis during service planning, a decision is made, taking into account resources and priorities, as to whether to include in the planned interventions programme or whether to use an alternative enforcement strategy (AES). Some Cat D food premises can receive interventions which are official and non official controls alternatively but those handling open high risk food with 20 or more patrons/day must be subjected to full or partial inspections or audit under the revised Code of Practice. Non official interventions include information and intelligence gathering.</p> <p>Total no. of Cat E premises due in 2014-15 is 271 including 177 carried over from previous years.</p>



Activity	Food Safety & Hygiene	Food Standards	Comments
<p>Planned Interventions Programme (continued)</p>	<p>Priorities for 2014-15:</p> <ol style="list-style-type: none"> <li>1. Continuing to support food business proprietors to produce documented food safety management systems such as Safer Food Better Business (SFBB) to enable them to comply with The Food Safety and Hygiene (England) Regulations 2013.</li> <li>2. Continuing to use the alternative interventions strategy in the revised Food Code of Practice (April 2014) to give greater focus on premises with ratings of zero to 2. (i.e. not broadly compliant). Premises with ratings of 3 to 5 may receive themed or partial inspections See comment (iv).</li> <li>3. Continuing to publish the results of food hygiene inspections on the national website at <a href="http://www.food.gov.uk/ratings">www.food.gov.uk/ratings</a> and via a direct link to the Dudley data from the Council's website.</li> <li>4. Ensuring compliance with the FSA Brand Standard on the Food Hygiene Rating Scheme (FHRS) including dealing with appeals, right to replies and re-visit requests from businesses. See comment (v).</li> <li>5. Sustaining the proportion of food premises broadly compliant with food hygiene legislation at the current high level. Target for 2014-15 is 90% (not including unrated premises)..</li> <li>6. Continuing surveillance for premises requiring approval under Regulation (EC) NO. 853/2004,</li> </ol>	<p>other trading standards functions.</p> <p>Priorities for 2014-15</p> <ol style="list-style-type: none"> <li>1. Contribute to the Worcestershire Scientific Services Food Projects. Exact details not yet known. No such projects ran in 13/14 due to the horse meat investigation.</li> <li>2. Contribute to the following Centsa (Central England Trading Standards Authorities) Projects. <ul style="list-style-type: none"> <li>o Meat substitution</li> <li>o Imported Food FSA sampling survey.</li> </ul> </li> <li>3. Making the statutory return to the FSA using the Local Authority Enforcement Monitoring System (LAEMS) web based scheme.</li> <li>4. Completing a project plan to transfer food standards enforcement from TSOs to EHOs and ensuring the training &amp; development of EHOs in food standards enforcement.</li> <li>5. Making preparations for enforcement of the new Food Information Regulations which will replace the Food Labelling Regulations 1996 from late 2014. High risk premises producing their own labels will be a priority.</li> </ol>	<p>Target is to inspect 20% Cat E's in 2014-15.</p> <p>(ii) Planned interventions of premises which trade outside normal office hours (e.g. evening opening restaurants and takeaways, weekend markets) routinely take place out of normal office hours when these food businesses are trading.</p> <p>(iii) Under the revised Code of Practice, re-visits and enforcement are now required to be carried out for all premises which do not achieve a broadly compliant rating. This is approx 180 re-visits to premises due but some premises will require more than one re-visit so numbers are difficult to predict. Also under FHRS, re-visits requests to premises with ratings of 3 &amp; 4 also have to be accommodated (subject to conditions). Enforcement options range from informal enforcement, through formal enforcement including service of notices and /or prosecution in line with the Enforcement Policy</p> <p>(iv) Planned interventions strategy for 2014-15. Cat A &amp; approved premises to receive full inspection. Fully compliant Cat B-E premises to alternate between full and themed* inspection. Broadly compliant Cat B- E to alternate</p>

Activity	Food Safety & Hygiene	Food Standards	Comments
<p>Planned Interventions Programme (continued)</p>	<p>e.g. meat products manufacturers.</p> <ol style="list-style-type: none"> <li>7. Continuing surveillance for Imported Food.</li> <li>8. Surveillance for new food businesses that require registration and inspection. Minimum one exercise to be carried out identifying unregistered food businesses. See comment (vi).</li> <li>9. Ensuring food businesses are aware of and follow FSA guidance on preventing E. Coli contamination, focussing particularly on premises where raw and cooked meats are handled, e.g. butchers, caterers. See comment (vii)</li> <li>10. Continue to deal with the back log of new premises inspections (95 new businesses due for inspection in April 2014).</li> <li>11. Devise a strategy to deal with childminders, who from January 2014 no longer have to separately register as a food business but still require an initial inspection if serving food. There are 63 child minders previously registered &amp; inspected out of approx 175 Ofsted registered childminders in the borough.</li> <li>12. Take part in an inter authority audit on the Food Hygiene Rating Scheme within the West Midlands Food Liaison Group (WMFLG).</li> </ol>		<p>between full and partial inspections. Non compliant premises to receive full inspection. Partial inspections to cover elements on previous inspection which did not score in top 2 bands of rating for structure, food hygiene compliance or management assessment. N.B. If new proprietor or any fall in standards from previous inspection, then full inspection will be carried out.</p> <p>* Themed inspections in 2014-15 will continue to focus on compliance with guidance on preventing E.Coli contamination.</p> <p>(v) The national FHRS requires re-visits to update hygiene ratings upon request (subject to conditions) which was not a feature of the previous Dudley local scheme. The level of additional work in re-visiting broadly compliant premises has been low in 2013-14 (8 premises).</p> <p>(vi) Unregistered businesses are detected through intelligence and surveillance and through information from other council services, such as planning and building control. Surveillance in 2014-15 to include at least one exercise to identify unregistered businesses. At initial inspection, new businesses are rated in accordance with the Code of</p>

Activity	Food Safety & Hygiene	Food Standards	Comments
			<p>Practice and included in the planned intervention programme.</p> <p>(vii) FSA guidance “Prevention of E.Coli Contamination” issued in response to Pennington Report “The Public Inquiry into the Sept 2005 outbreak of E.Coli in South Wales”.</p>
Complaints	<ul style="list-style-type: none"> <li>Using previous years as a guide it is anticipated that the service will receive approx.80 food complaints and 200 complaints relating to hygiene or condition of food premises.</li> </ul>	<ul style="list-style-type: none"> <li>Using previous years as a guide it is anticipated that the service will receive 200 complaints on issues relating to food.</li> </ul>	<p>All complaints will be investigated in compliance with current quality procedures and enforcement policy</p> <p>Anonymous complaints will be dealt with on a risk assessment basis.</p>
Primary Authority Principle	<ul style="list-style-type: none"> <li>The Home Authority (HA) principle is operated for all referrals from other authorities. Current resources to date have not permitted the division to act as national policy advisor to locally based business other than in an unofficial capacity. The impact for Dudley of the Primary Authority Scheme under the Regulatory Enforcement and Sanctions (RES) Act 2008 from April 2009 has been limited so far. See comments</li> </ul>	<ul style="list-style-type: none"> <li>The service deals with HA referral from other authorities and where necessary will advise on national policy issues.</li> </ul>	<p>To date, only one request for a Primary Authority arrangement with Dudley has been received and this will be looked into in 2014-15.</p> <p>From April 2009, there have been conditions on LAs implementing enforcement action against companies with a Primary Authority agreement which requires a notification to seek agreement from the Primary Authority.</p>
Advice to Business	<ul style="list-style-type: none"> <li>FOS is projected to receive approx 450 food advice requests. See comment (i)</li> <li>All requests for advice /assistance received via business questionnaires are responded to.</li> <li>The Food Standards Agency SFBB packs for small businesses are available to download from the FSA website.</li> <li>Safer Food Better Business (SFBB)</li> </ul>	<ul style="list-style-type: none"> <li>The service responds to 100% requests for advice on food matters. 32 requests for food business advice given in 13/14.</li> </ul>	<p>(i) There has been an increase in the number of food hygiene requests for service, up 30% from 2012-13 to 2013-14, largely due to an increased turnover in small food businesses and their need for advice and support.</p> <p>Businesses will be given advice as part of a routine inspection.</p>

Activity	Food Safety & Hygiene	Food Standards	Comments
	<p>packs are available in Cantonese and other languages. The SFBB DVDs are available in 16 languages.</p>		
<p><b>Food and Feeding Stuff Inspection and sampling</b></p>	<ul style="list-style-type: none"> <li>An annual sampling programme is produced for microbiological food samples to be taken for examination.</li> <li>Approx. 312 microbiological examinations will be carried out under the allocation from Public Health England at Good Hope Hospital, Sutton Coldfield.</li> <li>Sampling in relation to food complaints (such as foreign bodies, chemical contamination or undercooking) will be carried out as necessary via an arrangement with the public analyst at Worcester Scientific Services (approx 10 complaints a year sent for analysis).</li> </ul>	<ul style="list-style-type: none"> <li>An annual sampling programme and plan is produced with a target of 75 samples.</li> <li>Samples will be analysed by Scientific Services, Worcestershire County Council</li> </ul>	<p>Samples taken will include samples taken as part of regional and national sampling projects led by Food Standards Agency (FSA) or Public Health England (PHE). Unsatisfactory samples are followed up with advice and re-sampled as necessary. Sampling numbers may be increased as necessary in the event of outbreaks or food safety incidents occurring. Sampling Policy is published on the website.</p>
<p><b>Control and Investigation of out breaks and food related infectious diseases.</b></p>	<ul style="list-style-type: none"> <li>The estimated number of notified cases of illnesses that may occur is 650 approx, including 450 campylobacters</li> <li>Salmonella, E.Coli, Shigella, Typhoid and Paratyphoid cases responded to within 24 hours. Hepatitis A within 2 days.</li> <li>Campylobacter cases contacted by letter rather than questionnaire. All risk groups continue to be appropriately advised and all outbreaks investigated. See comment (i).</li> <li>The service will use as appropriate powers contained in Health Protection Regulations to deal with health risks associated with an “all hazards” approach, not just disease. See Comment (ii)</li> </ul>	<p>N/A</p>	<p>Infectious disease protocol and procedure laid down in conjunction with Public Health England.</p> <p>There has been increased scrutiny by PHE in respect of promptly actioning all cases (except campylobacter) and requirements for completing more in-depth investigation forms.</p> <p>Outbreaks are difficult to predict so figures may vary.</p> <p>(i) There has been an increase in campylobacter cases, following the national trend in a rise in cases year on year.</p> <p>(ii) Health Protection legislation can now be used to deal with chemical and radiological hazards</p>

Activity	Food Safety & Hygiene	Food Standards	Comments
			as well as a range of diseases, not just food poisoning. LA powers include the exclusion of children from school (previously a CCDC power) and power to apply to a JP for a Part 2A order for wide ranging health protection measures.
Food Alerts	<ul style="list-style-type: none"> <li>It is anticipated that approx. 40 food alerts (not including allergy alerts) will be notified in 14/15 with approx 10 requiring action.</li> <li>Food Alerts are received via ehcnet.</li> </ul>		Food Alert procedure in place.
Communication and Liaison with other organisations	<p>The service actively participates in and works with various groups including</p> <ul style="list-style-type: none"> <li>West Midlands Food Liaison (WMFL) Group</li> <li>Food for Health Steering Group (chaired by Dudley Office of Public Health)</li> <li>The Food Standards Agency (FSA)</li> <li>Public Health England</li> </ul> <p>Officers are in regular communication with:</p> <ul style="list-style-type: none"> <li>The Consultant in Health Protection /Consultant in Communicable Disease Control (CCDC)</li> <li>Community Infection Control Nurses</li> <li>Water companies supplying Dudley borough.</li> </ul>	<p>The service actively participates in and works with the following groups</p> <ul style="list-style-type: none"> <li>CEnTSA* quality standards group</li> <li>Food for Health Steering group</li> <li>Food Standards Agency</li> </ul>	* Central England Trading Standards Authorities
Promotion and education	<ul style="list-style-type: none"> <li>In conjunction with the Office of Public Health team the Dudley Food for Health Award (DFFH) encourages premises to provide a healthy eating choice whilst complying with food hygiene regulations. Target for 2014-15 is for 65 high street businesses and 30 schools, care homes and nurseries</li> </ul>	<ul style="list-style-type: none"> <li>No specific promotional and educational activities are planned in 2014-15 as it will be a priority to ensure the smooth transfer of the food standards service from TSOs to EHOs and promotional and educational work will not be a</li> </ul>	(i) From April 2013, the delivery of the DFFH award for high street businesses has been contracted out by the Office of Public Health to Fit Food Fit Life, a Community Interest Company, who liaise with the food service in the Award delivery.

Activity	Food Safety & Hygiene	Food Standards	Comments
Promotion and education (continued)	<p>to receive the award. See comment (i)</p> <ul style="list-style-type: none"> <li>• Continue the development of a healthy retailer scheme to improve the knowledge, skills and practices of retailers in promoting and selling healthier foods. This includes the selling and promoting of fresh fruit and vegetables based on the Change 4 Life Convenience Stores programme and model. Target is for 10 small retailers to become champion stores selling and promoting healthier snacks, meal options and fruit &amp; vegetables, See comment (ii)</li> <li>• Further Evaluation of the DUE Food Policy implemented in 2011-12 will be carried out and consideration be given to Council wide implementation of Food Policy. The Food Policy lays down commitment to provide healthy food choices whenever food is offered for direct sale, hospitality or vending. See comment (iii).</li> <li>• In conjunction with the Office of Public Health it is intended to carry out an education campaign at Leisure Centres in 2014-15 to increase uptake of healthier options from vending machines. See comment(iv)</li> </ul>	<p>priority in the current year. Previous areas for focus have been around raising awareness of the food labelling regulations and future focus likely to be on the new Food Information Regulations.</p>	<p>(ii) This work is largely delivered by Fit Food Fit Life who liaise with the food service in relation to referrals of small retailers who are compliant with food hygiene legislation. Scheme will also promote the Healthy Start programme where pregnant women, new mums and young children in low income families receive support to eat healthier through the provision of vouchers to be exchanged for healthy foods from small retailers.</p> <p>(iii) Contributes to delivering objectives of the Obesity Strategy. Initial indications are that policy has been successful &amp; income from vending machines in Leisure Centres has increased under new contract. However there have been issues with sourcing the healthiest sweet snacks and low demand for them via the vending machines.</p> <p>(iv) Exact details of project not yet known. Will depend on support by Food for Health Advisors in Office of Public Health</p>
Communication and Liaison	<ul style="list-style-type: none"> <li>• The activities of all the groups detailed above will be participated in during the year.</li> <li>• Regular communication is held with the Food Standards Agency via the</li> </ul>	<ul style="list-style-type: none"> <li>• The activities of all the groups detailed above will be participated in during the year.</li> <li>• Representatives from CEnTSA group will attend the FSA</li> </ul>	

Activity	Food Safety & Hygiene	Food Standards	Comments
<p>Communication and Liaison (continued)</p>	<p>EHCnet system.</p> <ul style="list-style-type: none"> <li>• The statutory return to the Food Standards Agency (LAEMS) is made annually</li> <li>• Consultation processes via the Food Standards Agency and other agencies (e.g. Defra) will be responded to either independently or as part of WM Food Liaison Group.</li> <li>• Consultation with food business proprietors and complainants will continue in the form of satisfaction questionnaires.</li> <li>• Press releases will continue to be issued to report on public interest information, e.g. outcomes of prosecutions.</li> <li>• The Food Service Plan will, as in previous years, be reported to members and published on the Council's website.</li> <li>• Continuing use of the website to publish advice and assistance in food safety matters for businesses and members of the public is important. Considerable improvements have been made to the website information. All correspondence now contains short cuts to relevant web addresses</li> <li>• The use of Twitter to disseminate public information messages on food safety will be trialled for 3 months with a view to further development.</li> <li>• Food Safety Week in June 2014 will be participated in. The theme will be around the prevention of cross contamination by encouraging people not to wash meat at home.</li> </ul>	<p>enforcement liaison group</p> <ul style="list-style-type: none"> <li>• Consultation with FSA will be through the CEnTSA group</li> </ul>	

## Challenges for Dudley MBC Food Law Enforcement Service in 2014-15 and beyond

- A re-modelling of the Environmental Health and Trading Standards service from 3 to 2 service areas under two new Public Protection manager posts is due to take place from June 2014. This will result in a specialist food service team in the new Food and Consumer Safety Division. The food service team, consisting of Environmental Health Officers and Food Safety Officers, will take on responsibility for food standards enforcement as well as food hygiene and safety. This will require a project plan to be implemented to ensure the smooth transition of the food standards service from Trading Standards Officers to EHOs. There will be additional training and development needs for staff on the new food service team.
- Changes to the Food Standards Agency Code of Practice in April 2014 have been taken on board. There has been a reduction in the number of high risk inspections as a result of premises previously in the bottom range of Category C risk ratings being reduced to Category D premises. This has seen 373 previous Category C premises reduced to category D and has reduced the inspection programme in 2014-15 by 145 premises. However there has been a compensatory increase in Category D premises as a result which will see an increase in the low risk inspection programme in this and subsequent years. The decrease in high risk inspections also has to be balanced against the expected continuing increase in small food business numbers overall and the new requirement of the revised Code of Practice to re-visit all premises which are not broadly compliant.
- The reduction in funding from central government and the year on year budget cuts is a continuing pressure for all council services. The corporate aspiration is to deliver a top achieving service, hence finding ways to operate as efficiently and effectively as possible while still aiming to achieve delivery plan targets is essential. The new food service team will see a slight reduction in resources for food safety and standards enforcement over previous levels .
- As a result of the Open Public Services White paper, there is an increasing need to look at new ways of delivering the service in the future, including options such as outsourcing, using the private sector and sharing services with partners, other local authorities and other agencies. Increasing opportunities for funding of food services from partners such as the Office of Public Health, external agencies and the voluntary and private sectors will be an aim.



- The government's deregulation agenda has gathered pace and seeks to remove unnecessary burdens on businesses whilst ensuring the important protections provided by regulators continue. Coming down the track is co-regulation (i.e. the sharing of responsibility between regulators and third parties, including businesses) through the use of certification, accreditation and "Earned Recognition" and extension of the Primary Authority scheme.
- The Primary Authority Scheme (whereby any business or regulated entity which operates across more than one local authority boundary is eligible to apply for a nominated local authority to act as the primary advisor on regulatory matters) has expanded nationally. Its extension to franchises and company groups will increase the likelihood of Dudley being approached with a partnership request. Resources to date have not permitted the food service to act as national policy advisor to locally based business other than in an unofficial capacity. However, with the scheme firmly supported by government and the Better Regulation Delivery Office, Dudley will need to be open to the opportunities presented by such a partnership approach.
- The transfer of public health functions from the NHS to local authorities from April 2013 has resulted in closer links with public health professionals. The food service already makes contributions in the areas of obesity prevention and healthy eating and has important contributions to make to targets in the Public Health Outcomes Framework. Ensuring that the work of the food service has a profile in the Joint Strategic Needs Assessment process is important as this is where future public health funding priorities locally will be decided. 3 staff have been trained as Healthy Living Champions as part of the Making Every Contact Count Programme aimed at increasing referrals and signposting to public health services during routine enforcement work and this is to be rolled out to further staff during 2014-15.
- There has been an increase in some areas of reactive work including the number of food hygiene requests for service, largely due to an increased turnover in small food businesses and their need for advice and support, and an increase in reported food poisoning cases, particularly campylobacter cases, following the national trend in a rise in cases year on year. The number of small food businesses changing hands and requiring re-registration and inspection has steadily increased year on year due to the current economic climate. There has also been an increase in new home caterers, mobile food traders and home baking businesses. 430 new food registrations were received in 2013-14, raising the number of registered food businesses in the borough to just over 2,400 for the first time. This

places an extra burden on the inspection programme in terms of additional inspections and providing extra support to new proprietors.

- The food service will be required to assist and advise businesses in order that they comply with the new Food Information Regulations. The regulations combine rules on general food and nutrition labelling into a single EU regulation. Transitional arrangements set out in the proposed new regulations mean that the bulk of the requirements will apply from late 2014, with nutrition labelling becoming mandatory in 2016.

## Resources

**Detailed below are the financial and staffing resources of the food service**

### Financial Resources

	<b>Food Service</b>
Staffing	£482,700
Travel	£7,970
Phones & Equipment	£6,610
Sampling Budget	£13,500
Staff Training	£4,280
Departmental Service Charge	£61,400
Central Est. Charge	£60,930
<b>Total Food Budget</b>	<b>£637,390</b>

NB Costs have been calculated based on the re-modelled food service from June 2014, to include 11.2 FTE (including Principal Officer with food lead) staff engaged in food safety and food standards work

## Staffing Allocation

The information detailed below outlines the staffing arrangements and associated qualifications for the food service from June 2014. The Food Standards Agency issued Code of Practice stipulates the qualifications that food officers must possess to carry out food enforcement.

From June 2014, the specialist food team within the new Food and Consumer Safety Division of the Environmental Health and Trading Standards Service will be responsible for all food safety, hygiene and food standards delivery. However, Trading Standards Officers within the new division will carry on delivery of food standards interventions until the completion of a phased project plan to transfer food standards functions to EHOs on the food service team during 2014-15. Additionally, other EHOs, who up until June 2014 were engaged on food safety work but will transfer to the generalist environmental health team, will be encouraged to maintain their food competency by attending CPD training to FSA requirements and by taking part in the annual monitoring programme for food competency as set out in the Authorisation and Monitoring Procedure (March 2014).

<b>Food and Consumer Safety- Food Service</b>	
<b>Post</b>	<b>Level of Competency</b>
1 Service Manager	Degree in Environmental Health Registered with EHRB*
1 Principal EHO	Degree in Environmental Health Registered with EHRB (lead assessor qualified)
1 Principal TSO**	Diploma in Trading Standards (lead assessor qualified)
8.2 Environmental Health Officers	Degree or Diploma in Environmental Health Registered with EHRB (some lead assessor qualified)
1 Food Safety Officer	Higher Certificate in Food Premises Inspection (but not Food Standards module)
1 FTE TSO** ( 4 posts doing food standards on part time basis)	Diploma in Trading Standards (3 lead assessor qualified)
1 Environmental Health Assistant	Higher Certificate in Food Premises Inspection (but not Food Standards module)

\* Environmental Health Officers Registration Board

\*\* During 2014-15, food standards functions will transfer from TSO posts to EHO posts.

The Framework agreement on Local Authority Food Law Enforcement requires that Full time Equivalents (FTE) to be calculated for all areas of food enforcement. Previous figures were produced based on a time keeping exercise undertaken in 2010. The estimated FTE figures for 2014-15, based on the re-modelled food service from June 2014, are given below.

<b>Activity</b>	<b>FTE</b>	<b>Activity</b>	<b>FTE</b>
Routine interventions- food safety	6.0	Service requests- food safety	0.8
Routine interventions- food standards	1.0	Service requests- food standards	0.4
Advice	Inc in service requests	Sampling- safety & standards	0.4
Investigate food poisoning	0.5	Promotion	0.2
Officer training/development	0.6	Management/miscellaneous	1.3
<b>TOTAL 11.2 FTE</b>			

#### Miscellaneous Resources for provision of service

	<b>Food Service (Food Safety and Food Standards)</b>	<b>Comments</b>
Database (accurate and up to date)	M3 Northgate software system in use. M3 user group attended. 3 officers authorised to administer system in addition to limited IT support. All officers have been trained in updating work sheets and actions and to input inspections. Project to more fully exploit potential of M3 completed and all food safety documentation now stored electronically with signatures within M3, removing the need for paper copies. There is a full audit trail within M3 for all data entry.	In 2014-15, the food standards module within M3 EH will need to be populated with data from the EH TS comprehensive inspection module. Clarification needs to be sought as to how best to achieve this as part of the project plan to migrate food standards work to EHOs.
Up to date legislation	Access to legislation available through corporate subscription to TI Indices and also via the opsi website. Subscriptions to food law encyclopaedia no longer cost effective, hence access to case law is reduced and now relies on internal legal advice & access.	
Admin Support	No dedicated support within the division. Business support provided by DUE Business Support team at 4 Ednam Road.	

IT support	Directorate IT team provide limited support	
Technical Equipment	Range of equipment available, e.g. calibrated thermometers, data loggers etc. Reference thermometers and data loggers calibrated annually.	FOS documented procedure for maintenance of equipment.

### **Staff Development**

The food service operates a staff development programme, which includes the use of annual Performance Review and Development (PRD) interviews with six monthly reviews. A training plan is completed from the information gathered.

All staff engaged in food law enforcement are able achieve the minimum ongoing/update training consisting of at least 10 hours per year based on the principles of continuing professional development (CPD) to ensure compliance with the Food Standards Agency issued Code of Practice. Training is provided either in house at dedicated food training sessions or externally on FSA, CentTSA or other suitable providers' courses. New or returning officers receive a minimum of 15 hours CPD training and monthly monitoring visits before being considered for formal enforcement powers. Only Senior Environmental Health Officers or above with a minimum of 2 years post qualification experience in food safety enforcement are authorised after satisfactory completion of a competency assessment to serve Hygiene Emergency Prohibition Notices under The Food Safety and Hygiene (England) Regulations and Emergency Prohibition Notices under the Food Safety Act 1990.

### **Quality Assessment**

The service is committed to quality and uses a variety of mechanisms to monitor the work of officers.

#### ***Food Safety & Hygiene***

The service utilises the following methods to assess its performance against the standard and against the work of other West Midland Authorities. The monitoring of officers is included in the Authorisation and Monitoring of Officers documented procedure (March 2014). All officers partake in annual (monthly for new or returning officers) monitoring of one food hygiene inspection, one food complaint, one food hygiene premises complaint and one infectious disease investigation. Monitoring includes assessment against the appropriate documented procedure as well as routine checks of paperwork and inspection

reports as well as accuracy of data entry. In addition, there is 100% checking of all formal notices served, a check of 10% of all inspections on the M3 database, and an annual food standardisation exercise. Officers also participate in regional standardisation exercises and peer review visits as organised through the West Midland Food Liaison Group. The Manager undertakes a quarterly assessment of the Service's work.

### **Food Standards**

The Principal Officer in Trading Standards with responsibility for the monitoring and organisation of food standards conducts checks on 20% of completed visit forms and a representative sample of notices and other paperwork. A system of standardised visits and monitoring procedures for investigations and service requests has been developed. During 2014-15, the monitoring of food safety and food standards work will be drawn together as the project plan progresses to transfer food standards work to EHOs.

### **Service Review 2013/2014**

On an annual basis the services' performance is reviewed against last year's plan.

<b>Activity</b>	<b>Food Safety &amp; Hygiene</b>		<b>Food Standards</b>		<b>Comments</b>
	Target	Achievement	Target	Achievement	
<b>Planned Interventions Programme</b>	100% high risk food premises (Cat A-C)	99.5% (792/796)	100% of high risk food premises (18)	100% (18)	* Under achievement on low risk inspections due to staff vacancies including maternity leave during the year and also due to 2 FTE equivalent officers engaged full time on fatality investigation from Sept 2013. This required a re-prioritisation of inspection targets in the second half of the year.  ++ Worcestershire Scientific Services Project Reports are published as separate documents and are regionally based.
	100% Cat D low risk food premises	66% (146/220)*	50% of medium risk food premises (155)	100% (155)	
	90% Cat E low risk food premises	62% (283/460) Cat Es inspected*	Contribute to the Worcestershire Scientific Services Food Projects++.	No projects ran in 2013/14 due to the horse meat investigation.	
	Carry out exercise to identify unregistered food businesses	Total no. of inspections achieved was 1221  Trawl of business directories identified several	Contribute to the following Centsa (Central England Trading Standards Authorities)	Four samples obtained, one sample reported other species DNA consistent with non	

Activity	Food Safety & Hygiene		Food Standards		Comments
	Target	Achievement	Target	Achievement	
Planned Interventions Programme (continued)	from business directories	unregistered businesses and all followed up. 430 new food registrations dealt with all year +++	Projects. ○ Lamb meals for substitution	deliberate contamination.  10 lamb mince samples obtained for species substitution. 7 satisfactory, 2 awaiting results, 1 unsatisfactory low level contamination considered not deliberate. Chicken breast fillets 6 samples obtained, 4 awaiting result, 1 unsatisfactory 1 satisfactory. Unsatisfactory result followed up with a formal sample.	+++ this includes new businesses and those which have changed proprietorship. There has been a steady increase in the number of food registrations received.  (i) Under achievement due to the growth in new food registrations & delay in final quarter in inspecting new premises due to focus on high risk inspections. Based on all food premises in borough, including unrated, those awaiting inspection and those outside the inspection programme. Unrated premises are counted as non complaint until inspected. Compliance figure is 90% if unrated premises not included. Statistics produced by the Food Standards Agency in November 2013 for 2012-13 show Dudley to have the 2 <sup>nd</sup> highest proportion of broadly compliant food premises in the West Midlands region and 12 <sup>th</sup> out of 37 metropolitan boroughs nationally.  .  +not including sensitive, exempt & excluded premises for which ratings are not published on FHRS
	Aim to achieve minimum 90% businesses broadly compliant with food hygiene law.	86.4% of food premises in the borough broadly compliant with food hygiene legislation. See comment (i)			
	Continue to publish results of food hygiene inspections on national FHRS consumer website with link from the Council's website directly to the Dudley listings.	Completed. 2040+ food inspections published by 31 <sup>st</sup> March 2014. 839 (41.1%) Rated 5 (Very Good) 520 (25.5%) Rated 4 (Good) 461 (22.6%) Rated 3 (Generally Satisfactory) 95 (4.7%) Rated 2 (Improvement necessary) 110 (5.4%) Rated 1 (Major Improvement necessary) 17 (0.8%) Rated 0 (Urgent Improvement necessary)			
	Ensure compliance with the FSA Brand Standard on the Food Hygiene Rating Scheme (FHRS) including dealing with appeals, right to replies and re-visit requests from businesses.	2 appeals dealt	○ Imported Food FSA sampling survey.	Spices ref irradiated food , 2 samples both satisfactory.	

Activity	Food Safety & Hygiene		Food Standards		Comments
	Target	Achievement	Target	Achievement	
Planned Interventions Programme (continued)	Assist food business proprietors of premises which are not broadly compliant to improve their compliance through additional coaching.	with, 10 re-visits requests received, no right to replies received  35 food premises rated 1 or 2 received additional on site coaching to enable them to improve and increase their hygiene rating at next inspection.* Premises scoring zero for hygiene were offered additional one to one coaching as an alternative to prosecution where appropriate**			*This work was funded by the FSA in 2013-14  ** Coaching of zero rated premises is only offered once per FBO (food business proprietor) and requires a commitment and undertaking by the FBO to improve over a short period of time as an alternative to immediate prosecution. Any subsequent fall in standards is subject to enforcement as per the Enforcement Policy. This approach is not used where emergency action such as closure is required, i.e. if there is an imminent health risk situation. In 2014-15, all non compliant premises (ratings of 0-2) will be re-visited & appropriate enforcement action taken
Complaints	Investigate all complaints relating to the sale of food which does not comply with food safety requirements.  Investigate all complaints as appropriate relating to food premises which do not comply	82 food complaints dealt with  207 food premises complaints dealt with	Respond to all complaints appropriately.	Dealt with 192 complaints.	Procedures in place to ensure that complaints dealt with appropriately and timely.



Activity	Food Safety & Hygiene		Food Standards		Comments
	Target	Achievement	Target	Achievement	
	with food safety requirements				
Advice to business and others on food hygiene matters	Respond to requests for food safety advice from businesses and members of the public	451 food hygiene advice requests dealt with*	Respond to requests for advice	32 requests for advice received. All responded to.	*30% rise in food hygiene requests for service in 2013-14 compared to 2012-13
Food and Feeding Stuff Inspection and Sampling	312 samples taken for microbiological examination	312 samples taken	100 samples	77 samples taken	All unsatisfactory sample results were followed up with advice and re-sampled where necessary.
Control and Investigation of outbreak and food related infectious diseases	<p>100% food related illness notifications responded to within 24 hours</p> <p>100% Hep A with 2 days</p> <p>100% campylobacters within 5 days</p> <p>Respond to potential outbreaks of food borne related illness in conjunction with CCDC and in line with Outbreak Plan</p>	<p>217 infectious disease notifications requiring 24 hour response</p> <p>445 campylobacter notifications responded to</p> <p>Small number of suspect outbreaks investigated but none proven. Small number of viral outbreaks in residential homes dealt with in conjunction with PHE.</p>	N/A		

Activity	Food Safety & Hygiene		Food Standards		Comments
	Target	Achievement	Target	Achievement	
Control and Investigation of outbreak and food related infectious diseases (continued)	Use as appropriate new powers contained in Health Protection Regulations to deal with health risks associated with an "all hazards" approach, not just disease	No cases involved use of new Part 2A orders. All necessary exclusions from school and work were agreed voluntarily			
Food Alerts	100% Food Alerts responded to appropriately	34 Food Alerts (not including allergy alerts) received, all actioned as necessary	Respond to all food alerts appropriately	All alerts responded to appropriately.	
Promotion and education	<p>Continue to support FBOs to produce documented food safety management systems, such as SFBB.</p> <p>Promote and deliver Dudley Food for Health Award (Target: 60 high street businesses and 30 schools, care homes and nurseries to receive the award and a further 40 high street businesses to be working towards the award)</p> <p>Work with external supplier to develop healthy retailer scheme. Target was</p>	<p>Covered on all inspections</p> <p>48 Awards (38 Gold, 10 Silver) 23 High St. businesses, 25 care homes, schools &amp; nurseries, 24 high st. businesses working towards award* 173 high st premises engaged with in total</p> <p>Retail scheme developed, 10 retailers working towards being a</p>			<p>* Under achievement on awards in 2013-14 due to reduced capacity within Food for Health Advisors posts &amp; need to embed new contract with Fit Food Fit Life</p> <p>This was anew areas of work in 2013-14 and still under development by Fit Food Fit Life</p>

Activity	Food Safety & Hygiene		Food Standards		Comments
	Target	Achievement	Target	Achievement	
Promotion and education (continued)	<p>for 30 small retailers to sell and promote healthier snacks and meal options and for 20 retailers to sell and promote fresh fruit and vegetables,</p> <p>Continue to monitor DUE Food Policy ** and evaluate.</p> <p>In conjunction with Office of Public Health carry out education campaign at Leisure Centres to increase uptake of healthier options from vending machines</p> <p>Report to Assistant Directors' Group on Food Policy with recommendation for Council wide implementation</p>	<p>healthy retailer</p> <p>Ad hoc monitoring carried out with some issues identified &amp; addressed in relation to sourcing healthier sweet alternatives in vending machines.</p> <p>Carried over into 2014-15</p> <p>Report to ADs Group postponed whilst carrying out further evaluation &amp; reviewing &amp; updating Food Policy</p>			<p>** The Food Policy lays down commitment to provide healthy food choices whenever food is offered for direct sale, hospitality or vending. Contributes to Obesity Strategy. Initial indications are that policy has been successful &amp; income from vending machines in Leisure Centres has increased under new contract. However there are as yet unresolved issues with sourcing the healthiest sweet snacks and low demand for them via the vending machines.</p>

Activity	Food Safety & Hygiene		Food Standards		Comments	
	Target	Achievement	Target	Achievement		
Communication and Liaison	Attend meetings of WMFL Group	All meetings attended (6)	Attend all meetings of relevant organisations	All meetings attended.	All activities of the groups participated in e.g. Delivery of Dudley Food for Health Award, implementing DUE Food Policy	
	Attend Food for Health Steering Group	All meetings attended (2)				
	Make annual statistical return to the FSA using LAEMS web based system	Completed May 2013	Make annual statistical return to the FSA using LAEMS web based system	Completed May 2013		
	Publish Food Service Plan 2013-14 on website	Food Service Plan published on the website Sept 2013	Publish Food Service Plan 2013-14 on website	Food Service Plan published on the website Sept 2013		
	Report Food Service Plan to elected members for endorsement	Reported to Cabinet & Full Council	Report Food Service Plan to elected members for endorsement	Reported to Cabinet & Full Council		
	All food law enforcement cases progressed in accordance with the Enforcement Policy.	5 prosecutions concluded, 3 further cases in progress	All food law enforcement cases progressed in accordance with the Enforcement Policy.	1 on- going investigation concerning meat species on pizza topping turkey not ham.		All prosecutions are published on the prosecutions register on the Council's website.
	Continue to consult with customers regarding satisfaction with the service	No questionnaires sent out this year	Continue to consult with customers regarding satisfaction with the service	Customer survey 24/27(89%) very or fairly satisfied (N.B include all TS complaints not just food standards)		
	Analyse responses and report annually Follow up all those requiring					

Activity	Appendix 1 of 6 Soft Service contributing to Council Standard	Directorate priorities	Measurements
<b>Golden Thread</b> Communication and Liaison (continued)	<p>Target</p> <p>response/expressing dissatisfaction provided details given</p> <p>Achievement</p>	<p>Target</p> <p>Achievement</p>	

**Council Priorities**



**Directorate Priorities**



**Delivery Plan**



## APPENDIX 2: Dudley M.B.C. Profile

- Dudley Borough covers 38 square miles or 98 square kilometres. The borough is made up of four main town centres, Brierley Hill (new strategic centre) Dudley, Halesowen and Stourbridge.
- Dudley has a population of 312,925 (*source: 2011 Census*), an increase of 2.5% from the 2001 Census population.
- Nearly a quarter of the population are aged over 60. There has also been a 25% increase in the number of people aged over 80.
- In terms of ethnicity, 11.5% of the Dudley population are from ethnic groups other than White British compared with 7.5% in 2001. However, the proportion of food business proprietors in the borough whose first language is not English is 25%, which presents significant challenges in assisting and supporting small businesses to comply with the law.
- In terms of deprivation the areas most affected are situated in close proximity to Dudley town centre, around Halesowen and Lye town centre(s) and Coseley, some of which are in the 10% most deprived areas in England. Norton is the least deprived area in the borough.
- Over the last 30 years the borough economy has been transformed; and whilst manufacturing continues to be important, the borough now boasts a strong and diverse service sector, including financial services, distribution and retail, all of which have the potential to impact on the authority's food service work in relation to inspections, service requests and incidents and has increased the regulatory workload for both FOS and Trading Standards.
- Dudley borough has strong transport links with the region via the M5 motorway, and by rail to Birmingham and Wolverhampton. Rural Staffordshire and Worcestershire lie in close proximity to the west and south.
- There are 2,403 food premises in Dudley Borough on 1<sup>st</sup> April 2014.