

Brighton & Hove City Council
Official Feed and Food Controls Service Plan 2011/2012

1. Service Aims and Objectives

1.1 Aims and Objectives

- 1.1.1 The food service function of Brighton & Hove City Council is enforced by Environmental Health & Licensing and Trading Standards sections of Planning and Public Protection.
- 1.1.2 The Environmental Health & Licensing service is primarily concerned with protecting and improving public health and the environment across the City. Within this service the Food Safety Team works to ensure that food prepared and sold from local establishments is safe. This is achieved by carrying out a programme of interventions at food businesses, sampling and responding to service requests. Wherever practicable links are formed with the business community and all relevant professional groups with the objective of increasing and promoting food safety awareness.
- 1.1.3 The overall objective of the service is to provide a comprehensive food safety service to benefit consumers and the business community, with a considered balance between enforcement, investigation, advice and education.
- 1.1.4 The Trading Standards service aims to provide a comprehensive range of enforcement and advisory services to the community within a statutory framework. Its goal is to contribute, in conjunction with other agencies, to the development of a safe, fair and equitable trading environment for all consumers, by means of advice, information, education and enforcement.

The core aims being to ensure: -

- Accurate and informative labelling of food; and
- That compositional standards of food are maintained

The objectives being: -

- To carry out risk-based and intelligence led activities
- To undertake screen testing and food sampling to reflect identified areas of concern.
- To respond appropriately to food complaints and initiate proportionate action.
- Respond to trader requests in a timely manner
- To educate the public on compositional and labelling issues to improve eating habits

1.2 Links to Corporate Objectives and Plans

1.2.1 The City Council's Corporate Plan for 2008-2011 has five priorities:

- *protect the environment while growing the economy;*
- *better use of public money;*
- *reduce inequality by increasing opportunity;*
- *fair enforcement of the law;*
- *open and effective leadership.*

1.2.2 The Feed and Food service has strong links in with these priorities. In particular the service objective to provide advice, education and enforce relevant standards in the food industry is key to protecting the environment while growing the local economy. The service recognises the impact of current economic conditions on all businesses. Wherever practical, assistance and guidance is offered to ensure feed and food businesses comply with legal requirements and do not pose an undue risk to public health or the environment.

1.2.3 The service reduces inequality by funding training and coaching to small and medium businesses that may otherwise struggle to comply with legal requirements. Where English is not the first language, interpretation and translation services are provided.

1.2.4 The Official Feed and Food Control Service Plan is part of the corporate annual planning and development process.

1.2.5 The service has a published Enforcement Policy. This policy is a cornerstone for fair and open enforcement.

1.2.6 The service reports on National Indicator NI 182 'Satisfaction of Businesses with Local Authority Regulation Services'. This indicator measures whether businesses think they have been treated fairly and helpfully by local authority regulators. The aim is to inspire local authorities to recognise the important contribution regulatory services make to local and national priorities, and encourage regulatory services to recognise their own role in supporting local businesses.

1.2.7 The food service also has links with other National Indicators:

NI 53 Prevalence of breastfeeding at 6 – 8 weeks from birth

See 3.7.1 of this plan.

NI 55 Obesity among primary school age children in Reception

Year See 3.7.1 & 3.8

NI 56 Obesity among primary school age children in Year 6 See

3.7.1 & 3.8

NI 120 All-age all cause mortality rate – The whole service.

NI 122 Mortality from all cancers at ages under 75 – See 3.7.1 & 3.8

2. Background

2.1 Profile of the Local Authority

2.1.1 Brighton & Hove is a unitary authority on the south coast of England. It is approximately 50 miles from London. Bounded by the English Channel to the south and the South Downs to the north, it covers an eight-mile stretch of seafront and extends inland for approximately five miles.

2.1.2 Demographic information is available from online Brighton & Hove Local Information Service <http://www.bhlis.org/> .

Resident Population by Ethnic Group 2007 Estimated

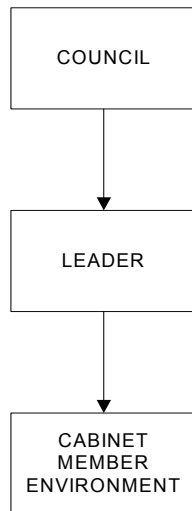
Total	253,500
White British	212,600
White Irish	3,600
White Other	14,000
Mixed White Other	5,800
Asian or Asian British	8,100
Black or Black British	4,400
Chinese	5,000

2.1.3 Tourism plays a major part in the local economy. Figures from the VisitBrighton Strategic Partnership 2010 estimate that 15% to 20% of jobs in the city are tourism related and eight million visitors bring £400 million into the local economy. The city boasts 4293 bedrooms, offering a bed stock of approximately 10,000. There is a large variety of hotels, food retailers and over 400 restaurants serving cuisine from around the world. The VisitBrighton Visitor Survey 2007 identified that 70% of visitors put going to a restaurant or place to eat as one of the most popular activities to do in Brighton & Hove.

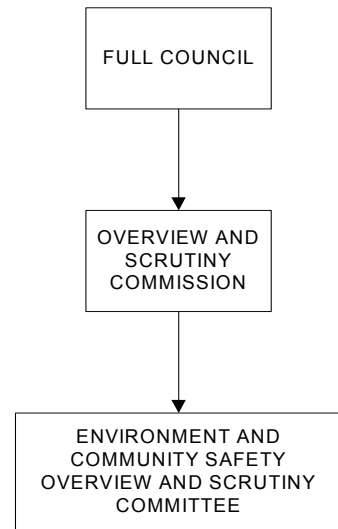
2.2 Organisational Structure

2.2.1 Brighton & Hove City Council has a cabinet style structure with Planning and Public Protection part of the portfolio of the cabinet member for Environment. The service reports to the Environment and Community Safety Overview Scrutiny Committee. Relevant structures are detailed over the page.

CABINET STRUCTURE

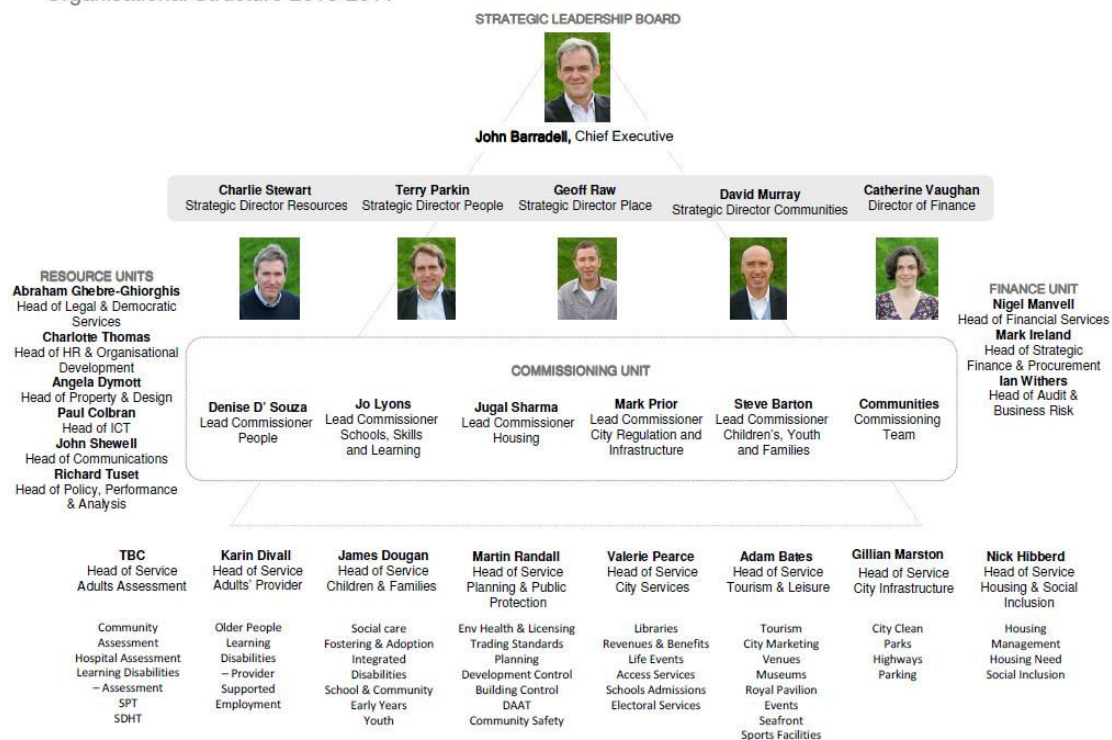


COMMITTEE STRUCTURE



2.2.2 From November 2010 Brighton & Hove City Council changed the way it works, rather than having directors responsible for specific services the Chief Executive and strategic directors lead a commissioning team looking at needs across the city, with eight teams delivering frontline services. The food care service reports to the Head of Service Planning & Public Protection.

Brighton & Hove City Council
Organisational Structure 2010-2011



- 2.2.3 A formal arrangement is in place with the Health Protection Agency's Food Water & Environment laboratory based at the Ashford, Kent for the analysis of samples that require microbiological examination.
- 2.2.4 The Public Analyst contract was awarded to Worcestershire Scientific Services in May 2009 and will last for four years, the aim being to reduce cost, duplication and improve service delivery. The current allocation of costs for sampling analysis is £9000. The focus of the contract remains composition and labelling plus some chemical contamination.
- 2.2.5 An entomologist from a local natural history museum assists with insect identification where found in foodstuffs.

2.3 Scope of the Feed and Food Service

- 2.3.1 A specialist Food Safety Team within Environmental Health carries out the food safety function. The work of the Team includes the following:-
- Inspecting food premises;
 - The investigation of food safety complaints;
 - Food poisoning investigations when linked to a premises;
 - Investigating infectious disease notifications;
 - Microbiological food sampling;
 - Food safety training;
 - Responding to requests for advice;
 - Initiatives relating to working with the community and businesses;
 - Taking appropriate steps to publicise and act upon national food alerts;
 - Publicising the food hygiene standards of local businesses.
- 2.3.2 The food standards function is carried out by Trading Standards Officers in the Business Support Team. The work of the team includes the following: -
- Risk based enforcement activity
 - Complaint investigation
 - Food Analysis and investigation
 - Service Requests from businesses
 - Education programmes
 - Reacting to Food Alerts
- 2.3.3 Food Standards work is undertaken in conjunction with work on other areas of Trading Standards law. For instance, a programmed food visit will also include giving advice about other matters such as prices, business names and weights and measures. In this way a comprehensive visit is undertaken so as to minimise any inconvenience caused to the general day-to-day running of the business.

2.3.4 Trading Standards are responsible for enforcing relevant legislation in respect of imported feedstuff, whilst Environmental Health & Licensing enforce relevant legislation controlling imported food of non-animal origin and products of animal origin.

2.4 Demands on the Feed and Food Service

Food Safety

2.4.1 As at January 2011 there are 3165 food businesses registered. These premises are broken down into the following profile:-

3	Primary Producers
41	Manufacturers/Processors
3	Importers/Exporters
32	Distributors/Transporters
636	Retailers
2450	Restaurants and other Caterers
3165	TOTAL

2.4.2 Three food businesses are approved under Regulation (EC) 853/2004 for specific dairy, fish and meat products processing.

2.4.3 The nature of the city causes a considerable seasonal variation in the department's workload. Some businesses only open during spring, summer or school holidays; the intervention programme has to be tailored to meet these service needs. There is a dramatic increase in the number of visitors in the spring and summer and this increases the volume of requests for service, enquiries and other reactive work. Outdoor events such as music events, festivals, specialist markets, farmers' markets, open-air concerts and funfairs also add to the seasonality of the workload.

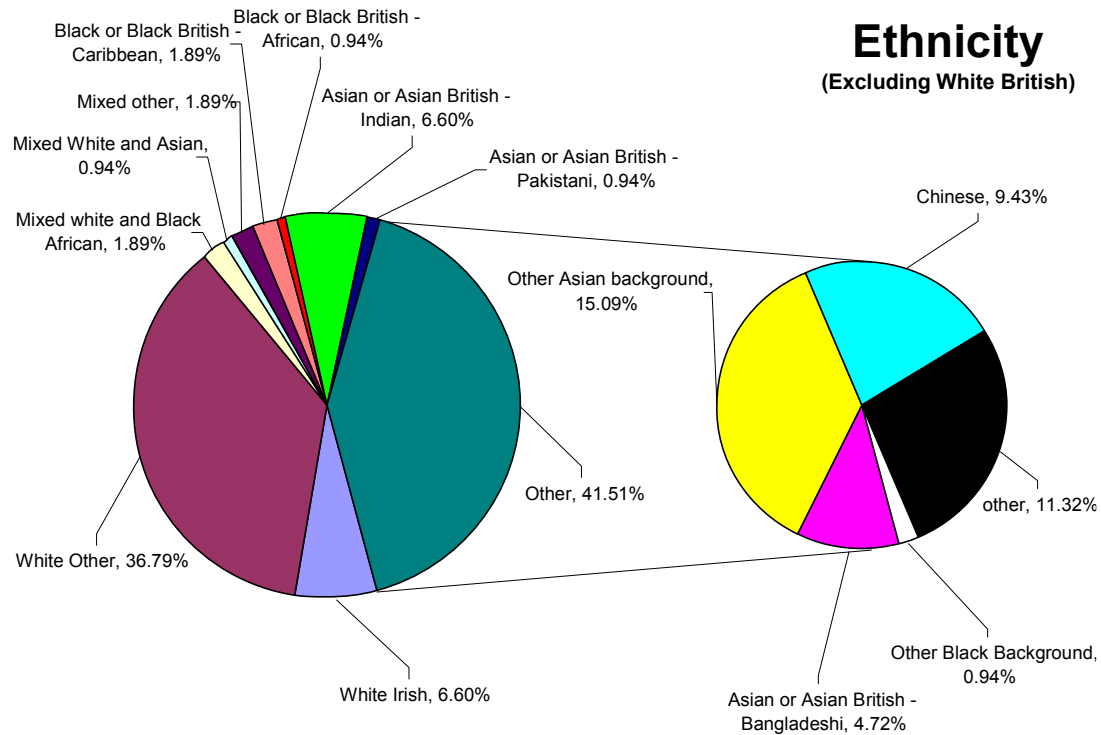
Food Standards

2.4.4 Premises data is captured on Uniform and therefore the premises profile is the same but as the risk assessment is based on the LGR scheme the individual premises have a different inspection frequency for Food Standards. As of the 1st January 2011 2302 premises were considered to have an inspectable risk for Food Standards work. It has been noted that there is a high turnover of new premises requiring food standards advice.

Access to services

2.4.5 As part of the drive for continued improvement and dialogue with businesses all establishments are requested to complete feedback questionnaires following inspections. The questionnaires request information on the ethnic origins of the business owners. The chart

below gives a breakdown for the 375 questionnaires returned between April 2009 and March 2010.



Demographic Information from Post Inspection Questionnaires April 2009 to March 2010.

2.4.6 In addition to having a number of key food safety advice leaflets in a variety of languages, the service has the capacity to have any leaflet, letter or other document translated as required. Wherever possible, opportunities are taken to provide information about services to ethnic communities. Food safety training courses have been staged in languages other than English including Bengali, Cantonese, Thai and Turkish which have proven to be successful and popular with traders. Where necessary, interpreters accompany officers on planned interventions. Where necessary, officers can access The Big Word On-Call Language Service by telephone when carrying out visits.

2.4.7 Service users are able to access the service by visiting either of the two City Direct Advice Centres situated in central Brighton, open between 9am and 4:30pm Monday to Friday and central Hove, opening hours 8:45am to 4:30pm on weekdays. Remote access to council services is facilitated through 'self-help' in 25 locations across the city including all the main council offices, libraries, leisure centres and some schools. General telephone calls are fielded via a Call Contact Centre on (01273) 292161. Advice can also be accessed via the council's web site, www.brighton-hove.gov.uk, or by email to ehl.food@brighton-hove.gov.uk.

- 2.4.8 Food Standards complaints are initially received by Consumer Direct South East. There is a referral protocol regarding food issues requiring enquiries to be sent to Trading Standards within 24 hours.
- 2.4.9 The Food Safety Team operates a Food Safety Hotline where businesses and consumers can obtain immediate advice from a food safety officer, during office hours. Senior food competent Environmental Health staff provide cover for an out of hours service to respond to food safety emergencies and incidents.
- 2.4.10 New food businesses registering with the service are provided with a detailed information pack and offered guidance to assist compliance with food safety legislation.

2.5 Regulation Policy

- 2.5.1 Brighton & Hove City Council has a Corporate Enforcement Policy in line with the national Compliance Code for Enforcers. This provides and overarching policy for all regulatory services. In addition the Environmental Health service has adopted a service Enforcement Policy in line with the national Compliance Code, Statutory Codes of Practice and relevant guidelines issued by Central Government departments and co-ordinating bodies. This policy is based on the seven 'Hampton Principles' of economic progress, risk assessment, advice and guidance, inspections and other visits, information requirements, compliance and enforcement actions and accountability.
- 2.5.2 The services detailed in this plan have arrangements in place to comply with the requirements of the Regulatory and Sanctions Act 2008, the main effect being measures to comply with the Primary Authorities Partnership scheme.
- 2.5.3 Any breaches of food law noted in businesses where Brighton & Hove City Council has an interest, either as proprietor or responsibility for structural repair, are brought to the attention of the Chief Executive without delay.

3 Service Delivery

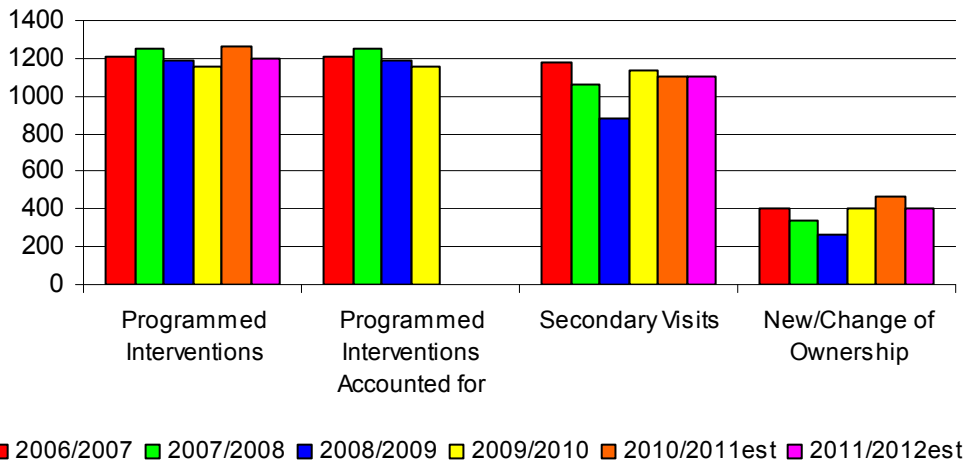
3.1 Interventions at Food and Feedingstuffs Establishments

Food Safety

- 3.1.1 This section details the planned risk based food safety intervention programme for 2011/2012. The level of achievement in food safety intervention based activity over the past four years is shown in the chart below along with estimates for completion of the current year and 2011/2012.

3.1.2 The Food Safety Code of Practice published in 2008 gave local authorities flexibility to introduce a mixture of interventions. Implementation of an intervention-based programme enables services to reduce the level of burden on compliant businesses and focus more resources on those with poorer standards. See detailed in 3.1.19 below the approach to be adopted by the Food Safety service for the year 2011/2012.

Chart of Intervention-Based Activity 2006-2012



See tables 3.1.1 and 3.1.3 for further details.

3.1.3 The service follows a risk-based approach when implementing the local food safety intervention programme. It aims to account for a minimum of 98% of businesses due for intervention in the year 2011/2012 in accordance with the Food Safety Code of Practice as detailed in 3.1.7 below. Table 3.1.1 gives details of performance against target since 2006 and estimates the number of planned interventions for the current year and 2011/2012. The target is set at 98% to take account of possible service or operational problems such as a turnover of staff at the end of the year, emergencies or difficulties contacting seasonal businesses or home caterers.

Year	06/07	07/08	08/09	09/10	10/11est	11/12est
Programmed Interventions	1208	1255	1193	1159	1262	1197
Accounted for	1208	1248	1188	1156		
Target %	98 A-D	98 A-D	98 A-D	98 A-D	98 A-D	98 A-D
Achieved%	100 A-D	99.4 A-D	99.6 A-D	99.7 A-D		

Table 3.1.1 Achievement of Planned Food Safety Inspection/Intervention Programme 2006-12.

3.1.4 The Food Safety Code of Practice contains a mechanism for risk rating each businesses based on factors such as:- if unwrapped high risk-food is handled, prepared or cooked; size of the business; any high-risk operations are undertaken; number of customers; vulnerability of the customers to food-bourne illness; standards of hygiene; condition of the structure and confidence in management. By scoring all of these

factors, an overall risk rating of A to E is arrived at. Category A premises are the highest risk and E the lowest.

3.1.5 As category E premises tend to present a minimal risk due to the limited types of food they deal with and/or they cater for a limited number of people. In line with the Food Safety Code of Practice, an alternative enforcement strategy is used to maintain surveillance of the low-risk, category E premises. This strategy enabled the service to provide greater focus on higher risk category A to D premises.

3.1.6 The alternative surveillance of low-risk businesses follows a structured documented procedure. The strategy employs postal questionnaires, sample inspections to check the validity of the information gained and follow up inspections where either the information returned leads to the conclusion that an intervention is necessary or no information is returned. Table 3.1.2 below shows the number of premises dealt with by this alternative method since 2006.

Year	06/07	07/08	08/09	09/10	10/11est	11/12est
Number of premises	133	285	243	188	414	272

Table 3.1.2. Number of premises dealt with under alternative strategy.

3.1.7 Planned food safety interventions programme for the year 2011/2012 as at December 2010 is:-

Risk Category of Premises	Number of Interventions Due
A	8
B	70
C	752
D	367
Total	1197
Low-risk premises to be dealt with under alternative strategy	272

3.1.8 It is the intention of the service to account for a minimum of 98% of the 1197 high-risk (A–D) establishments due during the year as above. The three product-specific premises approved under Regulation (EC) 853/2004 will receive interventions within the risk rated programme as necessary.

3.1.9 The Food Safety Code of Practice encourages food enforcement services to provide greater focus on the outcomes of activities rather than the traditional approach of reporting on activity alone. Local authority performance is monitored by the Food Standards Agency through the Local Authority Enforcement Monitoring System (LAEMS), the key performance indicator being:-

$$\% \text{of due interventions achieved} \times 0.3 + \% \text{broadly compliant premises} \times 0.7$$

3.1.10 In addition to achieving 98% of the intervention due the service will aim to achieve a target of 85% of food establishments deemed to be 'broadly compliant', or better, with food hygiene legislation. The overall target will therefore be:-

$$(98\% \times 0.3) + (85\% \times 0.7) = 88.9 \%$$

3.1.11 As at December 2010 the level of broadly compliant businesses stood at 91.5% of all food businesses.

3.1.12 **Secondary Interventions** - The main purpose of secondary interventions is to monitor food businesses that fail to comply with significant statutory food hygiene requirements, or where directly required by Regulation. Failure could include:-

- Failure to comply with a single requirement that compromises food safety, public health or prejudices consumers;
- Failure to comply with a number of requirements that, taken together, indicate ineffective management; or
- Service of a Hygiene Emergency Prohibition Notice or Order.

3.1.13 When considering both the need for and timing of a secondary intervention, consideration is given to the seriousness of any failing, history of the business, confidence in management and the likely effectiveness of this action when compared to any other enforcement option.

3.1.14 Secondary interventions are categorised as those that are not primary interventions but include:-

- Additional interventions of establishments that are subject to product-specific food hygiene regulations;
- Sampling visits;
- Visits to check on the progress of measures required after a previous intervention;
- Visits to investigate food and food premises complaints;
- Visits to discuss implementation of Hazard Analysis of Critical Control Points based system;
- Visits involving training of food handlers;
- Inspections of premises to assess a licence.

3.1.15 **Interventions at New Businesses/Change of Ownership** - Where the service becomes aware that ownership of a food business has changed or a new business has commenced, it aims to undertake an intervention within 28 days of the business starting trading.

3.1.16 The purpose of the intervention is to establish the scope of the business, gather and record information, determine if food sampling or swabbing is necessary, identify food safety breaches, determine relevant enforcement action to be taken by the food service, communicate this to the business and evaluate risk rating score. Based

on the last five years data, it is predicted that there will be 400 new businesses or changes of ownership in 2011/2012.

3.1.17 Monitoring of Vacant Premises - Where food premises fall vacant, arrangements are made to monitor activity at the premises. When new businesses open, it is important that support and guidance on food safety issues are given at an early stage.

Year	06/07	07/08	08/09	09/10	10/11est	11/12est
Secondary inspections	1180	1060	855	1131	1100	1100
New Premises or Change in Ownership	399	336	267	398	470	400

Table 3.1.3 Estimate of secondary inspections & new businesses inspections for 2011/2012 based on data since 2006.

3.1.18 It is estimated that the number of staff required to carry out the programme of inspections plus other visits is 8 full time equivalents. Resources required to undertake secondary visits generated by complaints, enquiries or to undertake sampling are included in the appropriate part of this plan.

3.1.19 Intervention Plan 2011/2012 - The Food Safety Code of Practice suggests a sliding scale of interventions, with the better performing businesses requiring a lesser level of intervention.

3.1.20 The practical use of interventions in the Brighton & Hove area is heavily influenced by the local 'Scores on the Doors' scheme. All high-risk food business operators scoring less than the maximum five stars must be given the opportunity to improve their score. Establishments may only be rescored if the intervention used is an audit, inspection or part audit/inspection. The service therefore plans to:-

- inspect all high-risk food premises scoring less than five stars;
- carry out inspections or another official control ie audit, monitoring, surveillance, verification or sampling as appropriate of all other high-risk establishments;
- carry out either an official control or other control ie education, advice and coaching or information and intelligence gathering including sampling where the analysis is not carried out by an official laboratory at category D establishments;
- Continue with Alternative Enforcement Strategy for category E establishments.

3.1.21 All official controls must include a visit to the food establishment, have appropriate accompanying documentation and a measurable outcome. The risk rating score of the business may be revised in the case of the first two interventions only.

Food Standards

- 3.1.22 The LGR system requires high-risk premises to be visited each year, medium risk every two years and low risk every five years. This means that 45 high risk, 321 medium risk and 323 low risk premises should be visited each year.
- 3.1.23 The target for 2010-11 was to visit 100% high-risk and 50% of those medium risk premises liable to inspection. Similar targets will remain in place for 2011/12.
- 3.1.24 There is no commitment to visit low risk premises but in 2010-11, 234 low risk premises were visited as a result of project work, complaints and other routine inspections.
- 3.1.25 Approximately 5% of inspections require a follow-up visit. Officers do not work exclusively on the food function. Follow up visits will be made to all premises when a non-compliance is detected and formal action is contemplated.
- 3.1.26 Two part time posts make up the Food Team. All officers within the team work on a part time basis and their time is equivalent to 1 FTE. About 80% of their time is spent on the food function. From February 2011 an officer within the team will obtain the food qualification and will undertake food work as well. Again this will constitute approximately 80% of her time.
- 3.1.27 **New Businesses** - All new businesses are assessed and if appropriate will be inspected within 56 days of being identified. On registration an information pack containing advice on food standards, food safety and other relevant legislation will be supplied to the business offering a communication channel between the local authority and the business. The initial visit will be to establish the scope of the businesses activity, identify its compliance with food standards legislation and to determine the level of support required. An intervention programme will be designed to reflect the needs of the business and reviewed after one year. Inspections will then be programmed based on the LGR risk assessment.
- 3.1.28 **High Risk Premises** - All premises will be assessed to determine the most appropriate intervention method for them. Premises with good management control, no history of contraventions or complaints will be advised that they will be the subject of a 'light touch' approach and will only be inspected if they change their product range or complaints are received.
- 3.1.29 **Poorer performing High Risk Premises** -These premises will be inspected every year but may be the subject of additional interventions depending on their compliance.

3.1.30 **Medium Risk Premises** - These premises will receive an intervention at two yearly intervals. These interventions will alternate between comprehensive inspections, and a mix of sampling visits, complaint visits or other monitoring or surveillance. At least 50% of the premises liable to an inspection will be subject to a comprehensive visit.

3.1.31 **Low Risk Premises** - A programme of interventions will be based on the intelligence received about the individual premises or where the business requests support/advice.

3.2 Feed and Food Complaints

Food Safety

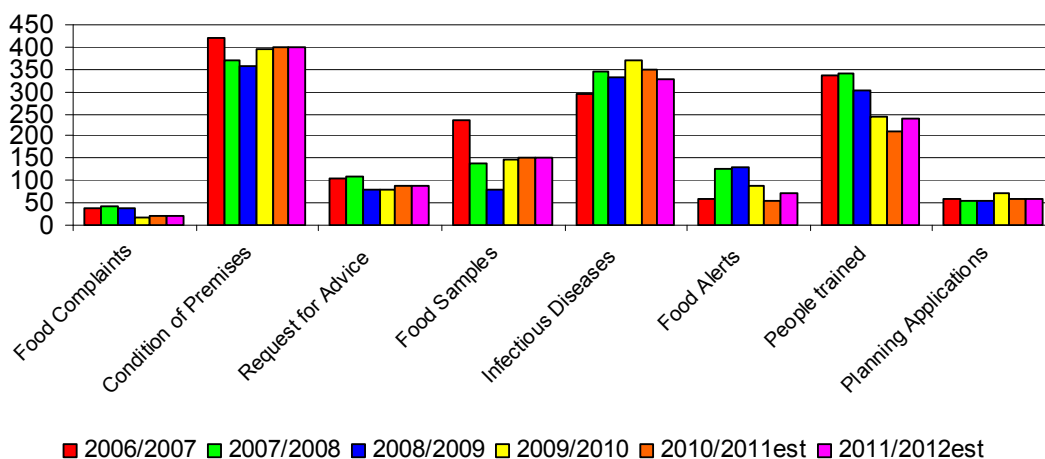
3.2.1 It is the policy of this authority to respond promptly to all requests for advice from business. It is the target of the service to respond to 90% of planning application consultations within 10 days, and all other demand driven work within 5 days.

Year	06/07	07/08	08/09	09/10
Within target %	96.6	97	96.6	97.7

Table 3.2 Percentage of Demand Driven Work within Target Response Time

3.2.2 All food complaints received are investigated in accordance with the council’s Enforcement Policy and documented procedures. See below for a chart showing the pattern of demand driven work since April 2006 and estimates for the current year and 2011/2012. The source figures for this chart are contained in tables within the relevant part of the plan.

Chart of Demand Driven Work 2006-2012



See tables 3.2.1, 3.4.1, 3.4.3, 3.5.1, 3.6 and 3.8 for the source of data.

Year	06/07	07/08	08/09	09/10	10/11est	11/12est
Food Complaints	37	41	36	15	20	20
Condition of Premises	422	370	357	394	400	400

Table 3.2.1 Estimate of number of complaints for current year and 2011/2012 based on data from 2006 onwards.

3.2.3 It is estimated that 1.5 Full Time Equivalent officers will be required to meet this level of service requests.

Food Standards

3.2.4 It is the policy of this authority to respond promptly to all food complaints and to carry out enquiries in accordance with the complaints' procedure. The following figures show a final estimate for 2010/11 as the report is generated before the end of the calculated year.

Year	2004	2005	2006	2007	2008	2009	2010
Number of Complaints	64	170	183	253	295	279	292 est

3.3 Home Authority Principle and Primary Authority Principle

3.3.1 Brighton & Hove Council fully supports the LGR Home Authority principle, and has entered into six formal and 22 informal arrangements with businesses whose operational activity extends outside of the city. Currently there are no primary authority food businesses in the city.

3.4 Advice to Businesses

Food Safety

3.4.1 The service follows a policy of graduated enforcement in assisting businesses to comply with legal requirements. The key first step of this approach is to provide advice and information to businesses. Contact is made with new or potential businesses through the provision of new business information packs and via the development control planning process.

3.4.2 In addition to this, advice is given by an officer when carrying out interventions, making an officer available for one to one advice sessions and having a duty hotline service covering office opening hours.

3.4.3 Advice and information is also available through the council's website.

Year	06/07	07/08	08/09	09/10	10/11 est	11/12 est
No of Requests	105	108	80	82	90	90
Planning Applications	59	55	53	70	60	60

Table3.4.1 Showing number of requests received since 2006 and estimates for the current year and 2011/2012

3.4.4 It is estimated that 0.5 Full Time Equivalent Officer is required to meet this estimated demand.

- 3.4.5 The service is committed to good liaison arrangements with proprietors of food businesses, to encourage effective two-way communication and to provide information and training on legislation and good practice.
- 3.4.6 Local businesses were consulted on significant developments in policy such as the introduction of the 'Scores on the Doors' food hygiene rating scheme in 2007 and revision of the Environmental Health Enforcement Policy in 2009.
- 3.4.7 A Food & Safety newsletter is produced twice a year, which informs proprietors of new legislation, advice on good practice, and general items of interest. This is widely distributed throughout the city and sent out with intervention reports.

Food Standards

- 3.4.8 Requests by businesses for advice are recorded as Service Requests. There was a significant increase in the number of requests for advice in 2007 and this level has remained reasonably constant since then. The following shows requests up until end Dec 2010.

Level of Service Requests

2004	2005	2006	2007	2008	2009	2010
30	28	32	150	192	151	142

3.5 Feed and Food Sampling

Food Safety

- 3.5.1 The service participates in national sampling initiatives organised by LGRegulation, previously LACoRS, countywide programmes co-ordinated by the Chartered Institute of Environmental Health (CIEH) Sussex Food Liaison Group, local Health Protection Agency (HPA) and those instigated by the FSA. The sampling programme includes food or food-contact surfaces at approved premises, food manufacturers, and manufacturers selling mainly by retail as well as caterers and retailers. Samples of food and swabs of food-contact surfaces are also taken as part of routine work and when investigating specific issues at food premises.
- 3.5.2 During 2010/2011, the service took part in national food sampling programmes:-
- 'Pennington' Study – June 2010; The purpose of this study was to gather data on hygiene standards in catering and retail premises handling raw meats and ready-to-eat products. It also explored the impact of different interventions on microbiological quality and behavioural change. The study was designed to inform the central and local government response to the *E. coli* O157 Public Inquiry. Two of the businesses sampled in this study provided unsatisfactory

results. One of these businesses has since closed and undergone a refurbishment and the second has changed ownership. Further samples will be taken from both of these businesses during February as part 2 of the study.

- Hygiene practices in retail/catering premises and ready-to-eat foods focusing on *Listeria monocytogenes*. This study aimed to assess the microbiological safety of 'high risk' foods associated with *Listeria monocytogenes*. As part of this study duplicate samples were collected for certain products to carry out shelf life testing at the end of the use-by or best before dates. Thirteen samples were collected in total, 12 of which were satisfactory whilst the thirteenth sample was deemed unsuitable for the study.
- Follow up to the 'Pennington' study at establishments where problems had been identified in the initial sampling study. Due February 2011. See Above
- Large Scale Events sampling was carried out at the Springwatch Festival at Stanmer Park in June. 11 samples were collected including ready-to-eat food and swabs of food contacts surfaces including serving utensils and empty food containers. All samples collected at the event were satisfactory.
- Checking for *Salmonella* contamination in bean sprouts & sprouted seeds January – February 2011

3.5.3 In addition to these nationally agreed programmes, the service took part in regional wide microbiological sampling programmes across Kent, Hampshire, Surrey and Sussex.

- Regional Fish & Shellfish; A study carried out in Yorkshire the year before sampled ready-to-eat seafood including cooked prawns, mussels, dressed crabs etc. The study found 13% of the samples were unsatisfactory, with 1% of the samples positive for *Vibrio spp*, and 2.3% *E. Coli*. The study in Sussex was carried out to ensure the standards of shellfish sold locally. Within Brighton & Hove three of the samples collected were satisfactory. Advice was given in respect of the fourth sample and further samples taken.
- Checking bagged salads for the presence of *Salmonella spp* - September 2010. All samples collected proved to be satisfactory.

3.5.4 Sampling is also carried out during routine food hygiene inspections to aid officers in the assessment of practices carried out within commercial kitchens and identify any issues. Where any unsatisfactory results were found corrective action was put in place to ensure the quality of food products.

3.5.5 The national topics set for 2011/2012 are:

- Lightly cooked food April to September;
- Reactive response study, subject yet to be finalised - July to September 2011;
- A further follow up to the 'Pennington' study carried out last year.

3.5.6 The CIEH Sussex Food Liaison Group has yet to finalise countywide studies

3.5.7 An Environmental Health Officer within the Food Safety Team is responsible for organising and co-ordinating food safety sampling: it is estimated 0.25 Full Time Equivalent officer will be required for this service.

Year	06/07	07/08	08/09	09/10	10/11est	11/12est
No. of samples	237	137	82	146	150	150

Table 3.4.3 Number of Food Safety Samples Submitted for Analysis 2006-2010 & estimate for the current year and 2011/2012.

3.5.8 Arrangements are in place with the local Health Protection Agency laboratory for the analysis of samples that require microbiological examination. The allotted cost for sampling for the financial year 2010/2011 was £11,429.

3.5.9 As at the end of December 2010, the allocation for the year 2011/2012 had not been confirmed.

Food standards

3.5.10 Food Standards work is performed during a comprehensive inspection of the premises and generally linked to the metrology function. Officers currently undertake the food standards programme and deal with enquiries from consumers and businesses. The percentage of Officer time devoted to these functions has already been described earlier in this document. The food standards function in 2010/11 equated to approximately 1FTE.

3.5.11 A budget of £ 9,000 was allocated in 2010/11 to facilitate the contract with the appointed Public Analyst for the purposes of food analysis. A budget of £9,500 will be allocated in 2011/12. Sampling will be initiated to reflect perceived or identified problem areas but it is intended that we will be involved in at least one FSA led initiative, two regional projects, and two local projects in 2011/12. Sampling is undertaken in accordance with documented procedures and in accordance with the Codes of Conduct produced under the provisions of the Food Safety Act. Further funding is allocated for sample purchases.

Food Sampling Work undertaken in 2010/2011

MONTH	PROJECT
August	FSA Animal feeds
July/August	Local claims
Year long	Spirits Sampling as a part of the inspection programme
Year long	Home Authority Sampling
Jan/Feb	Meat species in takeaway foods
Year long	Complaints/Officer initiative

3.5.12 The national initiative is fully funded and takes account of potential problems requiring further investigation. The cost for the regional and local projects will be set to allow for contingencies, such as, complaints and reacting to food hazard warnings.

3.5.13 **Control and Investigation of Outbreaks and Food-related Infectious Disease** - Specific infectious diseases are notifiable to the local authority. The department investigates these cases in an attempt to identify the cause of illness and any practical measures to control potential outbreaks. See below for the number of cases investigated from 2006 to 2010 and an estimate of the numbers expected for the current year and 2011/2012. Investigations of outbreaks must commence as soon as practical. In individual notifications, the investigation has to commence within 5 days. It is estimated that 0.5 FTE officer will be required to meet this level of complaints.

Year	06/07	07/08	08/09	09/10	10/11 est	11/12 est
No. of reports	294	344	333	306	368	329

Table 3.5.1 Estimate of Number of notifications for 2010/2011 & 2011/2012 based on data from 2006 onwards.

3.5.14 The number of notifications included in table 3.5.1 has been corrected to discount those illnesses not associated with food such as mumps, measles and hepatitis. Table 3.5.2 below shows the number of *Campylobacter* and *Salmonella* cases notified from 2006 onwards. The number of *Campylobacter* confirmed notifications dropped significantly for the year 2009/2010, but show an increase for the current year. A main aim of the FSA Strategy for 2010-2015 is to reduce foodborne disease using targeted approaches including tackling *Campylobacter* in chicken. Reduction of *Campylobacter* in chicken is a priority because the handling, preparation and consumption of broiler meat may account for 20% to 30% of human cases of *Campylobacter*, while 50% to 80% in total may be attributable to chicken.

Year	06/07	07/08	08/09	09/10	10/11 est	11/12 est
Campylobacter	173	217	202	125	218	186
Salmonella	70	61	34	60	40	55

Table 3.5.2 Estimate of Number of specific notifications for 2010/2011 & 2011/2012

3.5.15 In April 2010 legislation was introduced that removed payments to GP surgeries for notifications and made pathology laboratories responsible to notify local authorities of specific infectious diseases where identified. It is not yet known how this will affect the numbers of notifications received by the council. The third major change removed the power to exclude those suffering from specific infectious diseases from food premises as a similar power exists in food safety legislation.

3.6 Feed/Food Safety Incidents

- 3.6.1 An out of hours emergency service is staffed by senior staff who are suitably authorised to carry out the full range of food safety functions including responding to emergency food safety incidents.
- 3.6.2 Information regarding national food safety alerts, such as product recalls from the FSA, is received during office hours via the national alert system.
- 3.6.3 The Environmental Health Manager (Food Safety) and senior staff within the Food Safety Team are registered on the rapid alert system to receive food alerts through a text message scheme direct to their mobile phones. The information contained in the food incidents is distributed and acted on as deemed necessary.

Year	06/07	07/08	08/09	09/10	10/11est	11/12est
Food Alerts	60	127	130	88	55	70

Table 3.6 Estimate of Food Alerts for the current year and 2011/12 based on data from 2006 onwards.

3.7 Liaison with Other Organisations

Food Safety

- 3.7.1 There are a number of arrangements in place with other professions and local authorities to promote consistency, provide joint projects and develop services: -
- The Food Standards Agency (FSA) selected Brighton & Hove to co-host one of half a dozen events throughout the country to gain the public's view of a number of subjects. Topics covered at the event in February include improving food safety in the home, how the public finds out about hygiene standards in local restaurants and cafes and residents thoughts about the FSA.
 - The service is one of 25 across the country to be chosen by the Local Better Regulation Office (LBRO) to take part in a national pilot testing the Regulators' Development Needs Analysis (RDNA) tool. RDNA is an online resource to help professional officers identify any gaps they have in the skills and knowledge required to undertake their duties.
 - The Environmental Health Manager in the Food Safety Team is the Secretary for the Sussex Food Liaison Group for 2010/2011. This group identifies and develops common approaches to food safety legislation, best practice and food safety training needs across Sussex.
 - An Environmental Health Officer in the Food Safety Team is the Secretary of the Chartered Institute of Environmental Health's Sussex Food Study Group. This group discusses common food safety delivery problems and develops joint procedures and practices for food safety issues.

- The Food Safety Team has regular liaison meetings and agreed working arrangements with Educational Services and catering contract supervisors to ensure consistent enforcement within schools.
- The Health Development team within Environmental Health & Licensing develops initiatives such as increasing breastfeeding in restaurants.
- The service works with nutritional advisers for the PCT on the Healthy Choice Award initiative to promote healthy menu options in eateries. As at January 2011 29 gold level awards have been issued, 30 silver and 12 bronze since the scheme was launched in 2008. There are currently another 7 applications pending for assessment.
- Officers from Environmental Health & Licensing attend the District Control of Infection Committee co-ordinated by the Community Consultant in Disease Control which reviews procedures and agrees communicable disease outbreak and food poisoning control measures.
- The authority is a member of the Brighton & Hove Food Partnership. The partnership includes representatives from local businesses and community groups, community workers and members of the Sustainability Commission. The Partnership raises awareness of food producers in supporting health, the economy and the environment increasing access to nutritious, safe, affordable food and providing a network for information exchange.
- A liaison arrangement is in place with Sussex Career Services and local schools to enable teachers and students from Brighton & Hove to gain work experience.
- The service participates in a variety of Best Value benchmarking exercises in conjunction with other councils.
- During 2009/2010 the Environmental Health & Licensing service took part in the LACoRS/LBRO/CIEH national Regulatory Services Peer Challenge, see section 5.1.4 for further information.
- The service was audited in May 2010 as part of the Sussex Food Safety Inter Authority Audit.

This work is accounted for in the reactive work estimate of resources required.

Food Standards

- 3.7.2 The team works closely with 18 other Trading Standards Services in the southeast that together make up Trading Standards South East (TSSE). Activities include liaison on all trading standards issues, coordinated activities, sampling and advice projects and sharing of information via the TSSE intranet.
- 3.7.3 Trading Standards liaise closely with Environmental Health colleagues regarding healthy eating issues and support the Food Partnership activity wherever possible.

3.8 Feed and Food Safety and Standards Promotional Work, and Other Non-Official Controls Interventions

3.8.1 The service organises a number of food hygiene training courses per year. The food safety training activity April 2010 to December 2010 and total numbers of people trained are given below.

3.8.2 Type of Course	Number of Delegates
CIEH Level1 Award in Food Safety in Catering Awareness	20
CIEH Level 2 Award in Food Safety in Catering	162
TOTAL	182

Year	2006/07	2007/08	2008/09	2009/2010	2010/2011est	2011/2012est
Number Trained	337	340	301	245	210	240

Table3.8 Total Training Undertaken Since 2006

- 3.8.3 Twelve Level 2 Awards in Food Safety in Catering courses have already been scheduled for 2011 and six level 1 courses.
- 3.8.4 The service also offers the CIEH Level 3 Award in Implementing Food Safety Management Procedures designed specifically to assist food businesses to comply with requirements introduced in 2006.
- 3.8.5 In addition to this training, the service has allocated funds to arrange training for the poorer performing and new businesses to help them comply with legal requirement to introduce a documented system of food safety control measures. Seventeen businesses have attended workshops and associated 1-2-1 training sessions so far during 2010/2011. Given the current economic conditions it is unsure if this level of support can be offered for the coming year.
- 3.8.6 Safety in Action is a multi-agency event held over the course of a week in June, involving up to 600 Year 6 schoolchildren from across Brighton & Hove. The Food Safety Team attends and uses an ultra-violet 'Bug Box' to demonstrate good hand-washing practices. Children are also quizzed on when to wash hands and why good hand-washing is essential to prevent germs spreading. Food hygiene leaflets on hand-washing and the safety of packed lunches are included in 'goody bags' given out to each child at the end of the event, and fresh fruit cups are also given to the children at the end of the hand-washing activity session.
- 3.8.7 Food Safety Week took place from 7th to 13th June 2010 and a variety of activities were staged at venues across the city, including Children's Centres and day centres for adults. The aim was to highlight common sense measures to ensure food is stored, handled and cooked properly to minimise the risk of food poisoning. The service plans to take part in the 2011 Food Safety Week, 6th to 12th June. The Food Standards

Agency has indicated that the theme will build on the advice to the public given out in 2010.

3.8.8 Two Food and Safety newsletters are produced per year. The newsletters carry articles and information for businesses and members of the public. A copy is posted on the web site and sent out with correspondence.

3.8.9 In 2010 the Food Safety Team organised a Curry Chef and Chinese Chef of the Year competition. Both competitions proved popular. It is planned to make these annual events.

4. Resources

4.1 Financial Allocation

Food Safety

4.1.1 The 2011/2012 projected budget for the food safety service within Environmental Health & Licensing is detailed below. The staffing figures include a figure to cover the appropriate proportion of the Head of Environmental Health and administrative support and management time. In previous years the budget allocation for the Infectious Disease service has been reported separately. The two budgets have now been combined.

Staffing	£647,100
Transport	£ 13,600
Supplies and Services	£ 23,900
Total	£ <u>684,600</u>

Food Standards

4.1.2 It is difficult to detail the time spent on the food standards function as it is carried out during a comprehensive inspection. Time monitoring is not currently used to apportion time to the food function. Cost of the food standards function in 2010/11 was as follows based on the percentage of time officers spend on the food function outlined above and below:

Staffing Inspection, complaints and advice	
Management/Support	£ 3,200
Food Team	£30,120
Total	£ 33,320
Purchases	£500
Analysis	£9,500
Total	£10,000
Total	£43,320

The budget has not yet been set for 2011/12 but we envisage similar funding levels as this year.

4.2 Staffing Allocation

Food Safety

4.2.1 Establishment of the Food Safety Team for the year 2011/2012 is 11.3 full time equivalent field officers plus two full time equivalent administrative support staff and management, broken down as follows:-

1 x Environmental Health Manager
2 x Senior Environmental Health Officers
4.3 x Environmental Health Officers
3 x Senior Technical Officers
1 x Technical Officer

This is a reduction in establishment by 0.5 from previous years. The half a post being offered up as savings to assist the Environmental Health & Licensing Department meet the saving requirements of the Comprehensive Spending Review for 2011/2012.

4.2.2 Officers and external contractors have to comply with strict guidelines governing qualifications and competencies before they are permitted to undertake food safety duties. All Senior Technical Officers hold Higher Certificates in Food Premises Inspection and are able to inspect all risk categories of food businesses. All Environmental Health Officers are qualified to undertake inspections of all risk categories of food businesses.

4.2.3 Five officers within the other Environmental Health & Licensing Teams retain competencies to undertake food safety inspections. All food competent officers must undergo a minimum of 10 hours food safety training per year to retain their authorisation to undertake food safety inspections. In addition to the competencies and qualifications required by the Food Safety Code of Practice, officers engaged in food safety inspections must have undergone additional 'Scores on the Doors' consistency training.

Food Standards

4.2.4 The Inspection and Sampling Team is responsible for Food Standards Inspection. The proportion of time allocated to this function in 2010/11 was estimated as follows:-

Support	0.05
Management	0.05
Food Staff	1.00
Total	1.1 FTE

However as mentioned above a further 0.8 FTE will be working on the food function in 2011/12.

4.3 Staff Development Plan

- 4.3.1 The Authority has a structured appraisal and development system. During staff appraisals, individual training needs and any gaps in competence are identified. The information is used to produce individual training and development plans for each officer for the coming year. Brighton & Hove City Council was awarded accreditation to Investors in People in early 2009.
- 4.3.2 The Food Safety Team also has team meetings every six weeks. Any training needs of the service as a whole are identified and discussed at these meetings.
- 4.3.3 Through this system, the service ensures that all food competent officers receive sufficient good quality focused food safety training to comply with relevant Codes of Practice and professional membership schemes.
- 4.3.4 The service currently has three staff undergoing part time or distance learning to become Environmental Health Officers and two working towards a Higher Certificate in Food Premises Inspection

5.0 Quality Assessment

5.1 Quality Assessment and Internal Monitoring

Food Safety

- 5.1.1 The service has a documented procedure relating to food safety duties. Internal audits are carried out to ensure compliance with these procedures. The service is accredited to ISO 9001 and externally audited by the British Standards Institute.
- 5.1.2 The service actively seeks the views of businesses by giving out post-inspection questionnaires to traders inspected. In 2009/2010 375 questionnaires were returned. The key findings of these returns were:-
- 98.4% of respondents were either very satisfied or satisfied that Brighton & Hove City Council had done all that it could to help deal with their premises inspection.
 - 99.2% of respondents understood the purpose of the visit to their premises.
 - 97.8% found the information given to them by the visiting officer easy or very easy to understand.

Similar high levels of satisfaction were recorded from questionnaires returned in the previous five years.

5.1.3 Information from these returns is also incorporated in Brighton & Hove City Council's return in respect of national performance indicator NI 182 'Satisfaction of Businesses with Local Authority Regulatory Services'.

5.1.4 The seven areas identified in the Improvement Plan following the Regulatory Services Peer Challenge undertaken during 2009 have been actioned. The external peer challengers congratulated the service for its excellent delivery of core services and its dedicated and committed staff. The challengers added that:

“we feel confident that the service will be successful in maintaining the momentum provided by the peer challenge process in improving what is already a very good service”.

5.1.5 In May 2010 the service took part in the Sussex Food Safety Inter Authority Audit. A third party auditor reviewed the service based on 'The Standard' in 'The Framework Agreement on Local Authority Food Law Enforcement' produced by the Food Standards Agency. The Auditor reported that:

“Processes and procedures for internal monitoring of service performance are in place, and appear to be effective, as evidenced by the relatively small number of recommendations for service improvement in this audit report”.

The small number of recommendations made have been acted on as necessary.

Food Standards

5.1.5 We aim to continually improve the level of service provided. Procedures are implemented and reviewed where necessary to incorporate identified improvements.

6. Review

6.1 Review Against the Service Plan.

Food Safety

6.1.1 In addition to the quality checks detailed in 5.1, performance is reviewed against the Service Plan by comparing the number of interventions achieved against the number programmed. Monthly statistical reports are produced so that performance can be closely monitored and managed through the year. Any problems are promptly identified and resolved through management reviews, team meetings and monthly one to one's between field staff and their line manager.

- 6.1.2 Official Feed and Food Controls Service Plans are produced and reviewed on an annual basis by management review, consideration by the Environment and Community Safety Overview and Scrutiny Committee and Full Council.
- 6.1.3 In the year 2009/2010 99.7% of the due food safety interventions were accounted for. This included interventions carried out and businesses that ceased trading before they could receive their planned intervention. Three hundred and ninety eight interventions were undertaken of new businesses or premises that had changed ownership.
- 6.1.4 At March 2010 87.75% of the food businesses in the city were deemed to be 'broadly compliant', or better, with food hygiene legislation. Using the outcome measure detailed in 3.1.10 (%of due interventions achieved x 0.3 + %broadly compliant premises x 0.7) gives an outcome of $99.7\% \times 0.3 + 87.75\% \times 0.7 = 91.34\%$.
- 6.1.5 The 2010/2011 Service Plan predicted that a total of 1262 food safety interventions would take place in this year. To the end of December 2010, 344 inspections of new businesses were undertaken and the service is on target to achieve the goal of carrying out interventions in at least 98% of the businesses due.
- 6.1.6 From April 2010 to the end of December 2010 the Food Safety Team served one Hygiene Emergency Prohibition Notice, 26 Hygiene Improvement Notices, accepted one voluntary closure of an establishment and undertook three successful prosecutions and one simple caution. The prosecutions attracted total fines of £6,765 and costs of £5871. One owner was prohibited from managing a food business.
- 6.1.7 Charts in Section 3 give a detailed break down of service activity from April 2006 to March 2010 and an estimation of the activity for the remainder of the current and coming year.

Food Standards

- 6.1.8 Service reviews are carried out on a monthly basis to check that our inspection programme is on target and to ensure that projects are being completed in the agreed timescale.
- 6.1.9 The Service Reviews indicate that we are on target to achieve our interventions programme.
- 6.1.10 During staff one-to ones each officer's performance is monitored, to identify good performance and any areas of improvement.

Complaints are responded to within the stated timescales.

6.2 Identification of Any Variation from the Service Plan

Food Safety

6.2.1 Reviewing the Service Plan for 2010/11 against current prediction for the year shows three probable areas of variation.

- Last year's Service Plan estimated that 350 applications to register a new food business or change of ownership would be received during the year. This was based on the number of applications received in the previous five years. As at December 2011 345 inspections of newly registered businesses had already taken place with another 90 registered and awaiting inspection. The original estimate has been increased to 470. The increase appears to be a result of a greater number of business turnovers and more people setting up businesses from their home
- At the start of the year it was estimated that there would be approximately 100 national food alerts. Extrapolating the number received between April and December 2010 it is now predicted that there will be 55 food alerts.
- At the beginning of the year it was estimated that 240 food handlers would undergo formal training organised by the service. This estimate has now been revised down to 210. It is felt that the rising popularity of on-line food safety training is the reason for the reduction.

Food Standards

6.2.2 There was no significant variation from the plan except that the project regarding feeding stuffs was not completed as we had no suitable premises in the city.

6.3 Areas of Improvement

Food Safety

6.3.1 Current possible areas of improvement for the future are:

- Continue the local Curry Chef and Oriental Chef of the year competition to build on the good working relations with ethnic food businesses and enhance the standing of small local businesses with the public;
- Lord Young's report 'Common Sense Common Safety' published in October 2010 acknowledged the benefits of a national Food Hygiene Rating Scheme (FHRS) for both consumers and food businesses. It recommended that all councils adopt the FHRS devised by the Food Standards Agency, which is due for review in April 2012. For the moment, Brighton & Hove City Council plans to continue with the 'Scores on the Doors' scheme which has proved widely successful

with clear advantages for consumers and local businesses. If the national FHRS proves equally successful, then the new scheme may be adopted locally.

Food Standards

6.3.2 Advancements have been made in the delivery of food law enforcement. There are many examples of joined up working and cooperation where coordinated sampling programmes and officer training feature highly. However there are still areas for improvement. They are as follows:

- Improved use of the Environmental Health newsletter to provide businesses with information.
- Increasing the number of voluntary contacts by businesses
- Developing the access to on line business advice.
- Better publicity for the healthy eating education message.
- Developing links with the schools
- Increasing and maintaining the competency and professional development of food officers.
- Establishing consumer concerns and reflect this in local activity.

