

**Decision Session – Executive Member for the Environment**

**2 July 2018**

Report of the Corporate Director of Economy and Place

**Food Service Plan 2018/19**

**Summary**

1. The council is required to produce an annual food service plan to satisfy the statutory requirements within the Food Law Code of Practice which is overseen by the Food Standards Agency (FSA).
2. It is recommended that the service plan is approved at a level which ensures local transparency and accountability.

**Recommendations**

3. The Executive Member is asked to:

1) Approve the food service plan

Reason: This will ensure that the council has a plan to fulfil its obligations under the Food Law Code of Practice.

**Background**

4. The FSA has a key role as the ‘Central Competent Authority’ in overseeing official feed and food controls undertaken by Local Authorities and ensuring their activities meet the requirements of the Food Law Code of Practice. It also seeks to work in partnership with local authorities to help them to deliver official feed and food controls.
5. Service plans are seen as an important part of the delivery process to ensure that national priorities and standards are delivered locally.
6. The FSA advises that a service plan should include the following information about the services they provide;

- the means by which they will provide those services
  - the means by which they will meet any relevant performance targets or performance standards; and
  - a review of performance, in order to address any variance from meeting the requirements of the service plan and identification of areas for improvement.
7. Local Authorities are subject to a programme of audits by the FSA. As part of these audits, the FSA would expect to find a service plan in place on which the Local Authority can be audited. The results of these audits are published in the public domain.
  8. City of York Council's Public Protection team were audited by the FSA on 23-25 May 2016, with a follow up visit on 12 June 2017. The improvement plan was 'signed off' as complete on 1 May 2018.
  9. The FSA are not prescriptive on who should approve the service plan, but suggests it is approved at a level that ensures local transparency and accountability.
  10. It is also worthy of note that the FSA are undertaking a fundamental review of the way that Local Authorities regulate food businesses through their 'Regulating Our Futures' programme.

## **Consultation**

11. The service plan reviews last year's performance and considers service delivery for the year ahead. As our service delivery for the year ahead is prescribed by the Food Law Code of Practice consultation is not considered necessary.

## **Options**

12. (a) Approve the food service plan.  
(b) Approve the food service plan with amendments  
(c) Not approve the food service plan

## **Analysis**

13. Options (a) and (b) will ensure that the council fulfils its obligation to have a food service plan, and will ensure we meet our statutory obligations. It

will ensure all premises due an inspection or other type of intervention will receive one.

14. Option (c) would leave the council in a position of reputational risk and possibly subject to adverse publicity eg by the FSA.

## **Council Plan**

15. The food service plan contributes to the corporate council priorities in the Council Plan as follows:
  - A prosperous city for all – we help and support businesses.
  - A focus on frontline services – we respond to complaints from members of the public and investigate cases of food borne illness in the community.
  - A council that listens to residents – our service holds the Customer Service Excellence award.

## **Implications**

16. **Financial** - The proposals set out can be delivered within existing budgets
17. **Human Resources (HR)** - There are no HR implications.
18. **One Planet Council / Equalities** – The work contained in the food service plan has to be delivered in accordance with the Food Law Code of Practice. However, there are clear overlaps with a number of the One Planet Council principles, including health and happiness, equity and local economy and culture and community. Our services, particularly the pre-inspection consultancy advice visits, are designed to help local businesses thrive and grow.
19. The service deals with a wide range of customers, including various ethnic groups. The service already adapts its service to meet the needs of different groups.
20. **Legal** - Failure to deliver a food service in accordance with our obligations could result in the FSA taking over delivery of the council's food service.
21. **Crime and Disorder** – The work programme is aimed at ensuring businesses are meeting their legal obligations and can link to the disruption of wider criminal activity.

22. **Information Technology (IT)** – There are no IT implications.

23. **Property** – There are no property implications.

24. **Other** – There are no other implications.

### **Risk Management**

25. If the council does not have a plan in place to deal with food and feed activity it would create a score of 14 on the risk matrix (yellow risk). This is because there would be a 'possible' risk of a 'moderate' impact to our service i.e. local publicity and the possibility of court and/or FSA action costing -5-10% of or budget. Approving the service plan, reduces the likelihood to 'remote' thereby reducing the score to 6 on the risk matrix (green risk).

### **Contact Details**

**Author:**  
**Matt Boxall**  
**Head of Public Protection**  
Tel: (01904) 551528

**Chief Officer Responsible for the report:**  
**Neil Ferris**  
Corporate Director of Economy and Place

**Report**  **Date** 19.06.2018  
**Approved**

**Specialist Implications Officer(s)** List information for all

N/A

**Wards Affected:** List wards or tick box to indicate all **All**

**For further information please contact the author of the report**

### **Annexes**

**Annex 1** – Food service plan 2018/19

### **List of Abbreviations Used in this Report**

Food Standards Agency (FSA)