



DIRECTORATE OF COMMUNITIES & NEIGHBOURHOODS

FOOD SERVICE PLAN 2015/17

FOREWORD

Under the Food Standards Agency's (FSA) Framework Agreement, City of York Council is required to produce an annual service plan that covers their various food functions.

The Public Protection team is responsible for food law enforcement. This service plan reviews our performance over the last year, sets out our aims and objectives for 2015/17, and also looks at what demands are placed on the team and what resources are available to meet those demands.

Variance between the 2014/15 planned and actual performance is highlighted. Where necessary, corrective action is recommended and incorporated into the 2015/17 plan.

Resources in the team are limited. However, this plan illustrates the effective use of existing resources to target the highest risk businesses, while maintaining a balanced enforcement mix.

1. SERVICE OBJECTIVES, AIMS AND POLICIES

1.1 The vision of Public Protection is:

A cost effective collaboration focused on corporate priorities and responsive to the needs of our communities with skilled and innovative staff dedicated to excellent customer service

1.2 The objectives of Public Protection are to:

- Protect residents and local businesses from unfair and unsafe business practices
- Protect residents and our environment from pollution and other public health and safety hazards
- Help local businesses achieve compliance with their legal obligations
- Promote healthy living in the city

1.3 The aims the food team are:

- To operate a comprehensive regime of interventions (eg inspections), sampling, advice and other approaches as appropriate, to ensure the safety, correct composition, description and labelling of foods and animal feeding stuffs and to prevent adulteration and fraud in the production and sale of these products.
- To ensure the health and well-being of consumers by the above methods and through promotional activities.
- To promote best practice in food and animal feeding stuffs production and sale in the City of York.
- To provide support, assistance, training and advice to local businesses, thereby enabling them to market products that comply with legal requirements and best practice.
- To investigate cases of communicable disease notified to the Authority.
- To promote food safety and standards issues to the public through a variety of activities.

- To investigate complaints about the labelling, composition, safety and fitness of food, feeding stuffs and the operation of food premises.
- To act as a Primary Authority and Originating Authority, and deal with enquiries referred to us by other agencies.
- To approve and register food/feed premises as prescribed by government.
- To enforce the provisions of food and animal feeding stuffs legislation, and take appropriate and proportionate action to secure compliance.
- To take prompt and effective action in response to food hazard warnings and other threats to food safety in York.

1.4 Council priorities

The Council Plan priorities are to ensure

- A prosperous city for all
- A focus on frontline services
- A council that listens to residents

1.5 Enforcement policy and customer service

The team operates to an enforcement policy that meets the needs of the Regulators' Code. In addition, we have implemented a "Customer Service Standards" policy, which sets out the minimum service standards we aim to achieve when providing our services.

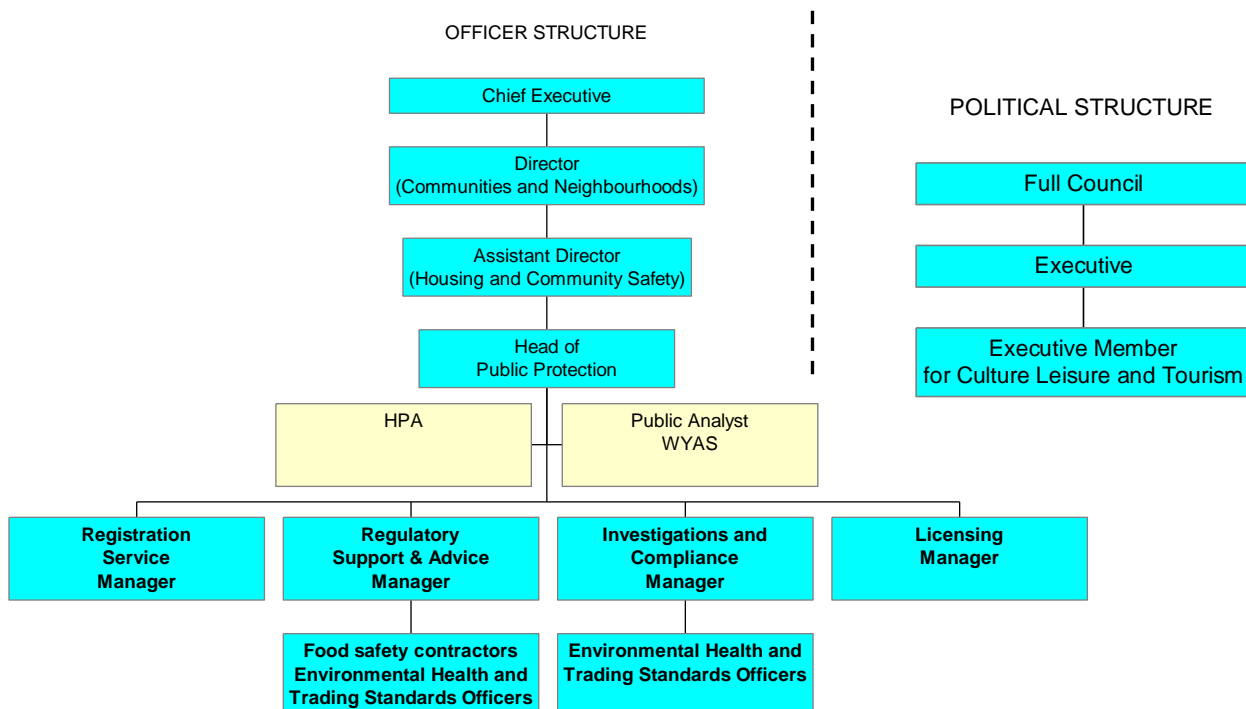
2. BACKGROUND

2.1 Profile of the council

City of York Council is a unitary authority, with a population of approximately 200,000 and an area of 27,250 hectares. The majority of the electorate are located in the urban city area, with the remainder resident in the outlying towns and villages.

The area is predominantly urban, covering the historic city with the associated tourism, hospitality and catering activities.

2.2 Organisational structure



2.3 Provision of specialist services

- Public Analyst services covering food and animal feeding stuffs are provided under contract by West Yorkshire Analytical Services.
- Microbiological food examination is carried out under service level agreement with the Health Protection Agency (HPA) laboratory service.
- The proper officer for communicable disease purposes is the Consultant in Communicable Disease Control at the HPA.

2.4 Scope of the team

As a unitary authority, City of York Council is responsible for the full range of food law enforcement activities.

The Public Protection team has responsibility for food safety, food standards, animal feeding stuffs and primary production activities. The team sits within the Communities and Neighbourhoods Directorate.

The team comprises of both environmental health and trading standards professionals, in addition to technical support staff. Some officers have dual qualifications.

The service involves the delivery of the following:

- A programme of interventions focusing on food and feeding stuffs.
- Investigation of complaints from consumers.
- Investigation of food poisonings/infectious disease notifications.
- Promotion and education/advice for businesses and the public.
- Sampling of food and animal feeding stuffs.

2.5 Demands on the food team

The authority's area contains a mix of manufacturing, retail and catering premises; hospitality and catering are the dominant sectors. There is a large international confectionery manufacturer, a district hospital, various large academic institutions and a racecourse.

The profile of food premises in York is heavily biased towards restaurants and caterers, which is a reflection of the city's status as a major tourist destination.

We continue to see a high turnover of business ownership in this sector. This places a strain on the team's resources due to an increased demand for advice visits, and the subsequent inspection of these new premises.

Under the product specific European Union Directives, there are two premises that are approved by the food team.

The team works in accordance with the principles of the Primary Authority scheme, which is promoted by the Better Regulation Delivery Office. We have developed Primary Authority Partnerships with a number of local businesses.

2.6 Premises profile

The high proportion of restaurants and takeaways in York means that officers are often required to work out-of-hours in order to gain access to these premises. Officers must also be sensitive to the needs of ethnic minorities.

Table 1 - Breakdown of food premises by FSA category as at 1 April 2015.

FSA CATEGORY	Number
Primary Producer	13
Manufacturer & Packer	35
Importer/Exporter	1
Distributor/Transporter	25
Retailers (Other)	94
Restaurants/Cafe/Canteen	433
Supermarket/Hypermarket	54
Small Retailer	248
Hotel/Guesthouse	185
Pub/Club	231
Takeaway	183

Caring Establishment	173
School/College	95
Mobile Food Unit	29
Restaurant/Caterers – Other	302

2.7 Service delivery point

The service is delivered from council offices at the Eco Depot, Hazel Court, York. The council's hours of operation for the general public are 08:30 -17:00, Monday to Friday.

2.8 Review of interventions carried out from the 2014/15 Programme

2.8.1 Food hygiene interventions

Premises rating	A	B	C	D	E
No. of planned interventions at 1/4/2014	20	76	242	239	601
No. of interventions achieved	20	76	241	231	1
No. of interventions <u>not</u> achieved	0	0	1	71	600
Percentage achieved	100%	100%	99%	97%	0%

In addition to the above figures, 58 unrated premises were subject to interventions during the year. These are newly registered food premises that are required to be inspected.

The figures above show that we focused our resources on our higher risk premises.

The low risk premises in category E do not normally receive a physical visit, unless we receive intelligence, such as a complaint, that there may be problems at the premises. We would normally monitor these premises by questionnaire, but were unable to complete this during 2014/15 due to other pressures.

2.8.2 Food standards interventions

Premises Rating	High	Medium	Low
No. of planned interventions at 1/4/2013	6	583	615
No. of interventions achieved	5	27	0
No. of interventions <u>not</u> achieved	1	556	615

We have not had the resources to inspect 100% of our premises for food standards for a number of years.

As a result, we take an intelligence led and project based approach for food standards issues. Details on this approach can be found later in this service plan.

2.8.3 Feeding stuffs/primary production interventions

During 2014/15, we outsourced this area of work to a neighbouring authority. The authority visited 22 of our registered animal feed premises that were due an intervention that year.

3. PLANNED ENFORCEMENT ACTIVITY 2015/16

3.1 Food safety interventions due: 1 April 2015 - 31 March 2016

Premises rating	A	B	C	D	E	Unrated
No. of premises due an intervention	13	103	298	294	669	61*
No. of programmed interventions	13	103	298	294	669	61

Estimated Food safety interventions due: 1 April 2016 - 31 March 2017

Premises rating	A	B	C	D	E	Unrated
No. of premises due an intervention	13	103	298	294	669	61*
No. of programmed interventions	13	103	298	294	669	61

* - This is the number of unrated premises at the start of the year. There will be more premises during the year as new businesses open etc.

3.2 Food standards interventions due: 1 April 2015 - 31 March 2016

Premises rating	A	B	C	Unrated
No. of premises due an intervention	3	610	784	611
No. of programmed interventions	3	-*	-*	-*

Estimated Food standards interventions due: 1 April 2016 - 31 March 2017

Premises rating	A	B	C	Unrated
No. of premises due an intervention	3	610	784	611
No. of programmed interventions	3	-*	-*	-*

* - For 2015/17 we are focusing our resources on intelligence led project work.

3.3 Feeding stuffs/primary production due 1 April 2015 - 31 March 2017

A total of 158 programmed animal feed interventions are due to be carried out each year. As with last year, we are outsourcing this work to a neighbouring authority. Where appropriate, we will incorporate primary production hygiene interventions to reduce the burden on farms.

3.4 Food and feeding stuffs sampling

The team sample foods and feeding stuffs in accordance with national guidance. We participate in nationally co-ordinated sampling programmes, such as those organised by Public Health England, and also sample where local intelligence indicates a need (eg where poor food handling practices are observed).

Both the food standards and feeding stuffs sampling programmes have been produced in consultation with the authority's public analyst/agricultural analyst. The food standards team liaises with other regional authorities to co-ordinate sampling initiatives, such as imported food, so as to avoid duplication and to optimise the statistical soundness of results data.

We are currently recording our food standards and food safety samples on the United Kingdom Food Surveillance System.

3.4.1 Food and feeding stuffs sampling programme

	2014/15 Samples taken
Food standards samples	68
Feeding stuffs samples	8
Food safety samples	120

3.4.2 Comments on sampling performance

Sampling is an important tool for food standards, food safety and animal feed.

The food safety team is primarily concerned with the microbiological safety of food, but also samples food to establish the nature and likely harm arising from foreign bodies and the like.

The sampling programme tends to focus on areas of past non-compliance, premises that are failing to meet minimum standards and emerging priorities such as cross contamination in connection with E.coli.

Each year Public Health England undertakes microbiological analysis of the samples we take, most of which are done without charge under a credits system.

Our food standards samples look at the description, composition and labelling of food, to ensure that legal requirements are being met. Samples are normally targeted at areas where problems are regularly found, or where intelligence, such as complaints, suggests there could be issues.

3.5 Education and information programme

3.5.1 Advice to businesses/customers

The team provide high levels of support and assistance to businesses operating or intending to operate in the City of York area.

We typically receive over 400 requests for advice this year.

Advice is often requested by prospective businesses before they commence trading. We are seeing many new premises opening and new business proposals being considered.

We also receive a large number of requests for advice from businesses interested in improving their rating under the Food Hygiene Rating Scheme.

3.5.2 Promotional and project work

The team continues to raise consumer and business awareness through press releases, particularly following prosecutions.

4. ENFORCEMENT ACTIVITY

4.1 Formal action

The following tables summarise the level and types of formal enforcement action taken in 2014/15. We believe that to be effective, the full range of enforcement options should be used, from informal letters offering advice, through to prosecutions where this course of action is considered appropriate.

Food safety

TYPE OF ACTION	NUMBERS TAKEN/ISSUED 2013/2014	NUMBERS TAKEN/ISSUED 2014/15
Prosecution	2	3
Simple Caution	11	5
Emergency Prohibition Notice	0	0
Hygiene Improvement Notice	34	27
Written Warnings	635	803

Food standards and feeding stuffs

TYPE OF ACTION	NUMBERS TAKEN/ISSUED 2013/2014	NUMBERS TAKEN/ISSUED 2014/15
Prosecution	1	1
Simple Caution	7	4
Written Warnings	70	40

4.2 Food complaints

We investigate food and feeding stuffs complaints in accordance with procedures in our quality management system.

In 2014/15, we received 666 complaints and requests for service. This high figure is consistent year-on-year, reflecting how busy the food sector is in York and the high awareness of food issues amongst our customers.

4.3 Primary Authority & Originating Authority

We are committed to following the principles of the Primary Authority scheme and are entering into Primary Authority agreements with a number of businesses.

We liaise with other local authorities about companies based in our area.

We support small/medium and new companies by giving advice on matters such as changes in the law. In 2014/15 the team received 16 referrals from other local authorities and a similar number can be expected in the coming years.

4.4 Food related infectious disease

The team investigate all food poisoning notifications and outbreaks of food borne disease in accordance with procedures agreed with Public Health England and our local quality procedures.

In 2014/15, the team received 48 formal notifications of infectious disease.

4.5 Food/feeding stuffs safety incidents

We deal with all food alerts from the FSA in accordance with the FSA Code of Practice and our local quality management system. Notifications are received from the FSA by e-mail and appropriate action is taken in each case.

The reactive nature of these notifications makes it difficult to estimate the likely level of future activity. Although alerts can be issued by the FSA for information only, some require a formal response. A formal response might involve issuing a local press release or contacting multiple food businesses directly, which has resource implications.

5. OTHER AGENCIES - REFERRALS AND LIAISON

5.1 Liaison with other organisations

The team will ensure that it is operating in a manner that is consistent with both neighbouring and national local authorities and other agencies. Various methods will be used to facilitate this, including benchmarking, peer review and liaison with: -

North Yorkshire Food Liaison Group

Our regional food liaison group works under the wing of the North Yorkshire Chief Environmental Health Officers Group. All eight North Yorkshire local authorities are represented on both of these groups. Of particular relevance is the food safety quality management system (QMS), which the group maintains.

Yorkshire and The Humber Trading Standards Group – Food and feed

This group meets twice a year to discuss food standards issues. They look at regional projects where intelligence indicates there are emerging issues, for example counterfeit alcohol or meat substitution.

West Yorkshire Analytical Services

This is the Public and Agricultural Analyst for the City of York Council, used predominantly for food standards and animal feed analysis.

Public Health England (PHE)

The PHE food laboratory, based at FERA near York, undertake microbiological analysis of food samples on our behalf. Regular meetings are held to promote co-ordination and good sampling practice across the region.

North Yorkshire District Control of Infection Committee

This is a multi-disciplinary group of public health consultants, consultant microbiologists, environmental health officers, infection control nurses, general practitioners and associated professions. It meets on a quarterly basis to discuss infection control issues and set policies in relation to their investigation and control.

5.2 Referrals to other organisations

Where the team receives a food related complaint that does not fall within its enforcement remit or geographical enforcement area, it refers the person concerned to the correct body or forwards the item of work to the relevant authority without delay.

6. CONSULTATION

We survey our business customers and members of the public on a regular basis to ensure that we are providing a high quality, customer focused service. We hold the Customer Service Excellence award, which demonstrates our commitment to providing a customer focused service.

7. RESOURCES

7.1 Allocation of staff for 2015/16

Our food officers are shared across two teams: one which is enforcement focused and one that provides advice. The resources are shared between the two teams as demand requires it.

Food Safety/Standards

- 3.0 FTE Environmental Health Officers
- 1.0 FTE Trading Standards Officers
- 2.0 FTE Technical/enforcement officers
- Agency staff are employed to undertake food safety interventions.

Animal Feed

- Animal feed/primary production inspections will be carried out by competent officers from a neighbouring authority.

The Officers are split across two teams: the Investigation and Compliance Team and Regulatory Support and Advice team

One officer is nominated as the lead officer for food safety and standards.

8.0 Staff development plan

The Food Law Code of Practice requires that staff achieve at least 20 hours of food related Continuing Professional Development (CPD) each year.

Staff development needs are identified on an ongoing basis, through the team's quality management system. We also hold annual Performance Development Reviews with individual officers, where the training needs are considered. Identified training needs will be met by: -

- Training to achieve specific qualifications
- Attendance of technical seminars/courses
- In-house training on specific issues
- Cascade training by staff that have attended relevant courses.

Training records show that officers consistently achieve the required levels of CPD training required by the Food Law Code of Practice.

9. Quality assessment

The food team operates within the North Yorkshire Food Liaison Group's quality management system (QMS).

The QMS includes a rigorous system of controlled documents that state the minimum standards for our food enforcement activities. It includes internal monitoring within the authority and is further enforced by inter-authority auditing.

The system ensures the delivery of high quality enforcement activity across the City of York, which is consistent with the other North Yorkshire authorities and is in accordance with good practice.

The Public Protection service is also proud to hold the Customer Service Excellence award, which demonstrates our commitment to putting the customer at the heart of everything we do.

10. Review of last year's performance

The team has performed very well in respect of its inspection targets for high risk food hygiene premises.

We continue to focus our in house resources on premises that are not satisfactory with regards to food hygiene requirements.

The full range of enforcement powers are used with these premises and any other premises that are found not to be complying with basic hygiene requirements. This approach appears to be effective as we are seeing improvements in most of our poorer premises.

Our enforcement work has been recognised by the FSA, who wrote to us in May 2105 to congratulate us on three recent prosecutions.

Our food standards officers have primarily focused on premises that are not broadly compliant with food standards requirements, or where intelligence indicates that there may be problems. We continued to find problems with under strength spirits and are also seeing problems with cross contamination and speciation (eg beef used instead of lamb).

11. Strategy for 2015/16

During 2015/16, we will continue to focus on high risk and poor performing businesses. We feel this risk based approach makes the most effective use of our limited resources.

Regarding food safety, our in-house team of officers will prioritise the inspection of poor and high risk premises.

We will continue to use agency staff to inspect premises that have a history of being well run and also new premises where appropriate.

We intend to inspect 100% of our A, B, C and D rated premises using a combination of in-house and agency staff.

We are still dealing with a large number of new food businesses. We plan to inspect these premises within the timescales suggested by the FSA.

Our approach of using a graduated, but robust, enforcement approach with poor performing premises is proving to be effective in improving standards; over the past few years we have seen a decrease in the number of poor food premises.

The Food Hygiene Rating Scheme remains popular and continues to encourage poor premises to improve. We are dealing with an increasing number of businesses requesting re-inspections, so they can obtain a better food hygiene rating. These re-inspections do place a burden on our resources, but this appears to be manageable at the present time.

As mentioned earlier, we do not have the resources to undertake all of our food standards inspections in accordance with the requirements of the Food Law Code of Practice. Therefore, for 2015/16 and 2016/17 we will continue to inspect our high risk premises and undertake project work to focus on known issues (eg. cross contamination with allergens). We will not routinely inspect our medium or low risk premises, unless we receive intelligence that indicates there is a problem.

A programme of animal feed and primary production inspections are planned for 2015/16 and 2016/17. These will be delivered on our behalf by a neighbouring authority. This work is being funded by the FSA and administered by the National Trading Standards Board.