

13 September 2019

Dear Councillor

ENVIRONMENT OVERVIEW AND SCRUTINY PANEL - THURSDAY, 19 SEPTEMBER 2019

Please find attached for consideration at the meeting of the Environment Overview and Scrutiny Panel on Thursday, 19 September 2019 the following report on Food Safety which was unavailable when the agenda was printed.

Please bring this document with you to the meeting.

Agenda No Item

9. **Food Safety Plan (Pages 1 - 10)**

To consider a report on the Food Safety Plan for 2019/20 and the performance of the previous plan for 2018/19.

Yours sincerely

Bob Jackson
Chief Executive

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ENVIRONMENT OVERVIEW AND SCRUTINY PANEL – 19 SEPTEMBER 2019

FOOD AND SAFETY SERVICE UPDATE

1. INTRODUCTION

- 1.1 This report provides an update to the Environment Overview and Scrutiny Panel on the work of the Food and Safety team, for 2018/19 (Appendix 1).

The report also highlights the priorities in the Service Plan for 2019/20 (Appendix 2) in order to protect the health of residents and visitors to the New Forest.

2. BACKGROUND

- 2.1 The Food and Safety team provide a range of Environmental Health functions within the Environmental and Regulation Service. These include inspection of food businesses for hygiene, investigating food hygiene complaints, food poisoning incidents, carrying out food sampling and providing advice to businesses.
- 2.2 The team are also responsible for the enforcement of workplace health and safety in a range of business sectors across the district, licensing of caravan sites and animal welfare establishments, and registration of businesses undertaking skin piercing activities.

3. ACHIEVEMENTS IN 2018-19

- 3.1 Over 99% of all high risk food inspections were undertaken over the past year, and 98% of all other programmed inspections. Resources are targetted on poor performing businesses and those carrying out highest risk activities.
- 3.2 The National Food Hygiene Rating Scheme is continuing to encourage food businesses to improve their standards and over 97% of food premises in the District are now rated as 3 (generally satisfactory) or higher.
- 3.3 The team investigated approximately 1500 service requests in 2018/19 relating to complaints about food businesses, notifications of infectious diseases and food poisoning, workplace accidents and also requests for advice from businesses. Officers take a staged approach to enforcement and work to resolve issues informally wherever possible.
- 3.4 A significant piece of work for the service this past year has been the implementation of the new Animal Welfare legislation. This has been undertaken without any additional resource and involved officers undergoing detailed training in order to inspect and licence 119 businesses under the new regime.
- 3.5 In addition to completing programmed inspections for food safety, health and safety and caravan sites, officers have carried out a large number of visits to new businesses offering advice and guidance.

4. PRIORITIES FOR 2019/20

4.1 The food and safety service priorities are reviewed at the beginning of each financial year and amended based on national priorities, local concerns and new or amended legislation.

4.2 The food and safety service plan is attached (Appendix 2) and identifies food safety and health and safety priorities.

5. CONCLUSION

5.1 The attached report demonstrates the work carried by the food safety team during 2018/19 in order to fulfil their statutory functions and the priorities for 2019/20. The team's focus is to protect the public's health, safety and welfare by regulating those businesses which pose the greatest risk and providing information to consumers in order that they can make informed choices.

6. RECOMMENDATIONS

6.1 That the panel reviews the performance of the food and safety service over the past year as set out in the service review report (Appendix 1).

6.2 That the panel supports the work programme for the Food and Safety Service in 2019/20. (Appendix 2)

Environmental and Regulation Service

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Appendix 1:

Service Review 2018-2019

Environmental & Regulation: Food & Safety Team

What we are responsible for

- Protecting the public from potentially hazardous foods and poor food hygiene practices
- Preventing the death, injury and ill health of those at work and those affected by work activities.
- Protecting the public's health on infection control with skin piercing activities.
- Protecting the welfare of animals through the licensing of animal establishments.
- Protecting the health and welfare of residents living in caravans in the District.

Food Businesses in the New Forest

- As at 31 March 2019 there were **1854** food businesses in the District; a majority of **1432** are restaurants and other caterers such as takeaways. These range from national companies to sole traders. There are also **344** retailers, **51** manufacturers / packers, **17** importers / exporters, **12** primary producers, and **9** distributors / transporters. Of the total, **14** are approved premises, and subject to enhanced control.
- Despite a yearly 'churn' of almost 10% of all business the overall number of food businesses has remained stable over the past several years.

Inspections Completed

- Inspections or other interventions are carried out according to the risk of the business; a business may pose a higher risk due to the processes carried out and the food handled, also the standards observed during inspection, as well as whether those served are from a vulnerable group.
- During inspections we observe and ask questions to judge three aspects of the business: 1- how well the business is managed based on food safety management, 2- the food hygiene and food handling practices, and 3 – the structure of the establishment which includes cleanliness, layout and maintenance.
- These scores are used (along with some other factors) to determine how often we need to inspect the business. We will visit a poor business serving high risk foods more frequently.
- Higher risk businesses with an A, B or C risk category receive a full inspection on a more frequent basis – A's are visited every 6 months, B's every year, and C's every 18 months.
- Lower risk businesses with a D or E risk category may not always be inspected, and may receive a different intervention such as a partial inspection as explained in the table.

Types of Intervention	Description
Inspection (or partial inspection)	Applies to A, B or C rated businesses, as well as new businesses.
Audit	This is a type of inspection which is highly focussed, and is often used in larger food manufacturers.
Verification	A visit following a complaint, following service of notices, or following business coaching.
Monitoring / Surveillance	This is the gathering of information or careful observations of the business by a qualified officer.
Sampling	This can only be used when other sufficient information is being gathered about the business.
Information Gathering	Education (Advice and Coaching) – often by other Agencies such as Trading Standards

Figure 1 shows the number of food interventions completed in 2018-2019. Each column indicates the number of interventions due for each risk category. The lighter section of the column indicates the interventions completed outside of scope.

This chart also shows the number of new/ unrated businesses inspected.

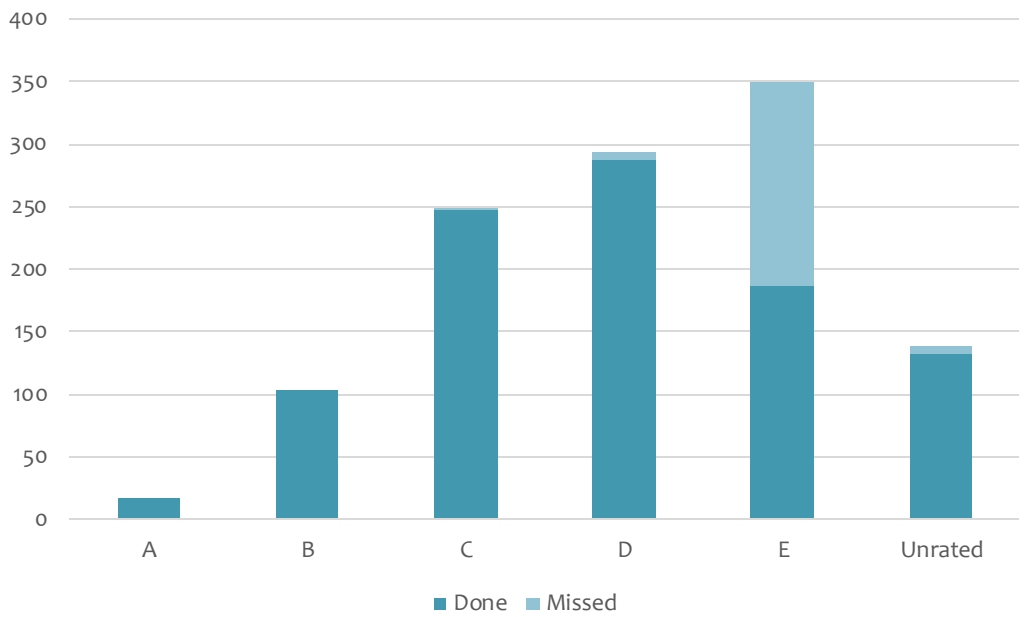


Figure 1: Food Inspections undertaken 2018 – 2019.

- Resources were focussed on ensuring that all high risk food inspections were completed on time. All A, B and C category inspections were undertaken with the exception of a seasonal business which was not trading when the inspection was due. Although the number of such businesses varies year on year, this is an improvement on the inspection performance from the previous year.
- 288 out of 293 category D category premises interventions were undertaken, which is just over 98%. This shortfall was again due to difficulties in gaining access to the premises.
- For category E businesses which are the lowest risk businesses, including newsagents and retailers, 186 out of 349 due interventions were undertaken. This is 53% of those due which is slightly higher than those completed in the previous year.
- Resources are allocated on a risk-based approach for all inspections and officers are working at full capacity.

Investigations and Advice

In the past year we responded to 663 service requests relating to food, or cases of infectious disease. This is an increase from the 528 requests last year. The increase can possibly be attributed to an improved ability to contact us – e.g. via mobile telephone apps. Of these requests, 234 were complaints made by members of the public about food that was purchased or consumed, or standards of hygiene observed at a premises. 39 complaints related to food where it is alleged to have caused illness. Action will only be taken if there is evidence to support this or there are a number of cases (an outbreak) linked to a single premises.

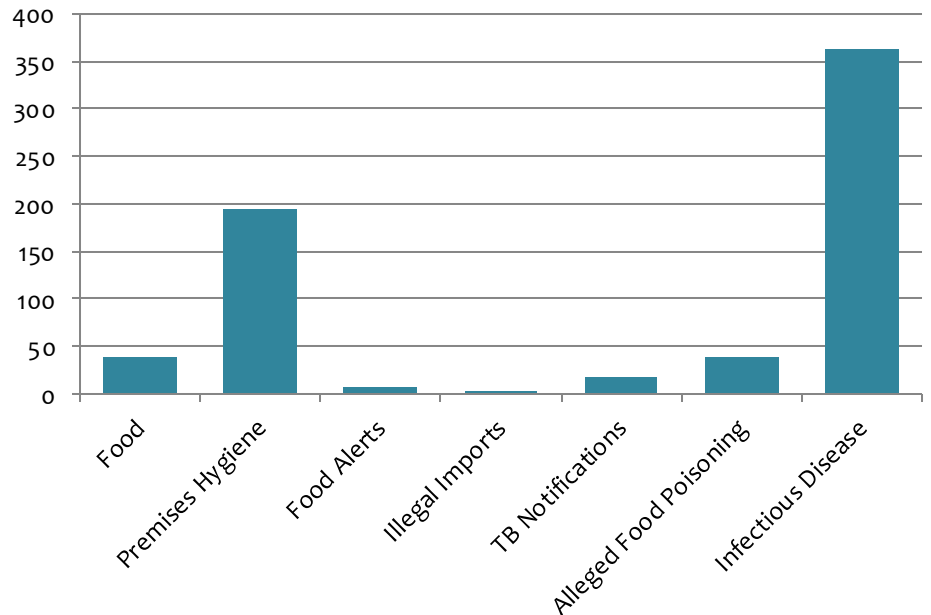


Figure 2: Types of Request for Service

364 cases of infectious disease / food poisoning were reported by Public Health England to the food team for investigation. The work is considered high priority, as early intervention can prevent further cases should it be possible to identify a link between a case of illness and food prepared and served.

Advice is provided to food businesses on new business set up, and may relate to premises design, good hygiene and food handling practices, training requirements and food safety management.

A small amount of reactive work relates to notifications of the tuberculosis status of dairy herds, the requirement to halt imports of animal origin which have left Southampton port prior to necessary checks being undertaken, and food alerts issued by the Food Standards Agency which may require the removal of food from sale.

National Food Hygiene Rating Scheme



All Local Authorities in England participate in the national Food Hygiene Rating Scheme (FHRS) which is a partnership initiative with the Food Standards Agency (FSA) who are the central competent Food Authority. This was originally called Scores on the Doors. The FHRS is designed to allow consumers to make informed choices on places where they eat out or shop for food and encourages businesses to improve their hygiene standards. The ratings range from 5, (very good) to 0, (urgent improvement necessary). A business is given a window sticker which displays the rating and the score is published on the FSA website.

Business Ratings in the New Forest

The majority of businesses in the New Forest have a rating of 3 – generally satisfactory or better. Over 97% of businesses fall into this category. Since last year, the number has increased by almost 1%. The diagram shows that 2 businesses (less than 1%) received a '0' rating, and a total of 33 businesses have a 1 or 2 rating – only 2.5% of the total.

Once a rating has been provided it will normally remain in place until the next inspection is undertaken. However businesses may apply for a re-inspection when they have carried out necessary works identified during the inspection. There is a fee of £162 for a re-inspection as this is a discretionary service, but many businesses recognise the importance of having a good rating and in 2018-19, 18 applied for a re-inspection. On re-inspection, the business' rating will be assessed by the original inspecting officer.

In addition to the above, there are other safeguards built into the food hygiene rating scheme which allow a business to appeal if they consider the rating given is incorrect.

Food Sampling

The Food Standards Agency places considerable emphasis on the importance of sampling as part of the delivery of a local authority's food service. Sampling can be used as both a means to support business, to verify that they are producing safe food, and also to emphasise when their food safety controls are inadequate. We sample local high risk businesses such as manufacturers, especially those carrying out specific processing including sous-vide foods, butter manufacture, fermentation, or aseptic packaging.

The food team also participates in national and local Hampshire wide sampling projects. Such projects pick up on emerging issues as identified by Public Health England and epidemiological data. In the past year the team has sampled frozen fruit and vegetables and pastry products in support of these regional projects.

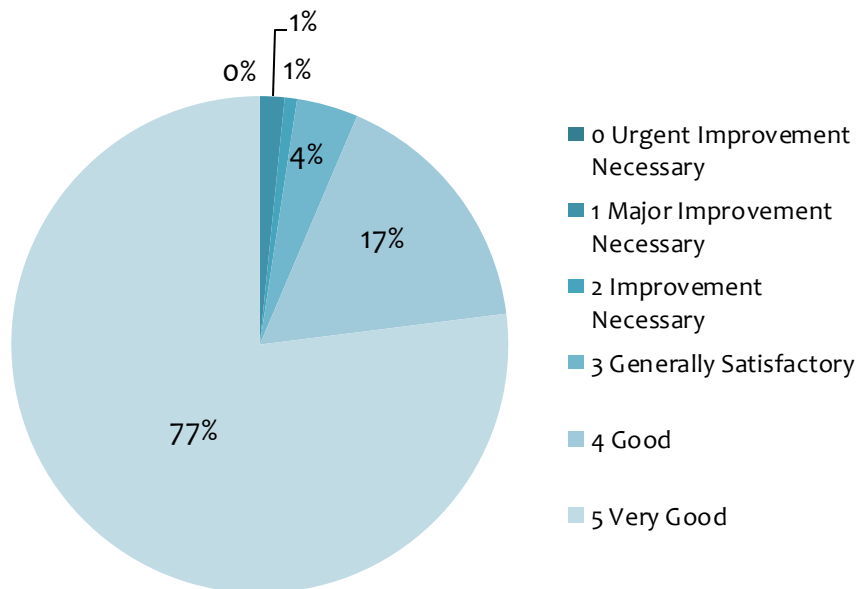
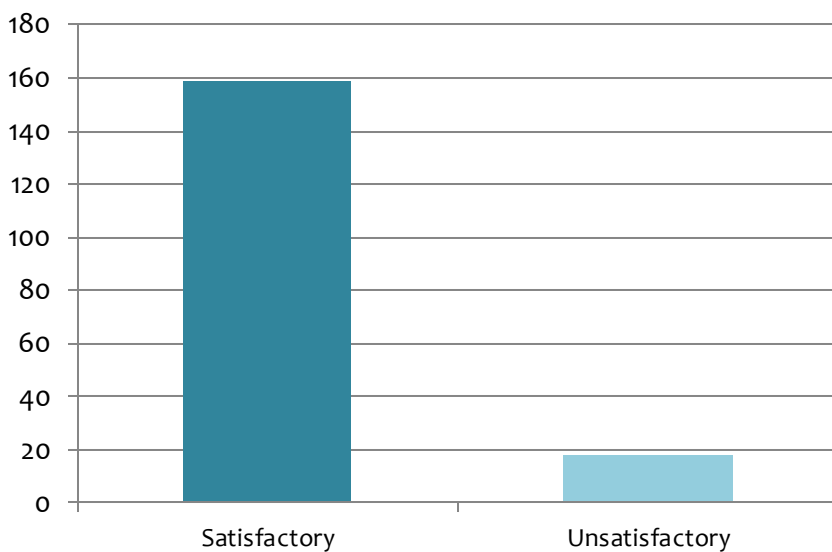


Figure 3: Food Hygiene Ratings in the New Forest Area



Over the past year the food safety team took a total of **177** samples, of which **18** were found to **not** meet food safety requirements. This is an increase from the 146 samples taken in the preceding year. Officers supported these businesses in investigating what went wrong and how to ensure that unsafe food is not placed on available for sale

Figure 4: Samples Taken

Enforcement Actions

The chart shows the enforcement actions the food team took in the past year. We act in accordance with our enforcement policy to ensure that food businesses meet the high standards expected, to promote and achieve sustained compliance with the law and to ensure that food business operators take action to deal immediately with serious food safety risks.

Most businesses in the District seek to comply with the requirements and **658** received inspection letters explaining any areas where improvement was required to comply with the law. A small number of these cases, shown by the wedge, required further action.

The team served **36** hygiene improvement notices (HIN) on **12** businesses and **1** business was voluntarily closed based on serious risks to health. **1** business was offered a simple caution for serious food hygiene offences. During the previous year, 45 notices were served, and 1 business was prosecuted.

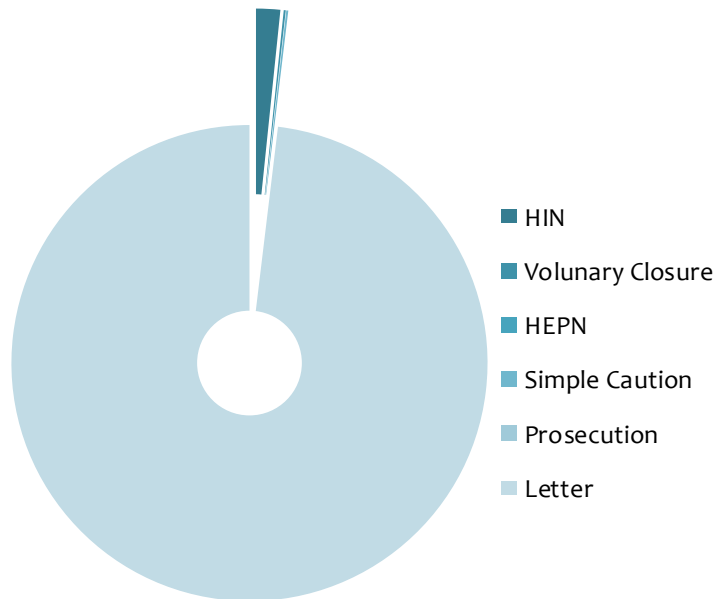


Figure 5: Enforcement action taken

The data shows that there has been a small reduction in the amount of formal action taken, which mirrors the small improvement in overall food business ratings.

Export Certificates

Export Health Certificates are issued to food businesses who wish to export foodstuff outside the EU. They are provided to help local exporters meet the food safety requirements. This is because many countries have restrictions regarding what can be imported and sold in that country. An export health certificate is used to certify that the food was manufactured under and complies with food legislation. Certificates are not currently required for export to countries within the European Union. The provision of these certificates is not mandatory, and we therefore charge businesses for our time in providing this service.

Health and Safety Work 2017-2018

To reduce unnecessary burdens on business, we only inspect businesses when we receive intelligence to indicate that standards may be poor (e.g. following an accident notification). As a result only **10** inspections were undertaken last year.

The majority of our work is instead targeted and based on local or national intelligence using guidance provided to local authorities by the Health and Safety Executive. In the past year we carried out projects on gas safety in catering premises, swimming pool safety and control of dust in bakeries. We contacted almost 300 businesses on these projects and where necessary served formal notices to secure important safety improvements.

We also received 114 formal accident notifications. These are all assessed to determine which require investigation, which in the last year was 39. Officers work with the business to improve health and safety particularly if the investigation identifies measures which could have prevented the accident. In some cases, we may consider formal action such as simple caution or prosecution, if the accident is serious, or there has been a blatant disregard to health and safety law.

The figure also shows that we investigate a large number of health and safety related complaints, and requests for information from businesses. In the past year we received **267** such requests.

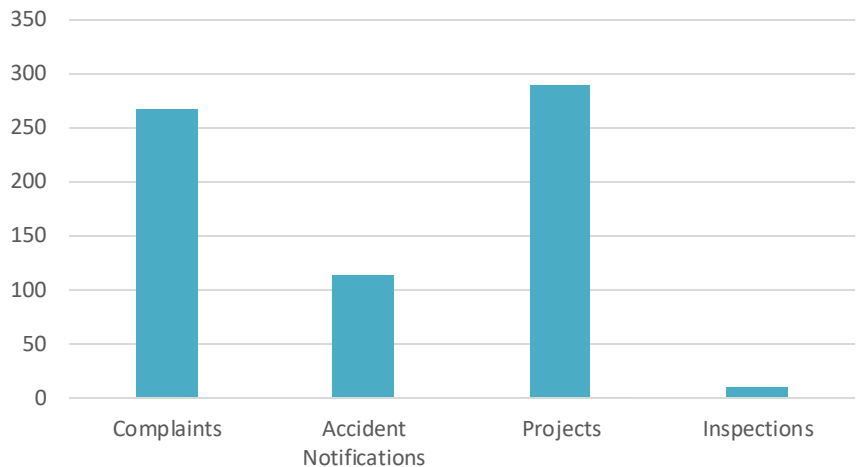


Figure 6: Health and Safety Work

Animal Welfare – Animal Establishment Licences

The new Animal Welfare (Licensing of Activities Involving Animals)(England) Regulations 2018 replaced a number of existing pieces of legislation. They reduced the regulatory burden on businesses and operators by having in place national standards and conditions. A risk-based process to grant and issue licences for 1, 2 or 3 years is applied rather than the former system of renewing licences annually.

The team has inspected all businesses which applied for a licence under the new legislation. (**119** businesses.)

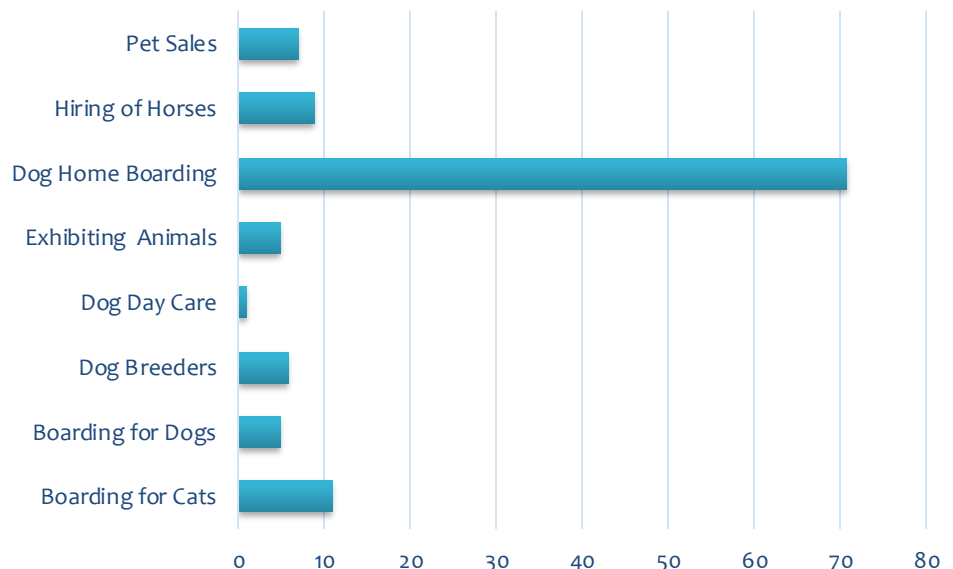


Figure 7: Animal Activities Licences

Figure 7 shows the types of animal activity businesses that are licensed in the District. Although the majority of businesses are dog home boarders, there are also a number of larger businesses, including 9 horse riding establishments and 16 boarding establishments – kennels and catteries. It is anticipated that this number of dog breeders will increase over the coming year.

Officers have helped over **125** businesses and individuals to understand the new legislation.

Primary Authority

PRIMARY AUTHORITY

The Primary Authority (PA) scheme allows businesses to form a statutory partnership with a single local authority (or group of authorities) which enables the business to access assured, robust and reliable advice at a reasonable cost. The advice can be on a variety of areas which includes food hygiene and safety, health and safety and licensing and gives companies greater consistency of advice particularly where they have outlets which operate in several areas.

We set up our first Primary Authority partnership with Hampshire County Council Care during the past year, and are assisting the business in updating its food safety management systems.

Skin Piercing

Businesses which wish to undertake skin piercing activities must first apply to be registered with the local authority. There are governed by byelaws and general health and safety legislation to ensure that they can operate in a safe and hygienic manner. There are **122** registered premises undertaking skin piercing activities in the District - cosmetic body piercing, acupuncture, tattooing, electrolysis, and semi-permanent skin colouring, and considerably more practitioners. The beauty sector is becoming more popular and a number of new businesses have set up to carry out semi-permanent skin colouring in the past year. We have recently visited **25** new premises carrying out eyebrow treatments, microblading and blotch removal.

Caravan Site Licensing

There are 33 licensed residential caravan sites in the New Forest District – a total of 1368 properties. We are responsible for ensuring that standards at the sites are maintained for the safety and welfare of the residents. All caravan sites are inspected every year to ensure that issues such as drainage, roadways, electrical and the distance between caravans are maintained. We also work closely with colleagues in Development Control to ensure that any new sites meet the required standard.

End of Report

Appendix 2

Summary of Food and Safety Team Workplan 2019 – 2020

Our Priorities	
1	<p>To inspect all high-risk food businesses (A, B and C rated) due inspection, all approved businesses and all newly registered food businesses (approximately 350 inspections).</p> <p>To carry out an intervention on all D rated food businesses. Through inspection, audit, monitoring or sampling (approximately 300 businesses).</p> <p>To carry out alternative enforcement action on low risk E rated establishments. This may include inspection if there have been substantial changes. As these are lowest risk businesses, priority will be given to high-risk inspections. However, we will seek to undertake at least 50% of those interventions due.</p>
2	To support the operation of the national food hygiene rating scheme by providing business ratings during food hygiene inspections, updating the national website, and by offering businesses safeguards, including the opportunity to be re-inspected and provided with a new food hygiene rating.
3	To undertake the sampling of food and food business environmental sampling to support work locally and nationally. To investigate where unsatisfactory results are identified.
4	To continue to offer support to businesses through the Primary Authority partnership scheme.
5	<p>To fulfil health and safety enforcement work in line with Health and Safety Executive guidance. This includes a number of approaches:</p> <ul style="list-style-type: none"> - Undertake health and safety assessments whilst undertaking food hygiene inspections - The investigation of workplace accidents, securing of improvements and taking action where necessary. - Intelligence based proactive inspections - Local priority work –including inspection of beauty establishments, inspection of riding establishments and raising awareness of inflatable safety at public events.
6	To register and inspect premises undertaking skin piercing activities – cosmetic body piercing, acupuncture, tattooing, electrolysis and semi-permanent skin colouring.
7	To investigate all GP notifications of notifiable food-borne infectious and suspected food poisoning outbreaks. Take any necessary actions arising from the investigation and to report outcomes to assist in national surveillance.
9	To undertake all inspections of businesses subject to licencing under Animal Welfare legislation, including any mid-term visits. This includes horse riding establishments, zoos, pet shops, animal boarders and dog breeders.
10	In all areas of work identified above, to act in accordance with our enforcement policy to select the most appropriate course of action for dealing with issues of

non-compliance. This may range from the provision of advice, to service of enforcement notices, and where appropriate the taking of enforcement action to deal with cases of blatant disregard for the law.