

**TO: ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE –
20 OCTOBER 2004**

SUBJECT: SCRUTINY OF THE FOOD SAFETY SERVICE

FROM: FOOD SAFETY TEAM

1. PURPOSE OF REPORT

- To progress the Committee's Work Programme, which it considered on 8 September 2004, and has the objective *'to investigate the performance of the food safety team against their targets'*.
- To appraise the Committee of the scope of the service in order for it to decide the focus of its scrutiny and an action plan.

2. BACKGROUND

2.1 The Aim of the Service is to promote and enforce food hygiene and safety in Warwick District.

2.2 The Council is a 'food authority' for the purposes of the Food Safety Act 1990, the European Communities Act 1972 and associated Regulations. The power to set standards, monitor and audit local authority food law enforcement services was conferred on the Food Standards Agency (FSA) by the Food Standards Act 1999. Under the FSA's Framework Agreement¹ WDC has a statutory duty to -

- Implement a documented service delivery plan and review performance
- Ensure that policies and procedures are controlled and reviewed
- Maintain a documented procedure for the authorisation of officers
- Maintain and implement a documented training programme and records of qualifications
- Maintain and calibrate equipment
- Maintain and backup databases
- Inspect, approve, register and license food premises
- Ensure food hygiene inspections are carried out at a frequency which is not less than that determined under the inspection rating system set out in the Code of Practice
- Assess the compliance of premises and systems to the legally prescribed standards
- Maintain records of all inspections and visits and the determination of compliance with legal requirements, details of action taken, enforcement action, sampling, complaints etc
- Take enforcement action in accordance with Codes of Practice and in line with its policy, and document any departures from it
- Take appropriate action on complaints
- Liaise and cooperate with other authorities
- Maintain procedures in relation to food complaints originating within the UK and abroad
- Provide advice and work with food businesses to help them comply with the law

- Engage in local and national food sampling programmes
- Inspect food to ensure that it meets legally prescribed standards
- Maintain in partnership with other organisations, a procedure to deal with notifications of infectious disease
- Maintain a procedure to deal with Food Standards Agency food hazard warnings
- Maintain a complaints procedure
- Make liaison arrangements with other authorities to maintain consistency of approach
- Maintain procedures for internal monitoring
- Promote food safety and standards and keep records of its activities
- Submit to Food Standards Agency audits of compliance with the 'Framework Agreement'

2.3 In November 1996 there was a Fatal Accident Inquiry into an outbreak of food poisoning in Lanarkshire which led to 21 deaths. Amongst other conclusions, the Sheriff Principal criticised the local authority food safety service, and in particular recommended –

- the quality of their investigations of food poisoning should be reviewed
- independent routine audit of food poisoning investigations should be carried out
- the requirement for local authorities to ensure that high risk premises are inspected by properly qualified officers, should be reinforced
- Code of Practice inspection frequencies should be an absolute minimum
- Post-qualification training of inspectors should be provided
- Routine monitoring of inspection standards should be ensured
- Inspections should be based on both observation and a systems approach

All food authorities drew learning points from this inquiry.

2.4 Recent research, presented by the Food Standards Agency at Warwick University on 6/7 September 2004 suggests –

- good food safety management in SMEs and micro-businesses is a function of the frequency of one-to-one advisory visits from their enforcement officer
- a link to financial benefit is an important factor in whether businesses comply or otherwise
- award schemes may be used to good effect, not only to encourage compliance, but to provide a link between motivation to comply and profit.

2.5 Local authority Trading Standards and Environmental Health Services are audited against the requirements of the Framework Agreement (as amended in March 2002).

In line with its commitment to openness and transparency, the Agency publishes the reports from these audits, together with the local authorities' action plans to address the recommendations made.

In order to secure improvement, follow-up action is undertaken by the Agency approximately six months after the audit report is published, to assess the progress local authorities have made in implementing their action plans.

In some circumstances this will entail a re-visit to local authorities. In others, correspondence between the Agency and the local authority may suffice. Agreed revised action plans are published with the audit reports.

The scope of the audit may be limited to –

- Full service
- Food sampling activity
- Formal enforcement activities
- Arrangements for internal monitoring of performance

WDC's service has received an audit limited to its formal enforcement activity. It was included within the audit programme on the basis of its levels of formal enforcement activity, as indicated by 2001 monitoring information provided to the Agency under section 13 of the Food Standards Act 1999. *Warwick District Council was selected from those authorities within the high range of formal food hygiene enforcement activity*². The plan to address corrective action was agreed by the FSA in August 2004.

2.6 The internal performance monitoring requirements of the Framework Agreement are addressed by the Team's Quality Management System, which is accredited to the ISO 9001:2000 Standard; the latest audit report from external consultants is appended³.

2.7 Determination of the cost effectiveness of food safety enforcement services is notoriously difficult. This is because-

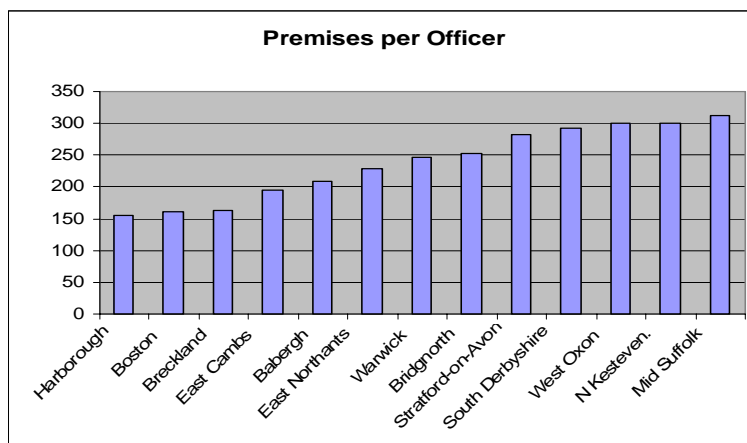
- Effectiveness is multifactoral and made up of a variety of indicators.
- There are no consistent reliable local authority comparative data of manpower accounting and cost.

The aim of the service is to provide a business environment in which good food safety management is encouraged, whether it is by promotion or by enforcement of the principles. It can have very little influence on one of the major sources of food poisoning, for example, the domestic kitchen.

A 'basket' of indicators, however, could be made up of assessments of inputs, outputs and the way processes have been engineered. These might be meaningless in isolation, but give a good overview of the 'health' of the service in the round.

- Number of premises per inspector
- Percentage of planned visits carried out in the year
- Number of written reports produced
- Extent of formal enforcement activity
- Number of food business consultations
- Number of seminars to business organisations
- Number of samples taken
- Volume of service requests handled
- Percentage of service requests handled in a timely manner
- Customer satisfaction with the service
- Number of food poisoning outbreaks
- Independent, government and inter-authority quality management audit reports

One such simplistic indicator can be expressed⁴ as follows:



- 2.8 The 'dashboard indicators' with respect to WDC performance management are –
- % of food safety inspections planned for the year undertaken within period
 - % of service requests completed within target
 - % of favourable responses to customer questionnaires about the complaints investigation service.

2.9 An overview of the Food Safety Service process engineering and continuous improvement agenda will be the subject of an oral presentation at the meeting.

3. POLICY AND BUDGET FRAMEWORK

3.1 The total cost of the service as at 2003/04 outturn was £359,555 including Unit and central recharges.

3.2 It employs 7.5 full-time equivalent staff. On 1st April 2004 there were 1452 food businesses trading in the District of which 432 were 'high risk' (FSA categories A and B).

4. OUTCOME REQUIRED

4.1 That the Committee proceeds with its scrutiny in accordance with the following proposed action plan:

4.1.1 **October – December 2004. Familiarisation** with the context of the service by asking the following leading questions -

- How does the service contribute to the Council's corporate objectives, and to the Strategic Objectives of Warwick Partnership's Community Plan?
- How is the service managed 'openly, effectively and efficiently'?
- How does the service 'promote and contribute to a safer and healthier community'?
- How does the service support a fair prosperous economy in a consistent way?
- What are the limitations to the achievement of the service aim and objectives?
- In what areas does the Council have a duty to intervene?
- How is the workload measured?
- How is the workload addressed, and what are the constraints?
- How is risk assessed and controlled?
- What proportions of available resources are deployed in respective subject areas?
- What are the success criteria and how can Members monitor performance?

Members may wish to accompany officers on their audits of various categories of food premises and to visit neighbouring authorities to see how they address the subject.

4.1.2 **January – February 2005. Evaluation** of the Service Plans, benchmarking activities and performance indicators.

4.1.3 **Agree Scrutiny Committee findings.**

Rob Chapleo
Food Safety Team Manager

BACKGROUND PAPERS

Lloyd's Register Quality Assurance. 25 June 2004. Management System Assessment Visit Report.

Food Standards Agency. 11-12 February 2003. Report on the Formal Enforcement Activities of the Food Law Enforcement Service Warwick District Council.

Food Standards Agency. 21 September 2000. Framework Agreement on Local Authority Food Law Enforcement.

Stratford District Council, Report to Executive. 27 October 2003. 'Resourcing the Food Safety Service'.

Areas in District Affected: All

Executive Portfolio Area and Holder: Environment. Councillor Mrs M Begg.

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¹ Food Standards Agency. 21 September 2000. Framework Agreement on Local Authority Food Law Enforcement.

² Food Standards Agency. 11-12 February 2003. Report on the Formal Enforcement Activities of the Food Law Enforcement Service Warwick District Council.

³ Lloyd's Register Quality Assurance. 25 June 2004. Management System Assessment Visit Report

⁴ Stratford District Council, Report to Executive. 27 October 2003. 'Resourcing the Food Safety Service'