

Report to: **Overview and Scrutiny**  
Date: **26<sup>th</sup> June 2018**  
Title: **Update report on Food Safety Audit Action Plan**  
Portfolio Area: **Environmental Health and Licensing**  
Wards Affected: **All**  
Relevant Scrutiny Committee: Overview and Scrutiny

Urgent Decision: **N** Approval and clearance obtained: **Y**

Date next steps can be taken:  
(e.g. referral on of recommendation or implementation of substantive decision)

Author: **Ian Luscombe** Role: **Community of Practice Lead (Environmental Health)**

Contact: **01822 813713** [Ian.Luscombe@swdevon.gov.uk](mailto:Ian.Luscombe@swdevon.gov.uk)

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**Recommendations:**

1. That Members are updated on the Food Safety Audit action plan and have the opportunity to comment upon the Food Safety Service Plan 2018/19

**1. Executive summary**

- 1.1 In December 2017 Members were presented with a report that introduced the Food Safety Action Plan (Appendix 1) developed to implement the recommendations contained within the Food Standards Agency's Audit Report arising from the Food Standards Agency (FSA) Audit carried out in July 2017.
- 1.2 The report also introduced the Food Safety Service Plan 2017/18 in accordance with the requirement of the Food Standards Audit to draw up, document and implement a 2017/18 Service Plan.
- 1.3 The Food Safety Action Plan was produced and implemented to address concerns raised during the audit. The principal aim was to

increase food safety intervention frequency and ensure that the food safety data base was fully up to date.

- 1.4 The number of food safety interventions carried out that were due for inspection in 2017/18 has been confirmed as 100%. This figure will be published nationally in the Food Standards Agency annual report.
- 1.5 The food safety database has been updated and a number of duplicate and closed premises removed.
- 1.6 The 2018/19 Service Plan has been completed and is currently in place.

## **2. Background**

- 2.1 Following a Food Standards Agency Audit in June 2017 a report was provided to West Devon Hub Committee in December 2017. The report presented the findings of the FSA audit and introduced the Council's Food Safety Action Plan (Appendix 1) in response to the audit.
- 2.2 The Audit identified good levels of training and competency and a well-structured procedural approach to food safety enforcement. Policies and procedures required were in place. The audit identified a relatively low number of interventions had been carried out in previous years and that the Food Safety National Code of practice required that 100 per cent of due inspections (based on a risk rating scheme) were completed.
- 2.3 One of the issues regarding the completion of due inspections were some inconsistencies on the food safety premises database. This data base had transferred between IT systems (namely m3 Northgate to Civica App) in 2016 and had produced some inconsistencies (missing premises and duplicate premises for example)
- 2.4 The Food Safety Action Plan was produced and implemented to address these concerns during the remaining months of 2017. The principal aim was to increase intervention numbers, to comply with the National Food Code of Practice and ensure that the food safety data base was fully up to date.

## **3. Outcomes/outputs**

- 3.1 The Action plan focussed on increasing the number of food safety interventions carried out by the Food Safety Team. This included close management of individual performance, introducing some more efficient styles of inspection (for example self-assessment of lower risk premises) and the use of a contractor (funded by underspend from a currently vacant post).

- 3.2 The food safety premises database was also reviewed and time spent ensuring that premises records were up to date.
- 3.3 Resource to carry out food interventions has been prioritised above other work for example external health and safety regulation and some licensing responsibilities.
- 3.4 Following submission of the Councils annual statistics the number of food interventions carried out that were due for inspection in 2017/18 has been validated by Food Standards Agency as 100%. The completion of 100% of due inspections is an excellent achievement by the Food Safety Team.

#### **4. Options available and consideration of risk**

- 4.1 The Council is required to provide an annual statistical return to the Food Standards Agency (LAEMS). This figure will be published nationally in the Food Standards Agency annual report. The statistics are published nationally with a risk of reputational harm to poorly performing Councils.
- 4.2 Failure to comply with the Food Safety Code of Practice would increase the risk of serious food poisoning outbreaks in the Council area. Food Safety interventions also improve the safety and quality of food businesses, protecting health and helping the economic viability of the area.

#### **5. Proposed Way Forward**

- 5.1 The Food Safety team will include key performance indicators in the Council's 2018/19 delivery plan; Number of interventions carried out per interventions due (target 100%) and Number of Food Businesses achieving a 5 score (target 90%).
- 5.2 This approach will focus on volume of inspections, as required by the National Food Safety Code of Practice, and also on ensuring that the quality of food businesses in West Devon continues to improve (using data from the already in place Food Hygiene Rating System (FHRS)(More commonly known as Scores on the Doors).
- 5.3 The Food Safety team has now recruited a temporary L6 Specialist using funding from the L6 Specialist vacant post. It is intended that the role will enable external health safety regulation and licensing tasks to be completed as per national guidelines, as well as provide support to sustaining the improved food safety interventions rate.
- 5.4 The Food Safety Team will be charging businesses for Food Safety Advice from June 2018. This is a similar approach to that which is being taken by other Devon Councils.

- 5.5 The Food Safety Team has been charging for FHRS (Food Hygiene Rating System) re-visit inspections (as prescribed by legislation) since April 2018. Uptake of this service has been good with no complaints from food businesses. Assisting food businesses with advice to improve their food rating score will have a positive impact on the safety and quality of food premises in the area.

## 6. Implications

| Implications                                 | Relevant to proposals Y/N | Details and proposed measures to address  |
|--|---------------------------|---|
| Legal/Governance                             | Y                         | The Food Safety Service Plan is a requirement of the Food Standards Agency (FSA) under the Food Standards Agency's Framework Agreement with local authorities. It outlines the Council's statutory food safety function to ensure that national priorities and standards are addressed and delivered locally. The Plan seeks also to embrace the Food Standards Agency's strategy 'Safer Food for the Nation' and the Agency's core principles. (See <a href="http://www.food.gov.uk/about-us/about-the-fsa/">http://www.food.gov.uk/about-us/about-the-fsa/</a> ).                       |
| Financial                                    | Y                         | Appendix B of the attached Food Safety Service Plan sets out the revenue expenditure, staffing and income by financial year for financial year 2018/19.   |
| Risk   |                           | <p>The Food Safety Service Plan is a requirement of the Food Standards Agency (FSA) under the Food Standards Agency's Framework Agreement with local authorities.</p> <p>Failure to agree a suitable Food Safety Service Plan may result in reputational harm and financial penalty.</p> <p>Failure to achieve suitable levels of performance will result in a significant risk to food safety standards in the Council's area. This may result in increased incidence of food poisoning. There may also be wider economic and tourism impacts of having non-compliant food premises.</p> |
| Comprehensive Impact Assessment Implications |                           |   |
| Equality and Diversity                       |                           | There are no equality and diversity issues arising from this report.  |
| Safeguarding                                 |                           | There are no safeguarding issues arising from this report.  |
| Community Safety, Crime                      |                           | No direct impact  |

|                              |  |   |
|------------------------------|--|---|
| and Disorder                 |  |   |
| Health, Safety and Wellbeing |  | The regulation of food businesses contributes to the wider health, safety and wellbeing of the Councils resident and visitors |
| Other implications           |  | None  |

### **Supporting Information**

#### **Appendices:**

#### **Appendix 1 Food Safety Audit Action Plan 2017/18**

#### **Background Papers:**

#### **Food Safety Service Plan 2018/19**

[under provisions of the Local Government Act 1972]

**None**

| <b>Process checklist</b>   | <b>Completed</b> |
|--|------------------|
| Portfolio Holder briefed   | <b>Yes/No</b>    |
| SLT Rep briefed  | <b>Yes/No</b>    |
| Relevant Exec Director sign off (draft)  | <b>Yes/No</b>    |
| Data protection issues considered  | <b>Yes/No</b>    |
| If exempt information, public (part 1) report also drafted. (Cabinet/Scrutiny) | <b>N/A</b>       |