

NORTH LANARKSHIRE COUNCIL

REPORT

To: ENVIRONMENTAL SERVICES COMMITTEE		Subject: PERFORMANCE REVIEW - BUSINESS REGULATION SERVICE OPERATIONAL PLAN 2013/14.
From: HEAD OF PROTECTIVE SERVICES		
Date: 12 August 2014	Ref: GC/53	

1. Purpose of Report

- 1.1 To seek Committee approval of a performance review of the Business Regulation Service Operational Plan 2013/14.

2. Background

- 2.1 The Food Standards Agency Framework Agreement on Local Authority Food Law Enforcement stipulates that all Authorities are required to produce an annual Operational Plan which includes food safety enforcement and also conduct a performance review of the previous year's Operational Plan, specifically in regard to food safety issues.
- 2.2 The Food Standards Agency consider the Operational Plan and the performance review process to be key elements in the Framework process. The importance which they place on these issues is reflected in the fact that the Agency require all Food Law Enforcement Authorities to seek Committee approval of the Operational Plan and the corresponding Performance Review.

3. Proposals / Considerations

- 3.1 In accordance with appropriate procedures a performance review has now been completed in regard to the 2013/14 Operational Plan. As a result, it is possible to report that all aims and objectives set within the Operational Plan have been achieved. The details are contained within the performance review in Appendix 1 of this report.
- 3.2 A copy of the Business Regulation Service Operational Plan 2013/14 is available in the Members' library.
- 3.3 Amongst the key issues during the year in regard to food safety was a strategy to do fewer inspections of food premises considered to present a lower risk of cross contamination. As a consequence, additional resources were then utilised to focus more on premises presenting a higher risk in terms of cross contamination issues. During 2013/14, there has been a significant increase in the number of "broadly compliant" food premises of almost 3% to 93.5% in March 2014, which compares very favourably with most other local authorities in Scotland.

- 3.4 During 2013/14, work to implement the Food Hygiene Information Scheme was also completed. This was a Food Standards Agency led initiative whereby details of whether food premises achieve a satisfactory level in regard to food hygiene requirements are published on a national website. The work was completed well within the budget and timescale set for the project.
- 3.5 So far as health and safety is concerned, it was agreed to adopt the key provisions of the new National Local Authority Enforcement Code. This placed a requirement on the Business Regulation Service to ensure that resources were specifically focused on high risks activities detailed in the Code.
- 3.6 This has worked well and enforcement officers have specifically focused on activities listed in the Code including –
- premises with cooling towers/evaporative condensers
 - commercial catering premises using solid fuel cooking equipment
 - high volume warehouse/distribution premises
- 3.7 Customer satisfaction levels for programmed food safety inspections were recorded at 94%, a slight improvement from the previous year. This is particularly pleasing bearing in mind the work of the Service is largely enforcement and regulatory based.

4. Financial Implications

- 4.1 There are no financial implications relevant to this report.

5. Corporate Considerations

- 5.1 The recommendations are consistent with policy and there are no personnel, legal or property implications in the report.

6. Recommendations

- 6.1 That Members approve the performance review of the Business Regulation Service Operational Plan 2013/14.

C. Morgan

**C MORGAN
HEAD OF PROTECTIVE SERVICES**

Local Government Access to Information Act: for further information about this report, please contact Gordon Cunningham, Business Regulation Manager on 01236 856459.

SECTION 1: SERVICE AIMS AND OBJECTIVES

1.1 Aims and Objectives

It is considered that the aims and objectives contained within the Operational Plan all remain relevant and properly reflect the importance which North Lanarkshire Council places on food safety issues.

One of the key aims is to deliver an improvement in public confidence in the way that food safety standards are monitored and enforced. In order to gauge levels of confidence the Service conducts a comprehensive customer consultation process and the most recent results have been extremely good, currently at 94% regarding inspections of food premises, which is an excellent outcome, particularly when enforcement issues are a significant part of the work of the Service.

1.2 Links to Corporate Objectives and Plans

The work of the Business Regulation Service links into many of the Council's corporate objectives and these are detailed in the Operational Plan.

Partnership working with Health Board colleagues and others continued links into common objectives and joint plans to improve the health of those living and working within North Lanarkshire.

SECTION 2: BACKGROUND

2.1 Profile of the Local Authority

There has been no significant change.

2.2 Organisational Structure

There were no changes to the two service teams and staffing levels are currently 23 officers including 1.5 officers covering contingency planning issues. The teams are all now currently based at Fleming House, Cumbernauld although a significant number of staff now largely work from home.

2.3 Scope of the Business Regulation Service

The scope of the Business Regulation Service includes all Food Safety and Health and Safety issues for which local authorities have statutory responsibility.

In addition the Service is also involved in the investigation of outbreaks of infectious disease in partnership with Lanarkshire Health Board and also deals with all public and private water supply issues.

Contingency Planning is also within the remit of the Business Regulation Service.

2.4 Food Safety Demands on the Business Regulation Service

There are 2544 premises, a slight increase from the previous year, with the risk profile being as follows:

Food Hygiene Premises Risk Rating

Category A risk premises - 10
Category B risk premises - 148
Category C risk premises - 1305
Category D risk premises - 412
Category E risk premises - 669 (low risk)

Food Standards Premises Risk Rating

Category A risk premises - 8
Category B risk premises - 1059
Category C risk premises - 1477 (low risk)

Low risk category premises are included in an Alternative Enforcement Strategy whereby businesses can request an inspection or seek assistance from the Department.

Overall the trend of a reducing number of higher risk premises continued during 2013/14 which is a positive step in terms of improving food safety standards.

SECTION 3: SERVICE DELIVERY

3.1 Food and Feedingstuffs Premises Inspections

In accordance with policy, priority was given to ensuring that routine programmed food hygiene inspections were undertaken in accordance with at least the minimum frequency outlined within the Food Law Code of Practice (Scotland).

A total of 4211 visits were made to food premises last year. These visits included programmed inspections, re-visits, sampling, food complaints, food alerts and other issues.

The visits are almost always conducted on an unannounced basis and many are undertaken during the evenings and/or week-ends.

3.2 Food and Feedingstuffs Complaints

A total of 106 food complaints were investigated last year. All investigations of food complaints commenced within 48 hours of notification in accordance with the target set within the Operational Plan.

3.3 Home Authority Principle

Home Authority agreements remained unchanged at one. In addition, considerable work was undertaken out with home authority status in order to respond to enquiries and requests for information regarding local businesses mainly from other local authorities throughout the United Kingdom.

3.4 Advice to Business

An important part of the work of the Service continued to be providing advice to food businesses. Advice is usually requested and given to assist food business owners to meet their statutory responsibilities but some advice is also given on technical issues in order to prevent unnecessary expenditure. All enquiries were responded to within the 1 day target specified in the Operational Plan.

3.5 Food and Feedingstuffs Inspection and Sampling

A total of 242 samples from food premises were submitted to the laboratory last year. The majority of these samples were subsequently reported to be satisfactory by the Public Analyst. Sampling is principally focussed on local products and/or as part of a national sampling project.

3.6 Control and Investigation of Outbreaks and Food Related Infectious Disease

A total of 134 cases of food poisoning were investigated last year, a slight increase in the number of cases over the previous year. Some of these cases related to persons returning from holiday abroad.

All cases were investigated within 24 hours of notification thus meeting the relevant target set within the Operational Plan. An Outbreak Control Plan to identify and control the spread of infection has been agreed with Lanarkshire Health Board and this is kept under review and desk top exercises are also held.

3.7 Food Safety Incidents.

The Food Standards Agency issued 47 Food Notices and Alerts during 2013/14. This is a national electronic warning system whereby the Agency can send details of food related issues to all local authorities for information purposes or for action, depending on the circumstances. The main purpose is to ensure that food products which may be unsafe or not meet statutory requirements are withdrawn from sale as quickly as possible.

There are different types of Notices and Alerts. A Product Withdrawal Information Notice or a Product Recall Information Notice is issued where a solution to the problem has been put in place – the product has been, or is being, withdrawn from sale or recalled from consumers, for example.

Allergy alerts are also issued to highlight issues relating to the composition of a product which may not be properly included in the list of ingredients and where one of these may cause an allergic reaction which can be very serious in some instances for example the presence of nuts in a product.

A Food Alert for Action is issued where intervention by enforcement authorities is required. These notices and alerts are often issued in conjunction with a product withdrawal or recall by a manufacturer, retailer or distributor.

3.8 Liaison with other Organisations

North Lanarkshire continued as an active member of the West of Scotland Food Liaison Group with one of the senior managers acting as secretary for the Group. The authority is also represented on the Scottish Fish Hygiene Working Group.

Regular meetings also take place with NHS Lanarkshire to which a representative from Scottish Water is normally invited.

3.9 Food and Feedingstuffs Safety and Standards Promotion

During 2013/14 we implemented work to be able to input into the Food Hygiene Information Scheme which is a Food Standards Agency backed website whereby it is intended that by the Commonwealth Games in July 2014 all Scottish Local Authorities will publish information on the website regarding whether food premises in their area meet food safety standards. Premises also have a voluntary option to display a Pass or Improvement Required notice to inform customers whether or not they have achieved a satisfactory standard.

The Service continues to work in partnership with the Food Standards Agency regarding their Eat Safe initiative. There are now currently 21 premises within North Lanarkshire who have achieved the required standard and it is hoped to continue with promotion of the award.

An important partnership has been agreed with NHS Health Scotland whereby the Service has agreed to support their Healthy Living Award scheme. The main focus of this scheme is to encourage and recognise food premises which provide food of which over 50% meets specified minimum nutritional requirements. In addition the premises have to meet certain criteria in regard to food hygiene standards which are regulated by Local Authorities.

North Lanarkshire Council is currently the only authority in Scotland who has agreed to provide Healthy Living Award leaflets to food business proprietors following completion of programmed inspections by Enforcement Officers and the Council were specifically mentioned in Healthy Living annual awards ceremony in recognition for our support of the initiative.

SECTION 4: RESOURCES

4.1 Financial Allocation

The financial allocation for the Service was sufficient in order to provide the resources necessary for the Council to meet its commitments.

4.2 Staffing Allocation

Staff posts remained unchanged at 24, including contingency planning posts.

4.3 Staff Development Plan

A Performance Review and Development Scheme has now been adopted for all staff and is generally working well and is linked into the Operational Plan.

SECTION 5: QUALITY ASSESSMENT

5.1 Quality Assessment | Monitoring

The Service has maintained accreditation for ISO 9001:2000, ISO 14001 and OHSAS 18001.

SECTION 6: REVIEW

6.1 Review against the Service Plan

The Service Plan was reviewed on a quarterly basis at Business Regulation Manager's meetings.

6.2 Identification of any variation from the Service Plan

There were no significant variations of the 2013/14 Service Plan

6.3 Areas of Improvement

No areas were identified as requiring action.

SECTION 7: PERFORMANCE PLANNING

7.1 Performance Plan

All targets detailed within Appendix 1 of the Operational Plan were achieved.

7.2 Environmental Services Service Plan Key Actions

All key actions within the Environmental Services Service Plan were achieved.

7.3 Performance Indicators

Performance has been excellent with the number of broadly compliant food premises currently recorded at 93%