

Appendix A

Welwyn Hatfield Borough Council  
Public Health and Protection

| **Food Safety Service Delivery Plan ~~2018-2019~~2018-2019**

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## **SERVICE AIMS AND OBJECTIVES**

### Aims and Objectives

One purpose of the Public Health and Protection Service is to work with relevant central government agencies to enforce statutory provisions and to provide education, guidance and emergency intervention to ensure the health of persons living, working and spending leisure time in the Borough is not adversely affected by physical, chemical or biological hazards. Part of this work involves appointing persons as Authorised Officers under the Food Safety Act 1990 to regulate food safety in the borough.

Specific objectives of the Public Health and Protection Service in connection with food safety are:

- To enforce the relevant statutory provisions and provide advice and education in order that duty holders are able to achieve and maintain a good standard of food hygiene throughout all food premises in the Borough.
- To ensure that at all levels of the food chain, all food prepared, sold or offered for sale is wholesome and fit for human consumption.
- To make a significant contribution to controlling the spread of infectious disease by carrying out investigative work on outbreaks and individual cases, in conjunction with the appropriate officers of Public Health England, and other partners as necessary.
- To meet local demand for low cost training in food hygiene and to identify and respond to new training needs.
- To respond to food related aspects of civil emergencies and maintain a core of Officers having ministerial authorisation as investigation and enforcement officers under the Food and Environment Protection Act.
- To operate the service in accordance with the relevant Code of Practice and the requirements of the Food Standards Agency.
- To contribute and assist in the achievement of better health and wellbeing for our communities.
- To work with partners to maintain a safe community.

This work underpins the council's corporate vision, priorities and values which include a commitment to:

- Maintain a safe and healthy community
- Protect and enhance the environment

- Help build a strong local economy

**BACKGROUND**

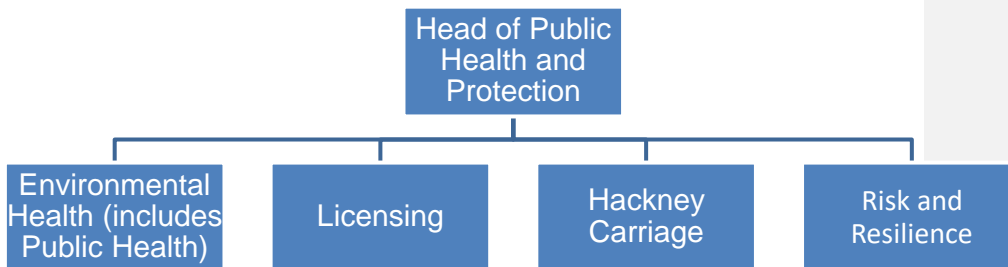
Profile of the Local Authority

Welwyn Hatfield Council is a blend of old and new and covers an area of approximately 130 square kilometres of mid Hertfordshire. It is made up of both urban and rural communities, with the towns of Welwyn Garden City and Hatfield the main commercial centres, with eight other large villages and settlements. Welwyn Hatfield Council area has a population of approximately 146,122,000, the population has grown by 510.4% since the 2011 census ~~and this is among the largest estimated increases in the UK at a growth rate of 1.7% per annum.~~ Welwyn Hatfield is generally a prosperous area but there are some pockets of deprivation and disadvantage.

Organisational Structure

The Environmental Health Team is part of the Public Protection, Planning and Governance Directorate. ~~The~~ Environmental Health Team ~~sitting~~ within the Public Health and Protection Service.

**Figure 1: General Structure of Public Health and Protection Service**



~~Following the appointment of a new~~ Under the Head of Service for Public Health & Protection, during 2016/17 Environmental Health services are now delivered by two Team Leaders posts, three Environmental Health Officer posts ~~(one post recruited to in February 2017, yet to be filled)~~ and four Technical Officers ~~(currently two of these posts are held by food competent officers with one on maternity leave)~~. In addition we have employed ~~three~~ Environmental Health Officers on casual contracts ~~and use a contractor Environmental Health Officer as required~~. In addition there is one part time health improvement officer whose work includes to a lesser degree the delivery of food safety promotion, with a greater emphasis towards wider public health and healthy eating projects.

The Council Constitution provides delegated authority to environmental health staff and appoints the Consultant(s) in Communicable Disease Control working for Public Health England as the “Proper Officer” for communicable disease control.

Specialist services are provided by external agencies such as the Food Examiner and the Public Analyst.

Welwyn Hatfield Council is in a 2 tier area and has adopted a Leader and Cabinet system of government. Policy decisions on food safety matters are submitted for approval to the Environmental Overview and Scrutiny Committee and then in turn to the Cabinet and the Full Council.

#### Scope of the Food Service

The food service covers the following areas of work:

- Food Hygiene Inspections and Revisits
- Food Safety Enforcement
- Food Sampling
- Food Hygiene Training
- Food Hygiene Advice and Public Information.
- Food Complaint Investigations
- Food Alerts
- Infectious Disease Investigations

In addition to the above, the officers who deal with food safety also cover many other aspects of Environmental Health work. This includes:

- Health and Safety at Work – proactive and reactive inspection, accident investigation, training.
- Provision of advice and guidance within the scope of the Safety Advisory Team
- Pollution Control for example, statutory nuisance, permitted premises and private water sampling
- Public Health including taking the lead on delivering the public health agenda for the Council through health protection, health promotion and improvement
- Consultations for Planning and Licensing applications, temporary event notices

All officers within Environmental Health work generically providing a full range of services within the field. All officers are expected to prioritise a workload that includes a range of cases both of a proactive and reactive nature and a risk profile suitable for their role.

### Demands on the Food Service

~~A total of 975 premises are subject to programmed food hygiene inspections in the year 2016/17, (an increase of 118 since last year's report but this is a constantly changing figure throughout the year).~~ Approximately ~~264~~**571** food inspections are due to be carried out in 2018~~7~~/~~19~~**8** across all premises and risk categories, this includes the routine inspections due and current outstanding new registrations. The total number of food businesses registered with us can be split into the following types:

<b>FSA Code (Premises Type)</b>	<b>Numbers</b>
Caring Premises	34
Takeaway	38
Distributor	21
Hotel/Guest House	11
Importer	3
Manufacturer selling mainly by retail	1
Manufacturer/processor	15
Mobile Food Unit	34
Pub/Club	60
Restaurant/Caterer – other	235
Restaurant/Café/Canteen	190
Retailer – other	51
School/college	77
Smaller retailer	82
Supermarkets/Hypermarkets	20
<b>Total</b>	<b>872</b>

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Food hygiene inspections are carried out on a regular basis, to ensure that food is stored, prepared, handled and sold from this Borough is safe for consumers to eat. The length of time between inspections is determined by carrying out a risk assessment against pre-determined criteria prescribed by the Food Standards Agency within the Food Law Code of Practice.

We currently have one food business that is an approved establishment; this food business is approved for the supply of fishery products. This business does not present any complex processes for inspection purposes.

### Regulation Policy

The Environmental Health service ~~uses~~**follows** the Corporate Enforcement Policy ~~(2014)~~ to inform enforcement activity in food safety. The Corporate Enforcement Policy, which is currently under review, embraces the Better Regulation principles of targeting, proportionality, accountability, consistency and transparency. If the revised policy is adopted by Full Council then we will work within the scope of the new policy.

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## **SERVICE DELIVERY**

### Inspections due 20187 - 20198

The Food Law Code of Practice (England) 2015 details the five risk categories of food premises with each class of risk group having a specific minimum frequency of intervention. The number of premises in each category due to be inspected is detailed below:

<b>Risk Category</b>	<b>Frequency of Inspection</b>	<b>Numbers in category 20176/4718</b>	<b>20187/198*</b>
Category A	Inspection, partial inspection or audit at least every 6 months	948	19
Category B	Inspection, partial inspection or audit at least every 12 months	3438	3435
Category C	Inspection, partial inspection or audit every 18 months unless the business is 'broadly compliant' when planned interventions can then alternate between either an inspection, partial inspection, audit or other type of official control.	19044	71490
Category D	Intervention at least every 2 years and dependant on 'type of food' and 'method of handling' as defined in the food law code of practice.	90426	9068
Category E	Alternative enforcement strategy or intervention at least once every 3 years	20044	89200
Unrated	This figure is constantly changing as businesses register throughout the year. New registrations are prioritised for inspection based on risk.	7384	8973

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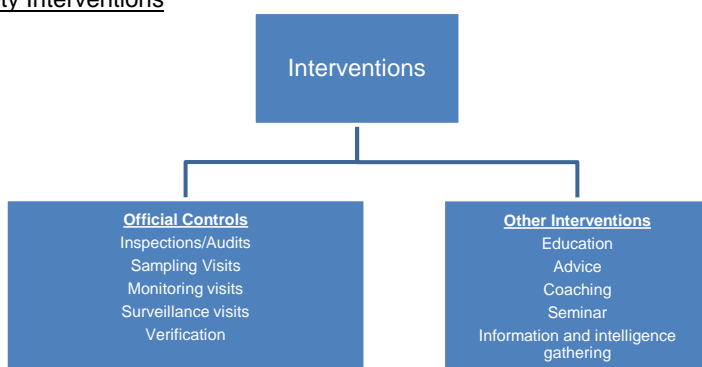
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\*Figures estimated at the time of writing February 2017-2018 based upon revisits being completed before April 2017

### Food Safety Interventions



### Category C/D food business interventions

In 2018/19 the service plans to continue utilising the flexibility of the Food Law Code of Practice in that it will use other types of official control intervention for those category C businesses which are currently rated as 'broadly compliant'.

The term 'broadly compliant' relates to the way a food business complies with food hygiene legislation based on the inspecting officer's risk rating at the time of the last inspection/partial inspection or audit. The food hygiene scoring system is prescribed in the Food Law Code of Practice.

A food business will be classed as broadly compliant, if they score in the manner described below in the categories listed.

- a) Hygiene compliance record = 10 or less
- b) Structural compliance record = 10 or less
- c) Confidence in management = 10 or less

Therefore in order to be classed as broadly compliant the business should score 10 or less in each category a) to c), and have a total of 30 or less for the sum of the categories.

Category D food interventions will also utilise the flexibility allowed within the Food Law Code of Practice enabling both official controls and other interventions to be used based upon the last recorded risk rating.



### Alternative Enforcement Strategy/Low Risk Establishments

Category E food businesses shall be subject to an alternative enforcement strategy rather than by means of official control. Typically this may be by assessment by a Regulatory Support Officer based upon known compliance history combined with telephone or written communication with the food business operator.

### Other Food Interventions

It is difficult to determine the exact number of requests for service that we will receive, though it should be noted that we have continued to experience an increase in complaints received rising to 5740 in 2017/18. The number of food related enquiries has ~~also increased~~decreased to 2215 in 2017/18.

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Such complaints and enquiries place unplanned demands on our service, but an effective response can maintain consumer confidence in local food businesses and improve standards. Complaints are also a key way in which we can gain intelligence about food businesses.

We estimate that approximately 1 in every 3 of our food safety inspections will require re-visits ~~during 2017/18 as this is a pattern we have noted~~. Revisits may be either to ensure compliance with legal requirements or at the business' request for a Food Hygiene Rating re-scoring inspection.

FHRS requests for revisits have remained at a similar level with 2928 request in 2017/18 (2934 during 2016/17). ~~Whilst following an amendment to the 'brand standard', the Food Standards Agency guidance for the delivery of the Food Hygiene Rating Scheme, implies there is no legal framework within England for the Council will introduce cost recovery charging charging for such visits charging is in place in Wales. Pilots for charging in England have started and we will explore the possibility of charging in 2017/18 to enable cost recovery for those businesses that request a revisit from April 2018. This charge is listed within the Council's fees and charges and has been agreed at £180 per visit.~~

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We will continue to prioritise the education of food businesses through food safety newsletters, these will increase in frequency in 2018/19, with a newsletter being sent out every two months, as our main means of communication directly with all food businesses. The newsletter is emailed where possible with a small proportion now sent out by mail. In addition to newsletters -and face to face advice is provided at the time of inspection ~~in addition to the and during the~~ delivery of food hygiene training courses, which continue to be well attended.

### Imported Food

As an inland authority our imported food controls are embedded within our routine inspection planned visits. We have prompts within our aide memoire to check the traceability of foods. We have a limited number of food businesses that are the first destination inland after import and in these premises import documentation can be

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checked.

Our team of officers maintain competency in imported food control through formalised training and their experience in this field. Where food fails to meet food safety requirements officers have sufficient competency to act appropriately and we will take enforcement action.

We are aware that there will potentially be an increase in workload and certainly legislative changes post Brexit that we will keep abreast of during this year via updates from the Food Standards Agency.

~~Though Herts Trading Standards have taken the lead for enforcement of the Food Information Regulations 2014, (the legislation concerning the provision of information about food allergens) there is an expectation that Hertfordshire Environmental Health services shall make an assessment of compliance during routine food hygiene interventions and provide advice and guidance as necessary to food businesses. This creates an additional resource implication upon our service within the time taken per inspection.~~

#### Food Hygiene Rating Scheme

The service is committed to deliver the national food hygiene rating scheme which rates food businesses on a scoring system of 0 (urgent improvement necessary) - 5 (very good) based on compliance at the time of the last routine inspection.

As stated above the scheme will introduce a charge for requests for revisits made by businesses from April 2018. We do not anticipate a significant increase on demand following this change in policy.

#### Food Sampling

It is the Council's policy to participate, where appropriate and where resources permit, in national, regional and locally coordinated sampling programmes. Welwyn Hatfield Council has a credit allocation with Public Health England which is set at the beginning of each financial year. In the ~~2017/2018/2018-2019~~ financial year, the allocation for Welwyn Hatfield Council is the same as previous years of 3720 credits (25–50 credits are required depending on the nature of each sample).

We plan to take part in some of the coordinated sampling programmes set by Public Health England for ~~2017/2018-2018/2019~~. At the time of writing these programmes have not been confirmed. In addition we will participate in co-ordinated sampling projects within Herts and Beds.

Sampling will also be undertaken, where appropriate, in relation to food poisoning outbreaks and food complaints, where formal action is being considered. The Authority will also sample, where necessary, any high-risk manufacturers within the district, and any businesses with which we have a primary authority agreement.

In respect of Microbiological Examination our samples will be sent to:  
London Food, Water and Environmental Microbiological Laboratory,  
Central Public Health Laboratory,  
61 Colindale Avenue  
London NW9 5HT

Samples for analysis will only be taken in response to customer complaints when appropriate and considered necessary. The Public Analyst appointed by Hertfordshire County Council and therefore used by Welwyn Hatfield Borough Council are: Hampshire & Kent Scientific Services,  
Public Protection, Growth, Environment & Transport  
Kent County Council,  
8 Abbey Wood Road  
Kings Hill  
West Malling,  
Kent  
ME19 4YT

#### Primary Authority

The service now has two Primary Authority agreements for food hygiene. This involves the delivery of around 155 hours of food safety support per year. A Team Leader and an Environmental Health Officer will deliver this agreement which includes the provision of advice, guidance, and the investigation of complaints liaising as appropriate with other enforcement authorities ~~over 2017/18~~.

We are open to the development of further primary authority agreements with either locally based or other multi-site companies. Given that primary authority support is provided through the existing staffing allocation currently, we must be careful to ensure we select relationships that suit the resource and skills available.

The Primary Authority scheme has now been extended and all businesses are eligible to join regardless of size. Primary Authority is anticipated to have increased legal weighting in the future within the Food Standards Agency's review of food delivery, Regulating Our Future.

#### Control and Investigation of Outbreaks and Food Related Infectious Disease

When food poisonings occur, our officers become involved in investigating the cause and identifying any unsafe food that is still in the food chain to help prevent further cases of illness.

In the event of an outbreak, the resource demand would be significantly higher due to the intensive staffing requirements when dealing with such eventualities. This would be accommodated by diverting resources from other less critical environmental health work.

It is difficult to predict the number of cases of food poisoning that we will need to investigate during the coming year, in 2017/18 we were notified of ~~29-54~~ residents suffering from ~~food related infectious diseases (not all confirmed cases), a decrease from the previous year,~~ from Public Health England with no food poisoning outbreaks reported. All notifications are investigated.

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### Food Safety Incidents/Alerts

A 'food alert for action' is a communication from the Food Standards Agency to food authorities concerning a food hazard or other food incident and should be read accordingly.

The agency may require action by us in response to these alerts and we have a documented procedure for dealing with such incidents. It is difficult to determine the resource such incidents require on an annual basis as it is dependent on the nature of the action required and the number of food business it affects locally.

### Food Fraud

Food fraud is committed when food is placed on the market with the aim of deliberately misleading the consumer. Food fraud is carried out for financial gain and has become an ever increasing phenomenon nationally. Food Fraud can give rise serious health risks.

Examples of food fraud include;

- Recycling of animal –by-products back into the food chain
- Packing and selling of beef and poultry with unknown origin
- Knowingly selling goods which are past their 'use by' dates
- Deliberate false mis-description of food for example cheaper alternatives, peanuts instead of almonds, farmed salmon sold as wild, the widely publicised use of horse meat.

Our Service helps to prevent and act upon food fraud by responding to FSA food alerts, and reporting suspicions or information gained through our routine interventions with business and the community. Tackling food fraud ensures that there is a level playing field for all businesses and encourages a vibrant economy.

### Business Growth & Development

The food industry is regulated by a range of legislation that aims to keep our food safe. Our work with food businesses is focused on helping them to comply with food safety legislation.

The Council helps businesses achieve compliance in various ways

- Advice given during the course of inspections and other visits.
- By responding to enquiries.
- By offering a comprehensive advice service to new businesses.
- Offering low cost food hygiene training courses.

The Council is also part of a Hertfordshire wide initiative called 'Better Business for All', which seeks to reduce regulatory burdens on business and support growth in the County. In 2018/19 we will continue to support businesses by looking for opportunities with our Economic Development Officer, Town Centre teams and other regulatory services. ~~We will attend the Welwyn Hatfield Means Business Expo in April 2017 to provide food businesses with advice and guidance.~~

It is the aim of the Service to ~~carry out~~deliver the following food hygiene training courses during the coming year:

- 6 Level 2 Award Food Hygiene (Basic – 1 day course)
- 3 Level 3 Award Food Hygiene (Intermediate – 3 day course)

#### Food Safety Promotion

During 201~~87~~/198, we will aim to promote food safety through:

- ~~Supporting Food Safety Week. A national campaign that runs every June, the campaign is likely to continue to target reducing food waste.~~
- Supporting the range of events that run locally and are brought to our attention through the safety advisory team. This year we anticipate our greatest focus will be the Food Festival in Welwyn Garden City. The largest event this year will be The Game Fair at Hatfield House in July.
- ~~Production of a~~Distribution of 5 food safety newsletters throughout the year to all food businesses
- Active involvement in the planning and delivery of two Healthfest events.

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Where appropriate and in line with local priorities we will also consider developing working partnerships with local businesses.

#### Liaison with other Organisations

The Council is committed to ensuring the enforcement approach it takes is transparent and consistent with other local authorities.

Regular meetings are held with Herts and Beds Food Study Topic Group. Representatives from the Food Standards Agency and Public Health England are also in attendance at these meetings.

## **RESOURCES**

#### Financial Allocation

The Public Health and Protection Service is allocated an annual budget as agreed by the Council's Cabinet and Full Council which is set out in the Council budget book. This is published and with regard specifically to the delivery of the food service allocates budget for:

- Computer software
- Consultancy fees including specialist and legal advice
- Laboratory examination
- Promotional materials
- Personal protective equipment for food officers
- Sampling
- Technical equipment for food officers
- Training and development of food officers

- Travel (including car mileage)

There is no growth or reduction in budget that will affect the delivery of the food service in 2018/19. However enforcement cases may require additional spend over and above that allocated in the base budget at the start of the year.

#### Staffing Allocation

The number of staff working on food law enforcement cannot be accurately equated on a full time equivalent basis. Whilst figures have previously been included in the service plan the generic way in which we are currently working does not facilitate an accurate figure to be calculated.

As stated above, the officers undertaking food safety work also carry out other Environmental Health work. There are currently five full time authorised officers who are actively involved in the delivery of the food service, with the addition of casual ~~and contract staff as required~~ staff. The degree of involvement varies according to other responsibilities and duties and the overall risk profile of their current workload.

Technical Officers undertake food safety work to a level appropriate to their qualifications and in accordance with the Food Law Code of Practice.

A team of support officers is available to assist the food officers in the delivery of their work. The support officers also support the delivery of all other aspects of the environmental health service. ~~In 2015/16 a~~ Within our support team we have one Regulatory Support Officer ~~was recruited within the support team~~, this post has additional responsibilities with regard to the delivery of the food service.

#### Staff Development Plan

The Authority will ensure that all officers involved in food safety work receive ongoing training in order to maintain and improve their level of competency and comply with the Food Law Code of Practice (England).

The Food Law Code of Practice 2015 included revised competency and qualification requirements for authorised officers. These come into force on 6<sup>th</sup> April 2016 and require both officers and the lead officer for food to fulfil a number of skills and knowledge.

#### Quality Assurance

The following monitoring arrangements are in place:

- Paper/computer based checks in respect of food hygiene inspections.
- Paper/computer based checks in respect of food complaints.
- Shadow inspections for new staff or those returning to food work
- Peer review/audit of enforcement action in respect of food safety work.

### **REVIEW**

#### Review against the Service Plan

As part of the service planning process, a full review of all activities referred to in this document will be undertaken.

#### Identification of any Variation from the Review

The review will identify where the Authority is at variance from the service plan and, if appropriate, the reasons for that variance.

#### Areas of Improvement

The Authority will set out any relevant improvement plan identified as necessary by the review. This is in addition to the matters identified and agreed in the public health and protection annual service plan and the council business plan.

#### Improvement Plan for 2018/2019

1. Undertake continual review and revision of all existing food policies and amend as necessary to reflect current good practice and working methods, especially with reference to the Regulating Our Future programme being delivered by the Food Standards Agency and the implication to food safety legislation by Brexit. ~~new direction from the Food Standards Agency as part of the delivery of Regulating Our Future over the next 3 years.~~
  2. Continue to develop the use of social media in delivering food safety messages.
  3. Start to deliver Eat Out Eat Well, healthy food award. ~~initially in Council operated and/or owned facilities within the borough.~~
  4. Maintain and uUpdate the food safety content of the Council's website
  5. ~~Evaluate the effectiveness of the~~ Deliver two food business seminars targeted at poorly performing food businesses, rated '2' or below.
  6. Deliver an additional food qualification, RSPH level 2 Nutrition for Health.
  7. Undertake a customer satisfaction survey with food businesses.
- ~~Review the delivery of the level 2 and 3 training courses to ensure the course meets the requirements of the Royal Society of Public Health following our change of accredited providers.~~
- ~~7. Review the training options currently provided to food businesses and explore the possibilities of alternative models.~~

#### **CONTACT INFORMATION**

The Environmental Health Service is located at:

The Council Offices,  
The Campus,  
Welwyn Garden City,  
Hertfordshire  
AL8 6AE

Service users may contact officers in the following ways:

- By mail
- In person at the reception to the above premises
- By telephone between 8.45am and 5.15pm (4.45pm on a Friday) on 01707 357242
- By email: [e.health@welhat.gov.uk](mailto:e.health@welhat.gov.uk). In addition, each officer has their own email address
- Through local Councillors

Complaints against the Service should be put in writing to Cheryll Brown, Team Leader (Public Health & Protection) at the above address or by email to [c.brown@welhat.gov.uk](mailto:c.brown@welhat.gov.uk). Customers may also have recourse to the local government ombudsman.

Appeals against enforcement action must be lodged with the appropriate Court or tribunal within the statutory timescale.

The majority of food safety work is carried out during the above office hours, although officers may conduct inspections out of hours if it is felt necessary to do so.

An out of office hours service for serious food emergencies can be contacted via the Welwyn Hatfield Council Emergency Contact Centre on 0800 1114484.