

Part I

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Wards: All

WELWYN HATFIELD BOROUGH COUNCIL

CABINET – 5 MARCH 2024

REPORT OF THE EXECUTIVE DIRECTOR (RESIDENT SERVICES AND CLIMATE CHANGE)

**FOOD SAFETY SERVICE PLAN 2024/25**

**1 Executive Summary**

- 1.1 The Food Standards Agency Framework Agreement on Official Feed and Food Controls by Local Authorities (The Framework Agreement) sets out mandatory guidance on Local Authority Food Safety performance and service planning. It recommends that the Food Service Plan be submitted annually to Members for approval.
- 1.2 This report sets out (in Appendix A) the food safety service plan for 2024/25 and the draft Food Sampling Plan for 2024/25 (Appendix B).

**2 Recommendation(s)**

- 2.1 For cabinet to consider and approve the Food Safety Service Plan for 2024/25 in Appendix A and draft Food Sampling Plan for 2024/25 in Appendix B.

**3 Explanation**

- 3.1 The Food Standards Agency (FSA) has overall responsibility for the official control of food law enforcement in England. This involves co-ordinating, monitoring, setting standards and auditing local authority food law enforcement activities. This includes a requirement that all local authorities produce a food safety service plan which has been agreed by their members. The plan for 2024/25 is shown in Appendix A. The plan has been written having regard to the format prescribed by the FSA.
- 3.2 The delivery of these functions is the responsibility of food officers within the Environmental Health team. The team are responsible for the delivery of several statutory duties including food hygiene, health and safety, infectious disease control, and food sampling.
- 3.3 The work is varied and involves undertaking inspections, food sampling, investigating complaints, investigating accidents and taking enforcement action which includes the service of formal notices and or prosecutions.
- 3.4 The team will aim to achieve 100% of the inspection programme for food hygiene categories A to E for 2024/25 and any inspections that remain outstanding in 2023/24 although they are all planned and allocated for inspection.

**4 Legal Implication(s)**

- 4.1 Mandatory guidance issued by the Food Standards Agency requires Welwyn Hatfield Council to have adopted a food safety service plan which meets the format proscribed by the Food Standards Agency.

- 4.2 In carrying out this work officers may carry out enforcement of the legal provisions in order to ensure the public are not put at risk and there is compliance with the law. This can range from provision of advice through to formal enforcement notices and prosecutions.

## **5 Financial Implication(s)**

- 5.1 The Food Safety Plan will be delivered within existing resources and budget. It is not possible to predict what enforcement actions may be required during the year, and specific enforcement cases may incur additional costs (for example in respect of legal fees) but this will be identified in budget monitoring if it arises.

## **6 Risk Management Implications**

- 6.1 The main risks related to this proposal are:
- 6.2 The Council is at risk from public criticism from the Food Standards Agency if it cannot show it has produced and obtained Member approval of a food safety service plan which is written in accordance with the Food Standards Agency guidance and is not delivering an adequate food safety service.
- 6.3 The public are at risk if the council does not deliver an adequately resourced food hygiene function. We have sufficient posts to deliver the food safety service.
- 6.4 The retention and recruitment of suitably qualified food safety staff is a challenge in local authorities due to the significant shortfall in the marketplace for trained and competent food officers. Should a member of staff leave this will have an impact on the delivery of the plan. Recruitment into any vacant post is likely, based on previous experience, to be difficult. This is a nationwide issue and further information can be found in the FSA's Capacity and Capability Research Report [Local Authority Capacity and Capability: Chapter 1 Introduction and Methodology | Food Standards Agency](#)
- 6.5 Other service pressures, if realised, may include unforeseen major incidents (e.g. an infectious disease outbreak); major food alerts/incidents; major health and safety accidents/incidents. These risks are moderately likely to occur, and the work programme and staffing will be adjusted to deal with such emergencies if they arise.

## **7 Security & Terrorism Implication(s)**

- 7.1 Food security is a recognised risk<sup>1</sup> and environmental health work and the council's role as a category 1 responder under the Civil Contingencies Act can assist with the mitigation of this risk.

## **8 Procurement Implication(s)**

- 8.1 None directly arising from this report however at periods of high demand appropriate contractors may be procured to assist with food hygiene inspections.

## **9 Climate Change Implication(s)**

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<sup>1</sup> See for example <http://www.food.gov.uk/sites/default/files/pas96-2014-food-drink-protection-guide.pdf> accessed 10/03/2016

9.1 None directly arising from this report, although there are links between climate change, food hygiene, food security, and availability.

## **10 Human Resources**

10.1 None directly from this report. Existing resource is in place to deliver the contents of this service plan. External contract inspectors may be sought where there is existing budget and only when absolutely necessary.

## **11 Health & Wellbeing Implications**

11.1 The work of the Food Safety Team contributes significantly towards the health of the borough's residents and visitors. The Food team inspect businesses to ensure that food is prepared safely through a managed programme of risk rated inspections and investigation of complaints that may arise. This protects public health through prevention of food poisoning incidents and outbreaks.

11.2 As a competent authority our role is to educate, advise and utilise the full range of official controls available to ensure that food made available for sale within the borough is safe to eat. Food safety is essential for good health of the consumer. We also support businesses to comply and thrive as the food and drink sector provides significant employment in the UK. Employment is key to improved health outcomes within the local community.

## **12 Communication and Engagement Implications**

12.1 The Food Safety Plan will be published on the Council's website for access by the public and businesses.

12.2 Where food alerts involve food manufactured, imported or sold within the borough the team will work to ensure food safety messages are communicated to those affected. Proactive food safety messaging is communicated to residents and businesses to support the Food Standard Agency communication plans.

## **13 Link to Corporate Priorities**

13.1 The subject of this report is linked to the Council's corporate priorities of a commitment towards, the Council's corporate priorities of *Evolving, vibrant town centres and a growing economy; Run an Effective Council and Together create opportunities for our community* and is linked to statutory provisions under food safety and hygiene legislation.

- *Enable an economy that delivers for everyone*
- Food interventions support local businesses to be compliant and successful. The food sector is a significant employer in the Borough. Regulation supports business growth and achieves overall long-term economic gains. Working with businesses and partners to create a fair and equitable trading environment. Supporting businesses through education, advice and targeted enforcement and encouraging best practice.
- *Run an effective council*

- Our service aims to be accessible, accountable and adopt a first-time right approach. The service supports Better Business for All to ensure businesses get the right support for regulators in a format that is accessible.
- *Together, create opportunities for our communities*
- Food interventions ensure the safety of food manufactured, processed and sold in the borough to help us feel safer. Ensuring high standards of food hygiene and food standards through monitoring of premises to achieve compliance with food law. Empower consumers to make informed choices in relation to the food they purchase and consume through the Food Standards Agency National Food Hygiene Rating Scheme.

## **14 Equality and Diversity**

14.1 An EqIA was not completed because this report does not propose changes to existing service-related policies or the development of new service-related policies.

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Date	February 2024

### Appendices

Appendix A – Food Safety Service Plan 2024/25

Appendix B – Draft Food Sampling Plan 2024/25