



**OPEN REPORT
COMMUNITY AND ENVIRONMENT COMMITTEE**

Community and Environment Committee 30 July 2024

Environmental Health Commercial Team Service Plan – Food Hygiene and Health and Safety at Work

Report of Director of Place and Economy

Report Author and Contact Details

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Wards Affected

District Wide

Report Summary

This report informs the Committee of the official interventions for food hygiene and health and safety at work undertaken by the Council's Environmental Health service during 2023/24 and predicts service demands for 2024/25.

Recommendations

1. That the service plan for delivery of official controls detailed at Appendix 1 to this report be approved

List of Appendices

Appendix 1 Commercial Team service plan

Background Papers

None

Consideration of report by Council or other committee

N/A

Council Approval Required

No.

Exempt from Press or Public

No – the service plan is a public document

Environmental Health Commercial Team Service Plan – Food Hygiene and Health and Safety at Work.

1. Background

- 1.1 The District Council is required under the Food Law Code of Practice to submit a Service Plan to cover all areas of food law the Competent Authority has a duty to enforce. The plan must set out how the Competent Authority intends to deliver and resource official food controls and other official activities in its area. A performance review must be carried out at least once per year. This performance review occurs on 1 April every year, and the findings are also directly provided to the Food Standards Agency.
- 1.2 Service plans are an important part of the process to ensure that national priorities and standards are addressed and delivered locally. Service plans also help ‘competent authorities’ to:
 - Focus on the principles of good regulation;
 - Focus on key delivery issues and outcomes;
 - Provide an essential link with corporate and financial planning;
 - Set objectives for the future and identify major issues that cross service boundaries;
 - Provide a means of managing performance and making performance comparisons;
 - Provide information on an authority’s service delivery to stakeholders, including businesses and consumers.
- 1.3 The service plan is drafted in accordance with guidelines issued by the Food Standards Agency, following a structured, common format, with chapters and subject headings specified and flexibility for competent authorities to include additional items under specific headings.
- 1.4 The service plan is required to review the qualitative and quantitative performance of delivery against the plan, at least once per year.
- 1.5 The Environmental Health service is also required to submit the service plan for approval by Members and to make the information contained within the plan available to the public.
- 1.6 Table 3 Interventions at food establishments details the activities from 2023/24 and projections for the 2024/25. The grand total for planned interventions is 610, however the service also receives reactive interventions. (Page 9)

2. Key Issues

- 2.1 The Food Standards Agency monitor and review the performance of Local Authorities throughout the year but specifically on the 1 April and 1 October each year. The service provides data on the performance of the service, similar to the information provided within the service plan.

- 2.2 The Environmental Health service has performed well over the last 12 months, and has visited all A (6 monthly) and B (12 monthly) risk premises in line with the Food Standards Agency timescales. The service has only 6 outstanding C (18 monthly) risk premises and 59 outstanding D (24 monthly) risk premises. These outstanding interventions are a priority in Q1 2024.
- 2.3 The Food Standards Agency work programme of Achieving Business Compliance (ABC) is still on-going. The Environmental Health service is keeping up to date with the latest developments however the anticipated changes to data management systems have been reduced considerably. The new proposed changes will slightly update the risk management profile for food businesses. It would appear the arrangements will remain very similar with further flexibilities for Local Authorities in-relation to staffing namely Regulatory Support Officers / Technical Officer grades of Post.
- 2.4 The Service understand that the Food Standards Agency are considering key performance indicators for Local Authorities however the details are not known. With this in mind the service has drafted 2 KPI's to monitor performance over the next 12 months. These are detailed within page 10.
- 2.5 Data Cleansing and Opening / Closing of Businesses. The service have reviewed the database of registered businesses extensively over the last 12 months to improve efficiency. However, businesses opening and closing (new registrations) is still a priority for the service and places high demands on the service.
- 2.6 The Food Hygiene Rating data is still consistent for sites rated Zero to 2 Improvement Necessary. These sites are considered not broadly compliant with hygiene regulations. The ratings for 3 / 4 and 5 are consistent in-terms of sites being broadly compliant with hygiene regulations however ratings for 5 Very Good are slightly down with more sites rated as 4 Good and 3 Generally Satisfactory. Further details on the demands on the service are detailed on page 5 of the service plan.
- 2.7 Public Facing / Online Reporting tools. The Environmental Health service is updating the data management system and this includes providing the functionality for public facing activities. This is a 6 / 12 months project involving ICT and Transformation. Further details are included within the service plan.
- 2.8 The Environmental Health service has received a request from elected members to demonstrate the data management system / public facing elements. The service will provide a demonstration once the configuration is further developed for public facing to members as requested.
- 2.9 The service plan confirms the key activities of the service, in terms of Official Interventions for non-compliance. The service have issued one formal warning to a business within 2023/24 following an investigation.
- 2.10 Over the summer 2023 the service undertook a project looking at swimming pools and this intervention was effective and worthwhile identifying issues of safety and hygiene. Overall, this was a good intervention with invaluable support provided by Business Support Officers.

- 2.11 Business Support have been requested to undertake Benchmarking Exercising to establish the level of businesses within the Derbyshire Dales which maybe captured by the new Beauty / Invasive Treatments Regulations. The service is still unsure about the implications for Martin's Law generally in relation to the functions of Environmental Health.
- 2.12 The numbers of service requests have remained consistent with previous years generally.
- 2.13 In relation to Health and Safety enforcement activities, the service has investigated one significant accident under RIDDOR which has resulted in a Written Warning. This investigation was time consuming for the service and involved a hot oil accident within a catering facility.
- 2.14 Public Safety and Large Events is still a priority for the service, looking at situations on a micro level (individual traders) and macro level (event organisers). Over the last 12 months the service has been involved with the safety of events generally working with Emergency Planning and other agencies.
- 2.15 Details for the other Health and Safety priority areas for the service are detailed on page 18
- 2.16 Details on staff allocation are detailed within the report, the service also report staff resources figures to the Food Standards Agency as part of the monitoring process. Table 5 confirms the allocated resources generally for the service.
- 2.17 Recently the demands on the service for Animal Welfare arrangements have increased, and the service is working with Licencing on improving this service. The Environmental Health service will be risk rating all the premises and creating an inspection programme for these types of premises. The service is trying to spread the impact of this extra work over the next 12 / 24 months to reduce the burdens on the food hygiene inspection programme. Page 20

3. Options Considered and Recommended Proposal

- 3.1 Food Standards Agency guidance to 'competent authorities' is that service plans of this type should be developed annually and submitted to Members for approval. It is considered that the service plan attached as Appendix 1 to this report is a proportionate response to these guidelines.

4. Consultation

- 4.1 As outlined above, production of this service plan is a requirement of Food Standards Agency guidance and the draft plan has been developed in accordance with the specified template. It sets out how the authority will deliver its statutory requirements in relation to food safety and health and safety at work. Once approved the service plan will be published and made available to all stakeholders upon request.

5. Timetable for Implementation

- 5.1 The service plan sets out the broad programme of food safety and health and safety at work activity for 2024/25 and will be implemented immediately.

6. Policy Implications

- 6.1 The production of this service plan is intended to address the District Council's responsibilities in respect of food safety and health and safety at work. As such it directly contributes towards the new Corporate Plan is to build flourishing and sustainable communities for residents and businesses

The functions of the Environmental Health service are community and business based, with the majority of interventions with the business community.

7. Finance and Resource Implications

- 7.1 In considering this report and approving the service plan, the Committee will ensure that the authority's statutory obligations are met. The financial risk of this report is assessed as low.

8. Legal Advice and Implications

- 8.1 In considering this report and approving the service plan, the Committee will ensure that the authority's statutory obligations are met. Assuming that the proposals are approved, the legal risk in respect of this report is considered to be low.

9. Equalities Implications

- 9.1 The service plan addresses the District Council's statutory obligations in respect of food safety and health and safety at work and there are no perceived equality impacts in relation to protected groups. Copies of the service plan will be available in languages other than English upon request, or where officers identify situations in which expertise in languages other than English would be appropriate.

10. Climate Change and Biodiversity Implications

- 10.1 The service plan sets out the District Council's statutory obligations in respect of food safety and health and safety at work and no positive or negative impacts upon climate change have been identified by comparison with previous years.

11. Risk Management

- 11.1 The District Council has a statutory responsibility to undertake the duties outlined in the service plan. Failure to conform to the Food Standards

Agency's expectations could result in censure or, in extreme cases, intervention by the Agency.

- 11.2 Progress against the service plan will be monitored throughout the year to ensure that the expectations of the Food Standards Agency and of the District Council are being met.

Approvals obtained from Statutory Officers:

	Named Officer	Date
Director of Resources for Chief Executive	Karen Henriksen	22/07/2024
Financial Services Manager)	Gemma Hadfield	09/07/24
Monitoring Officer (Helen Mitchell	2/7/24