

Decision Session – Executive Member for Economy and Strategic Planning **27 September 2022**

Report of the Corporate Director of Place
Portfolio of the Executive Member for Economy and Strategic Planning

FOOD SERVICE PLAN 2022/2023

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:
 - a) Approve the food service planReason: 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. 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.
 9. 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

10. The service plan in Annex 1 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

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

Analysis

12. 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.
13. Option (c) would leave the council in a position of reputational risk and possibly subject to adverse publicity e.g. by the FSA.

Council Plan

14. The food service plan contributes to the corporate council priorities in the Council Plan as follows:
- **Good Health and Wellbeing:** Every resident enjoys the best possible health and wellbeing throughout their life.
 - **Well-paid jobs and an inclusive economy:** High-skilled and better-paid jobs in sustainable businesses, providing opportunities for all York's people in an inclusive economy.
 - **Safe Communities and culture for all:** People are safe from harm in strong, resilient and supported communities, enhanced by an appealing and inclusive cultural offer. We respond to complaints from members of the public and investigate cases of food borne illness in the community.
 - **An open and effective Council:** We work as an open, transparent and accountable organisation, in partnership with key stakeholders, to deliver on residents priorities. We help and support businesses.

Implications

15. **Financial** - The proposals set out can be delivered within existing budgets.
16. **Human Resources (HR)** - There are no HR implications.
17. **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 York 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.
18. 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.
19. **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.

20. **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 including modern slavery and organised crime gangs.
21. **Information Technology (IT)** – There are no IT implications.
22. **Property** – There are no property implications.
23. **Other** – There are no other implications.

Risk Management

24. The risks associated with the food plan and the steps to manage them through a regular review of performance indicators are highlighted above.

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Director of Transport, Environment and
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Report **Date** 14/09/2022
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 2022/2023

Annex 2 - Equality Impact Assessment - Food Service Plan 2022-2023

List of Abbreviations Used in this Report

Food Standards Agency (FSA)