

Meeting:	Decision session for the Executive Member for Environment and Climate Emergency
Meeting date:	17 October 2023
Report of:	James Gilchrist, Director of Environment, Transport and Planning
Portfolio of:	Cllr Jenny Kent / Cllr Kate Ravilious, Executive Members for Environment and Climate Emergency

Decision Report: Food Service Plan 2023-24

Subject of Report

1. This report seeks approval for the council's Food Service Plan 2023-24 in compliance with the requirements of the Food Law Code of Practice.
2. 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).
3. It is recommended that the service plan is approved at a level which ensures local transparency and accountability.

Pros and Cons

4. In approving the Food Service Plan 2023-24 Members, residents visitors and businesses will have assurance that the council is planning to fulfil its statutory obligations in relation to food businesses as recommended by the FSA. It will ensure all premises due an inspection or other type of intervention will receive one.
5. Not approving the plan leaves the council in a position of reputational risk of adverse publicity e.g. by the FSA.

Policy Basis for Decision

6. The plan demonstrates how the council will fulfil its duties under the statutory Food Law Code of Practice.

Recommendation and Reasons

7. The Executive Member is asked to approve the food service plan.
Reason: To provide assurance that the council has a plan to fulfil its obligations under the Food Law Code of Practice.

Background

8. 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.
9. Service plans are seen as an important part of the delivery process to ensure that national priorities and standards are delivered locally.
10. 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.
11. 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.

12. 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.

Consultation Analysis

13. The service plan in Annex A 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 Analysis and Evidential Basis

14. The options available are:
 - (a) Approve the food service plan.
 - (b) Approve the food service plan with amendments
 - (c) Not approve the food service plan
15. 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.
16. Option (c) would leave the council in a position of reputational risk and possibly subject to adverse publicity e.g. by the FSA.

Organisational Impact and Implications

17. Report implications:
 - **Financial**, the proposals set out can be delivered within existing resources. The impact of changes to the food hygiene and standards intervention programme will need to be assessed.
 - **Human Resources (HR)**, there are no HR implications.
 - **Legal**, the council has a legal duty to fulfil its obligations under the Food Law Code of Practice. In delivering this plan, the council will meet these obligations. 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.

- **Procurement**, there are no Procurement implications.
- **Health and Wellbeing**, implementation of the Food Service Plan works towards ensuring every resident enjoys the best possible health and wellbeing throughout their life.
- **Environment and Climate action**, staff undertaking food safety work are encouraged to consider the environmental impact of how they travel around the city.
- **Affordability**, included in the inspection programme are food banks and other premises serving low income groups or those otherwise under financial pressure in the current economic climate to ensure that food is safe and what it says it is.
- **Equalities and Human Rights**, the service deals with a wide range of customers, including various ethnic groups. The service adapts its service to meet the needs of different groups. An Equalities Impact Assessment included in Annexes.
- **Data Protection and Privacy**, As there is no personal data, special categories of personal data or criminal offence data being processed, there is no requirement to complete a DPIA. This is evidenced by completion of DPIA screening questions reference #194.
- **Communications**, there are no Communications implications.
- **Economy**, the way in which the food service plan assists food businesses, which play a significant role in the local economy, is outlined in the plan. It includes:

‘...support, assistance, training and advice to local businesses, thereby enabling them to produce and market products that comply with legal requirements and best practice. In the process of this support, help businesses recover from the coronavirus pandemic, survive the cost of living crisis and help those which want to grow, grow..’
- **Specialist Implications Officers**, not applicable.

Risks and Mitigations

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

Wards Impacted

19. All

Contact details

For further information please contact the authors of this Decision Report.

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Report approved:	Yes
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Background papers: N/A

Annexes:

- Annex A – Food Service Plan 2023/2024
- Annex B – Equalities Impact Assessment (EIA)

Abbreviations:

DPIA – Data Protection Impact Assessment

EIA - Equalities Impact Assessment

FSA – Food Standards Agency

HR - Human Resources