

WELWYN HATFIELD BOROUGH COUNCIL  
OVERVIEW AND SCRUTINY COMMITTEE – 22 NOVEMBER 2022  
REPORT OF THE SERVICE DIRECTOR (RESIDENT AND NEIGHBOURHOOD)

**FOOD SAFETY SERVICE PLAN 2022/23**

**1 Executive Summary**

- 1.1 It is a requirement of the Food Standards Agency that each local authority prepares, documents and implements a Food Safety Service Plan which is approved by members annually.
- 1.2 This report sets out (in Appendix A) the Food Safety Service Plan for 2022/23. Presentation of the Food Safety Service Plan for approval is later than usual this year due to staff changes within the service. However, the service is being delivered in accordance with the Plan.
- 1.3 Members are asked to consider the Food Safety Service Plan in Appendix A and provide any comments before final approval by Cabinet.

**2 Recommendation(s)**

- 2.1 For the committee to consider the contents of this report and provide any comment before final approval of the Food Safety Service Plan for 2022/23.

**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 2022/23 is shown in Appendix A and is written having regard to the format prescribed by the FSA.
- 3.2 It should be noted that all local authorities were instructed to make changes to their food service delivery during the covid pandemic which has resulted in a backlog of interventions now being due. The service is following the FSA's prescribed recovery plan to bring inspection interventions back in line with their usual cycle of risk based frequencies.

**4 Legal Implication(s)**

- 4.1 Mandatory guidance issued by the Food Standards Agency requires Welwyn Hatfield Borough Council to have approved a Food Safety Service Plan which meets the format prescribed 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.

- 4.3 The sentencing Council has provided new definitive guidelines<sup>1</sup> covering the sentencing of food hygiene offences before the criminal Courts.

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

- 5.1 None directly arising from this report. There is an agreed budget in place for this work. However, 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).

## **6 Risk Management Implications**

- 6.1 The main risks related to this proposal are:
- 6.2 The Council is at risk from public criticism (and possible audit/intervention) from the Food Standards Agency if it cannot show it has produced and obtained Member approval of a Food Safety Service Plan and delivering a food safety service.
- 6.3 The public are at risk if the council does not provide an adequately resourced food hygiene function.
- 6.4 Our work with local business, especially small and medium sized enterprises, helps the local economy and business growth, thereby mitigating associated risks.
- 6.5 As with any enforcement activity there is a risk of incurring costs, some of which may not be fully recovered.

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

- 7.1 Food security is a recognised risk<sup>2</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 food competent contractors may be procured to assist with food hygiene inspections as is the case this year.

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

- 9.1 There are no direct implications arising from this report.

## **10 Human Resources Implications**

- 10.1 There are no direct implications arising from this report. The staffing for the service is in the agreed budget. However, staff have access to book electric cars

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<sup>1</sup> <https://www.sentencingcouncil.org.uk/wp-content/uploads/HS-offences-definitive-guideline-FINAL-web.pdf> accessed 10/03/2016

<sup>2</sup> See for example <http://www.food.gov.uk/sites/default/files/pas96-2014-food-drink-protection-guide.pdf> accessed 10/03/2016

for work travel and this contributes towards reducing carbon emissions and positively supports the Council's Climate Action Plan.

## **11 Health and 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 Where possible the food team also undertake healthy eating promotional activities, to improve the nutritional quality of food offered for sale to help address obesity and cardiovascular disease.

## **12 Communication and Engagement Implications**

- 12.1 None directly arising from this report. The Food Safety Plan will be published on the Council's website for access by the public and businesses.

## **13 Link to Corporate Priorities**

- 13.1 The subject of this report is linked to the Council's corporate priorities towards, Evolving, vibrant town centres and a growing economy; A sense of community where people feel safe; and a well run council which puts its customers first and is linked to statutory provisions under food safety and hygiene legislation.

## **14 Equality and Diversity**

- 14.1 An Equality Impact Assessment (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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Appendices

Appendix A – Food Safety Service Plan 2022/23