

**SERVICE DELIVERY
DIRECTORATE
ENVIRONMENTAL HEALTH
SERVICE PLAN FOR FOOD
LAW ENFORCEMENT
2019/20**

Environmental Services

June 2019

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Version Control

Version	Description of version	Effective Date
V2019	2019 Food Law Service Plan	

Approvals

Approved by	Date
Matt Holford, Head of Environmental Services	5 th July 2019
Cllr Andrew MacPherson, Chair of Environment & Development Services Committee	

Associated Documentation

Description of Documentation

1.0 Introduction

1. This is South Derbyshire District Council's Food Service Plan 2019-20, which describes the food hygiene safety enforcement function. It covers all the elements of food safety and hygiene for which this Council has enforcement responsibility.
2. The requirement to have a Service Plan is laid down by the Food Standards Agency (FSA) in its Framework Agreement on Official Feed and Food Law Controls by Local Authorities, Amendment number 5. The FSA was established in April 2000 as an independent monitoring and advisory body. One of the aims of the FSA is to make local authorities delivery of official controls effective, risk-based, proportionate and consistent.

2.0 Food Hygiene Service Aims and Objectives

Aims and Objectives

3. The overall aim of South Derbyshire District Council's Food Safety Service is;

To work with businesses and consumers to ensure that food placed on the market for human consumption which is produced, stored, distributed, handled and purchased within South Derbyshire does not present a risk to public health or safety of the consumer.

4. Chapter 4 of this Plan describes the specific services that are provided to meet this aim.

Links to Corporate Objectives and Plans

5. The operational activities of South Derbyshire District Council are prioritised in accordance with its Corporate Plan. The most recent Corporate Plan (2016-21) is referred to in this document.
6. The Corporate Plan 2016-21 has four corporate themes, namely **People, Places, Progress and Outcomes**. Each of these has between five and eight supporting strategic aims.
7. The work of the food safety service links directly to both the **People** and **Progress** themes in South Derbyshire District Council's Corporate Plan.
8. Under the **People** theme the service links to the strategic aim of "*keeping residents happy, healthy and safe*".
9. Under the **Progress** theme the service links to the strategic aim of "*Encouraging inward investment and tourism opportunities*".
10. The Corporate Plan is not intended to reflect all of the day-to-day work of the multitude of services provided by the Council. Instead it focuses on the issues that are most important to residents, on national priorities set by government and on the opportunities and challenges resulting from the changing social, economic and environmental aspects of the District.
11. The Performance Board which forms the Appendix to the Corporate Plan contains details of the projects and performance measures which reflect these corporate themes. The 2019/20 Performance Board contains two performance measures relevant to the food safety service;

Theme: Progress

Action: Maximise the prosperity of businesses in South Derbyshire through the delivery of the Better Business Regulation Partnership.

Measure: PR4.1 Number of food businesses which have a Food Hygiene Rating score of 5

Action: Maximise the prosperity of businesses in South Derbyshire.

Measure: PR4.2 Registered food businesses active in the District

3.0 Background

Profile of South Derbyshire District Council

12. South Derbyshire covers an area of about 34,000 hectares (340 sq.km) and has an estimated population of 101,300 (Estimated at mid 2017).
13. The District is bounded by the City of Derby to the north, Burton upon Trent to the west and Ashby-de-la-Zouch to the east.
14. The town of Swadlincote, comprising the communities of Castle Gresley, Church Gresley, Midway, Newhall, Swadlincote and Woodville, is the main focus of the area, serving as an employment, shopping and service centre. The rest of the District is mostly rural in character. Extensive tracts of countryside are interspersed with a number of villages and settlements, some of which, like Repton and Shardlow, are of historic value. Melbourne is the District's second largest centre with a population of about 6,500. Other larger villages include Hilton, Etwall, Stenson Fields, Linton, Hatton and Willington. The District is the fastest expanding area in Derbyshire.
15. A large part of the District (Swadlincote and its rural hinterland) is situated within the National Forest.
16. Some 4% of the District's population belong to ethnic minority groups.

Organisational Structure

17. In the Council's Constitution, the Scheme of Delegation to Officers (Article 21, para 6.2) has delegated responsibility for "food sales, safety and standards" to the Strategic Director Service Delivery. Under these Delegated Powers, the Strategic Director gives powers under specified legislation to given posts within the local authority to discharge these functions on her behalf. The most recent Delegated Powers were signed in April 2018.
18. The Commercial Team delivers the food safety service on behalf of the Strategic Director. The Team is part of the Environmental Health Service which also includes Pollution Control, Community Safety Enforcement Officers, Private Sector Housing and Pest Control.
19. As well as delivering the food safety service to which this Plan relates, the Commercial Team also provides the following services; health and safety enforcement, enforcement of private sector water supplies, welfare funerals, health and wellbeing actions and inspections of some licensed premises. 2.49 Full Time Equivalent (FTE) staff are utilised for the provision of the services described in this Plan (see Appendix 1) including all the relevant management, professional and administrative functions.

20. The management and overall co-ordination of the Service's food law enforcement function is the responsibility of the Head of Environmental Services (HES) who acts as the Lead Officer for the authority's food service in partnership with the Senior Environmental Health Officer (Commercial). The HES oversees the Senior Environmental Health Officer who supervises the day-to-day operational functions of the service.
21. The Environmental Health Service is part of the Service Delivery Directorate which also includes most of the public facing functions of the Council including planning and strategic housing, waste collection and street cleansing, leisure and cultural services, community safety and housing.
22. The Environmental Health operational structure is shown at Appendix 6. The officers regularly involved in the provision of the food service are as described at Appendix 7.

4.0 Service Delivery

Delivery Mechanisms

23. In order to deliver the service as identified in Section 1 the Council has adopted a balance of techniques and approaches. The aims of the service are delivered through four key methods.
24. **Intervention driven:** To carry out interventions, including inspections, in all known food establishments at a minimum frequency as determined by Annex 5 of the [Food Standards Agency \(FSA\) Food Law Code of Practice \(March 2017\)](#) and initiate corrective action including, where necessary, taking the appropriate enforcement action in accordance with South Derbyshire District Council's [enforcement policy](#). To ensure that food premises comply with current legislation and statutory guidance, emphasis will be placed on a risk assessment inspection frequency (the higher the risk, the more frequent the inspections).
25. **Demand driven:** Respond to requests for service and investigate all complaints regarding food premises; investigate food poisoning notifications, respond to all FSA food alerts requiring action and any other matters in response to requests from customers, stakeholders and the general public.
26. **Intelligence driven:** Through the gathering of information and intelligence, address any threats to the health of the consumer and target resources where they can be most effective and to areas of highest risk.
27. **Education driven:** Provide advice and education to businesses and consumers within the District so as to promote voluntary compliance and an understanding of the rights and responsibilities of businesses and consumers, and some knowledge on the prevention of food poisoning and food-borne illness. The Council strongly believes in the principle that assisting compliance is as important as detecting non-compliance.
28. Each officer has a specific geographical area in which they are responsible for all elements of the food service, as well as health and safety within certain businesses. Each area has been created to give an equitable caseload. There is some inter-area working, particularly in relation to some of the more complex businesses.

Demands on the Food Service

Food Hygiene Interventions

29. At April 2019 the Council's Civica database reported a total of 828 food premises were subject to programmed food hygiene interventions. The frequency of intervention for each business is based on its respective food safety rating. The ratings for all food businesses in South Derbyshire are summarised below;

Risk Rating	Inspection Frequency	Number*
A	6 months	1
B	12 months	21
C	18 months	109
D	24 months	304
E	36 months or Alternative Intervention	375
Unrated		3
Outside		15

*Based on LAEMs return June 2019

30. The types of food business in South Derbyshire based on Food Standards Agency definition are summarised below;

FSA Category	Number
Primary Producers	3
Manufactures/Processors	25
Importers/Exporters	2
Distributor/Transporters	17
Food Retailers	144
Food Caterers	624

Note: These figures include 4 'Approved Premises' as defined by EC Regulation 853/2004.

31. The current FSA Food Law Code of Practice requires that the service discharges its duty under European law to enforce food safety in relation to each of these premises by meeting the following obligations;

- Businesses risk rated as between A to C should be subject to 'official controls'.
- Interventions in businesses rated D can alternate between 'official controls' and 'alternative interventions' and;
- Businesses rated E can, if the local authority chooses, be controlled using an 'Alternative Enforcement Strategy' rather than by inspections.

32. Official controls are defined as inspections, audits or sampling / monitoring / surveillance and verification visits. Alternative Interventions are defined as education, advice, coaching and information gathering. An Alternative Enforcement Strategy (AES) can include questionnaires or telephone interviews of the Food Business Operator followed by a sample of verification visits. AES can also be undertaken as a result of a trigger such as a complaint, planning application, change of ownership, etc.

33. The nature of any enforcement action following an inspection must comply with the Council's Corporate Enforcement Policy, the most up to date version of which was approved in November 2016 and which will be revised in 2019.

34. In order to deliver the food service in accordance with the FSA Food Law Code of Practice the breakdown of interventions is provided in Appendix 3 and 4. It is estimated that the total number of food safety interventions for 2019/20 will be;
- 251 official controls based on the current number of registered food businesses;
 - 146 alternative interventions and associated revisits;
 - 34 revisits following official controls or alternative interventions;
 - 100 official controls for new food business registrations;
 - 100 additional interventions, subject to reactive demands
35. South Derbyshire District Council has chosen to adopt an AES in order to reinvest the time saved in dealing with consistently poor performers that could present a risk to public health.
36. Specifically, in adopting the AES, the Council aims to use questionnaires for 90% of E rated businesses and to inspect a minimum of 10% of businesses. However, as one officer is currently unable to carry out official controls visits due to the need for him to fully complete the requirements to become an authorised officer, more non-official visits of Category E rated premises have been allocated to him this year. This will result in approximately 50% of Category E rated premises receiving an inspection or advisory visit this year.
37. Newly registered food businesses are recorded on the Council's premises database (Civica). The service targets to inspect the new business within 28 days of receipt of registration (or longer if the business is yet to start trading) after which it is risk rated and included in the inspection programme.
38. Closed businesses are recorded on the Council's premises database.

Primary Authority

39. Since 2017 the Council has been approved by the Department for Business, Energy and Industrial Strategy to form two Primary Authority agreements with businesses within South Derbyshire.
40. A Primary Authority agreement is a means for businesses to receive assured and tailored advice from one single point of contact local authority on meeting environmental health regulations across all of its business sites in the UK. The Council has entered into agreements with [Olio](#), [Chilled Pubs Ltd](#) and [Berkeley Inns](#).

Food Hygiene Revisits

41. The FSA Food Law Code of Practice contains guidance on revisits to premises to check compliance following initial inspections. Where an initial (or 'primary' inspection) identifies significant contraventions or there is a history of non-compliance then a revisit (or 'secondary' inspection) will be carried out.
42. The service will continue with spot checks on businesses and their outcomes will affect future inspection and enforcement practices within those premises concerned. Spot checks are

visits carried out between the normal cycle of inspections, as required by the FSA, to determine whether there have been any significant changes in processes, management, hygiene, structure and risk-rating scores.

43. The FSA Food Hygiene Rating Scheme (FHRS) has been adopted by the Council and results in businesses serving to the public being given a 0 to 5 food safety rating at the time of the inspection. The Food Business Operator may request a revisit once it has addressed the non-compliances to allow its rating to be re-assessed and this will result in additional revisits.
44. In March 2017 the FSA published guidance which offered local authorities the opportunity to charge for this service and the Council adopted this from April 2018. The re-inspection charge has been set at £150. Demand for this service is anticipated to be about 10 re-inspections per year.
45. A total of 34 revisits (secondary inspections and requests for revisits) are estimated to be required in 2019-20 (Appendix 3 Table 1 Column 4 plus Table 2 Column 4).

Reactive Food Hygiene Inspections

46. The quantity and type of food businesses in South Derbyshire will change throughout the year. It is the Council's current policy to offer free advice and support to new food businesses in order to support local business growth. The demand for advisory visits and inspections of new businesses is summarised in Appendix 4 along with predicted demand for inspections of mobile units associated with fairs and festivals. In total SDDC estimate a demand for 200 reactive inspections in 2019/20 (Appendix 4).

Food-Related Response Work

47. Food-related response work generally falls into one of the following broad categories:
 - Complaints about food businesses such as hygiene, pests, food handlers etc;
 - Complaints about food such as contamination (extraneous matter, mould, out of condition, dirty containers);
 - Complaints about food labelling ('use by' date contraventions).
48. The service receives an average of 100 service requests per year which will result in a total of 100 inspections, checks and samples. The estimated workload and staffing requirement for these food-related response work activities is 50 hours.

Routine Food Sampling

49. The service undertakes a limited amount of proactive food sampling for bacteriological and chemical quality. Sampling is based on a schedule agreed with Public Health England who fund the sample analysis. The service aims to take approximately 50 food, water and environmental samples this year for microbiological examination.
50. Ad hoc chemical sampling is also undertaken in response to complaints and other service requests. Most of the chemical analysis is carried out by Staffordshire Scientific Services.

51. Samples will be analysed and/or examined by the laboratories authorised by the Council. It is estimated that the sampling activity during 2019/20 will require a staffing resource of 50 hours (0.04 FTE).

Control and Investigation of Food-Related Outbreaks and Infectious Diseases

52. Officers will investigate food-related infectious disease notifications in accordance with procedures agreed with the Consultant in Communicable Disease Control (CCDC). The primary aim of every investigation is to identify the source and cause of the infection and prevent further spread. Investigations of 'outbreaks' (defined as 2 or more potentially linked notifications from separate households) will also be undertaken. Outbreak investigations tend to be significantly more resource intensive than investigations into single notifications.

53. Based on activity over the past few years it is estimated that 100 infectious disease investigations will be carried out and that two outbreak investigations will be required. These will require a staffing resource of 100 hours (0.08 FTE).

Food Safety Incidents

54. Officers will, on receipt of any food alerts relating to national food scares and issues, respond appropriately.
55. It is estimated that approximately 40 alerts will be received this year, requiring different levels of action, with about two Food Alerts for Action (FAFA) equating to approximately a total of 10 officer hours. If a food safety incident originates from an activity or business operating within the District then additional resources will be required in terms of officer hours.

Liaison with Other Organisations

56. The Council recognises the importance of ensuring that the enforcement approach it takes is consistent with other local authorities. Accordingly, regular dialogue on food enforcement and other food-related matters takes place through the Derbyshire Food Liaison Group.
57. The aims of the service outlined in Chapter 2 are also supported through routine attendance and contribution to the South Derbyshire Health and Wellbeing Action Group and the Derbyshire Infectious Diseases Group. The service also make ad hoc attendances at other groups such as business groups (Chambers of Commerce, Derbyshire Business Partnership breakfast clubs, Pubwatch, D2N2), government initiatives (Better Business for All) and internal partners (Planning, Economic Development, Community Safety).
58. It is estimated that during 2019/20 this activity will require a staffing resource of 100 hours (0.08 FTE officers).

Food Safety and Public Health Promotion

59. The service is keen to support various local projects intended to lead to a positive outcome on local health and wellbeing;
- To divert perfectly good food from being thrown away, the Council has committed to work with festival organisers in South Derbyshire to enable vendor food which would have been thrown away to be given to local charities. This will require 50 hours officer time per year.

- To promote all food businesses who are awarded an FHRs rating of 5 on the Council's [Facebook](#) page. To continue to use this page to raise awareness of all relevant matters relating to food safety and environmental health. Updating the Facebook account is estimated to require 25 officer hours per year.
 - To support the Breastfeeding Awareness scheme by promoting it in local food businesses.
 - To support the Heart of Derbyshire award scheme which helps local food retailers offer healthier eating choices to their customers by providing business audits and face-to-face advice to food business owners.
60. It is likely that the Council will either initiate, or get asked to become involved in, various other health promotional activity over the course of the year. It is estimated that food safety promotional activities will require a staffing resource of 25 hours.
61. The existing Primary Authority agreements will take an estimated 150 officer hours a year to support. It is the Council's aspiration to continue to build Primary Authority agreements and the time demands for marketing and supporting these will depend on take-up.

Advice to Businesses

62. Officers work with businesses to help them to comply with the law and to encourage the use of best practice. This is part of the Enforcement Policy and is achieved through a range of activities including advice given during the course of inspections; site visits upon request; proactively commenting on plans at building regulation / planning application / premises license application stages; targeted mailshots; maintenance and development of the food service website; targeted provision of coaching visits with food business operators and staff from poor performing businesses and use of Alternative Interventions, including guidance and self-assessment questionnaires, as identified in the current FSA Food Law Code of Practice.
63. It is estimated that officers will visit 100 new businesses over the next year.

Statutory Consultations

64. Officers provide responses to statutory consultations from Planning (in respect of planning applications) and Licensing (in relation to Premises License applications). It is estimated that 250 responses to statutory consultations will be made over the next year.

Export Health Certificates

65. The service issues export health certificates to local businesses exporting outside the European Union (EU) region confirming to their clients that their food product is manufactured in accordance with United Kingdom (UK) and EU law. The service will issue an estimated 1650 export health certificates in 2019/20, generating an estimated £90,000 income for the local authority.
66. If, as a result of the UK exit from the EU, local exporters are required to obtain export health certificates for products exported from the UK into the EU region then the number of certificates issued may change significantly. Currently the service has no indication of the potential demand. If necessary the service will recruit temporary staff to deal with additional demand.

Out of Hours Services

67. Programmed food hygiene inspections for businesses which operate outside a standard 09:00-17:00 Monday to Friday profile are carried out when the business is open and trading. Reactive services such as outbreak investigations are based on need. The service is contactable out-of-hours via the Council's Careline service and through the Emergency Plan arrangements co-ordinated through Derbyshire County Council.

5.0 Resources

Financial Allocation

68. The budget for the 2019/20 financial year is shown at Appendix 2.
69. The direct budgeted costs set for 2019/20 are approximately £5,000 higher than the original budget set for 2018/19.
70. The net budget (i.e. direct costs minus income) for 2019/20 is £5,189 higher than last year. The main reason for this is a need to provide cover for long term sickness absence.
71. The 2018/19 net budget is £78,202 compared to the 2012/13 base budget of £140,510, showing that the service has reduced its overall costs by 44% in the last seven years.
72. It is anticipated that the budget will be sufficient to meet the current demands of the service.
73. The greatest risks to the service are ensuring that there are sufficient qualified staff to undertake the respective statutory duties; the occurrence of any major incidents; large or legally / technically complex cases; significant increases in enforcement actions, or higher volumes of food poisoning outbreaks.
74. In the event of any unforeseen events, resources would initially be deployed from within the Environmental Health Team. This will involve postponing routine inspections and other non-emergency routine operations in order to respond to high priority demands for service. It will also include outsourcing routine inspection activity to third parties if demands are such that it appears unlikely that the Council will not fulfil its programme of routine inspections.

Staffing Allocation for the Food Service

75. Food law enforcement and educational activities are undertaken by officers from the Commercial Team. The Head of Environmental Services manages the Food Service with the day-to-day activities of the service supervised by the Senior EHO. Currently the service consists of three officers dedicated primarily to food hygiene activities with a further four officers (consisting of the HES, Business Support Compliance Officer, Business Support Officer and Environmental Health Officer) providing support in the form of low risk interventions and administrative support. The time spent on food service functions is estimated at the equivalent of 3.29 FTE posts. These resources are broken down in Appendix 1 with 0.15 FTE allocated to management, 2.34 allocated to delivery of professional services and 0.8FTE allocated to administrative support.
76. Of the three dedicated posts, only the Senior EHO is a qualified EHO. The Food Technical Officer holds the Higher Certificate in Food Premises Inspection and a Certificate in Food Control and therefore is able to undertake higher risk food inspections and 'official controls' as defined in the Food Law Code of Practice.
77. The Food and Health and Safety Officer has completed the M.Sc. in Environmental Health, but is yet to complete the portfolio of professional practice (PPP) and is therefore barred under the Food Law Code of Practice from doing 'official controls'.

78. The Business Support Compliance Officer, Business Support Officer and Environmental Health Officer (Pollution) are all able to provide non-official controls.
79. The competency profile of the authorised food law enforcement officers within the Service based on the October 2015 Food Law Practice Guidance is given in Appendix 9.
80. All staff are involved in a staff review and development process with annual appraisals and six-monthly reviews (called Professional Development Reviews). Staff training needs are identified as part of the process and contribute to the training programme.
81. All officers regularly involved in the delivery of the food service are appropriately qualified and must receive a minimum of 20 hours relevant structured on-going CPD each year. This must consist of a minimum of 10 CPD hours on core food matters directly related to the delivery of official controls and 10 hours on other professional matters, as required by the FSA Food Law Code of Practice.

6.0 Quality Assessment

Quality Assessment

82. As well as the performance indicators described in the following section, a number of quality management processes are already undertaken or are programmed to maintain and improve the quality of the work carried out:

- Regular team meetings (approximately every 3 months);
- Regular attendance at the Derbyshire Food Liaison Group and the Derbyshire Sampling Group and implementation of actions identified;
- Implementation of a programme of paper audits and peer review of inspections;
- Continued subscription to the on-line Regulatory Information and Management System.
- Periodic internal audits from the Council's own retained auditors.
- Joint visits by officers to approved premises and butchers to ensure consistency in these two food industry sectors.
- Full participation in periodic national consistency exercises run by the FSA.

7.0 Review of Last Year’s Performance

83. The Food Standards Agency Framework Agreement requires every Local Authority to review its previous year’s performance against its service plan. The review must identify where the Authority was at variance from the service plan and, where appropriate, the reasons for that variance.

Performance Indicators

84. The table below summarises the performance of the food hygiene service against the relevant performance indicators in the 2018/19 Corporate Plan along with local performance indicators used by the HES to track operational performance through the year.

Measure	Target	Actual
Corporate Action Plan Performance Indicators		
Proportion of food premises meeting the 5 Star 'Scores on the Doors' rating for food safety	>83%	85.2%
Number of registered food businesses in the District	810	828
Local Performance Measures		
% of service requests responded to within the relevant target time ¹	1 day - 82%, 3 day -92%, 10 day - 96%	1 day - 88%, 3 day - 88%, 10 day - 95%
% of service requests which are currently still open and older than 60 days ¹	15%	9.5% ¹
% of inspections completed in accordance with the Commercial Team and Environmental Permit Inspection Plans	100%	123.4%
% of registered food establishments which have been food hygiene risk rated.	>99%	98.9%
% of food businesses found to be 'broadly compliant'	≥98.5%	98.9%
% of high risk businesses found to be 'broadly compliant'	>90%	93.2%
Number of 'follows' of the Environmental Health Facebook page	>1400	1580

¹ for Environmental Health Service overall

85. The 2018/19 out-turns for the key performance indicators for the team were very positive. The % of five rated premises under FHRS has increased from 53% to 85% over the past five years, which not only exceeds the Council’s own target, but is a figure well in excess of regional and national levels of attainment.

86. The target for the number of registered food businesses in the District is set with the intention of encouraging food inspectors to support local food businesses, particularly new and embryonic businesses.
87. The 2018/19 Food Service Plan identified that 316 food interventions would need to be undertaken to meet legal duties. Between 1 April 2018 and 31 March 2019 the service had carried out 368 inspections – 58 over the target. The additional inspections were mainly due to the increase in demand for the service due to change in ownership of existing business premise and the growth in the number of food businesses.
88. Finally the compliance with legal standards by food businesses in the District continues to improve. 98.9% of food businesses were considered to be ‘broadly’ compliant with all food safety requirements. At April 2019 only nine food businesses were considered to be non-broadly compliant, this is the lowest ever number.

Food Hygiene Inspections

89. Over the course of 2018/19 legal guidance required the Council to carry out 136 interventions in high risk (risk group A to C) food premises in South Derbyshire. At the year-end all interventions had been carried out.
90. Of the remaining food businesses that were either lower risk (risk group D-E), unrated or registered outside the district, legal guidance required the Council carry out a further 332 interventions. All were complete at year end.
91. There were no prosecutions in 2018/19. Two Hygiene Improvement Notices were served and one Emergency Hygiene Notice was issued. One simple caution was issued for food hygiene law breaches
92. No premises were subject to voluntary closure and no businesses voluntarily surrendered food which was found to either be out of use by or best before date.
93. Following the interventions reported in this section, 259 written warnings were either left at the premises or sent to Food Business Operators. These warning provided guidance, outlined contraventions including the appropriate action required and the timescale by which contraventions must be remedied.

Reactive Food Inspections

94. The service supported the successful running of large-scale events at Catton Hall (Bloodstock, Bearded Theory, Sausage and Cider Festival and X-Static music festivals).

Food-Related Response Work

95. The service received 111 complaints about either food, or hygiene practices in food establishments. This is slightly higher than the 95 complaints made in 2018/19 and close to volumes predicted in the 2018/19 Service Plan (100 in total).
96. None of the food complaints resulted in formal legal action. In all substantiated cases concerning complaints about food premises in South Derbyshire, corrective action in accordance with the delivery mechanisms and Enforcement Policy were followed through.

Routine Food Sampling

97. A total of 71 samples were taken and analysed for their microbiological content during the year. Of these, eight produced results which were deemed to be 'unsatisfactory', although none were found to be 'unacceptable'. As a consequence the relevant premises were visited or contacted to offer advice on why the results were unsatisfactory and advised what action needed to be taken. Repeat sampling is undertaken where necessary.

Control and Investigation of Food-Related Outbreaks and Infectious Diseases

98. 66 cases of food borne illness were notified to the Council and investigated in accordance with the services procedures. This compares to 136 cases in 2017/18 and therefore there has been a significant reduction in infectious disease notifications. The pathogen which occurred most commonly was Campylobacter, which was the confirmed diagnosis in 51.5%% of cases. In 20% of cases no confirmed diagnosis was made. The next highest numbers of other confirmed diagnosis were Salmonella (18%) and Cryptosporidium (6%). There were also individual instances of Legionella, Giardia lamblia and E. coli. These proportions are roughly the same as was reported in the previous year.

99. There were seven outbreaks of notifiable diseases during the year (ID3). An outbreak is defined as "*An incident in which two or more persons have the same disease, similar symptoms or excrete the same pathogens and in which there is a time, place and/or person association between these persons.*"

Food Safety Incidents

100. The service responds to various form of national alerts about risks associated with food stuffs;

- In 2018/19 there were two Food Alerts for Action (FAFA) from the FSA, advising of serious problems with specified food products. All notifications were responded to in accordance the services procedures.
- The service also receives recall notifications from product manufacturers, usually advising of physical, chemical or biological contamination of specified products. All of these are always placed on the Facebook page.
- The FSA also issues Allergy alerts, relating to contamination of specified products by allergens. Again, all allergy alerts are publicised through the Facebook page.

Primary Authority Agreements

101. As of April 2019 the Council has entered into three Primary Authority agreements with businesses operating within South Derbyshire and beyond.

102. A Primary Authority agreement is a way for businesses to receive assured advice on how to comply with the law through a single point of contact. It is a legal agreement between the two parties and it directly influences the way in which the business is regulated across all of its operational centres.

103. The agreements with Olio Exchange Ltd, Chilled Pubs Ltd and Berkeley Inns are recorded on the [Primary Authority register](#)

Liaison with Other Organisations

104. An estimated 50 officer hours was spent on liaison, predominantly with other local authorities and with Public Health England.

Food Safety and Public Health Promotion

105. An estimated 400 hours were spent on promotional and public health activity in 2019/20. The key activities undertaken were as follows;

- Regular updating of the [Environmental Health facebook site](#) with food safety information and promotion of businesses achieving FHS score of 5. As of April 2019 the South Derbyshire Environmental Health Facebook page had 1580 follows, up from 1272 at the same time in 2018.
- The service support two local businesses in exporting their products, by regularly producing food export certificates.
- Officers regularly use an ATP swab to undertake environmental sampling at food businesses during routine inspections.
- The service facilitated the redirection of over a third of a tonne of high quality food products from local music festivals to a local charity for vulnerable people.
- The service acted as a conduit between food businesses and Olio and a local 'community fridge', encouraging local food businesses to donate any surplus food.
- The service has continued to use Facebook and Twitter to actively promote 5 rated FHS businesses, also using them to raise awareness of Food Hazard Warnings and Food Alerts.
- The service has continued to issue case studies to the Derbyshire and Nottinghamshire Chamber of Commerce to evidence how the Council is contributing to economic growth through constructive regulation.
- The service has continued to actively support a Derbyshire County Council funded healthy eating scheme – [Heart of Derbyshire](#). To date 21 food retail businesses in South Derbyshire have signed up to the scheme and are offering healthier food options to their clients. The service audits the premises to ensure that they are meeting the commitments they have made.
- The Council has issued press releases to support national FSA campaigns
- The service has supported the re-launch of a 'Breastfeeding Welcome Here' Award which encourages food businesses to sign a pledge to welcome breastfeeding mums.
- The service regularly receive and deal with TB in dairy herd notifications from APHA

Advice to Businesses

106. Officers have continued to give free advice and assistance to both businesses and consumers throughout the year on food safety and hygiene matters. 53 businesses were provided with advice following registration in 2018/19 compared to a proxy target of 50.

Statutory Consultee Advice

107. 329 planning applications were reviewed and, where appropriate, responded to on food safety matters in 2018/19. This compares to 221 in 2017/18.

Better Business Regulation

108. In January 2014 South Derbyshire District Council signed a Pledge of Support for the Better Business for All programme in the Derbyshire/Nottinghamshire area.

109. In meeting the commitment to the Pledge;

- The Council provides a health and safety advisor to the Local Enterprise Partnership (LEP) to offer a free and without prejudice regulatory advice service to businesses across the region. The service provided regulatory advice to over 90 businesses over the 15 months of the project.
- The Council uses social media to promote and celebrate the success of all food businesses who have achieved the top FHRS of 5.
- The service has provided ten case studies to the Growth Hub to enable it to promote the business support offering provided by regulatory services.
- The service has adopted the practice of not inspecting mobile caterers at festivals and outdoor events. These businesses are already subject to inspections by the authorities with whom they are registered and additional inspections are an unnecessary burden. In the interests of public health officers do inspect mobile caterers if they have a FHRS of less than 3 or if the registering local authority ask for an inspection. It is anticipated that this approach will encourage the concept of 'earned recognition' within the mobile catering industry.
- Officers have participated in two national FHRS consistency exercises to ensure that the way officers rate the risk of food businesses is within an acceptable range of opinions from professionals across the country.

Service Costs

110. The total controllable costs of the service in 2018/19 were £51,562, this compares to a budget of £75,930.

111. Due to the long term sickness absence of one officer, the service was required to bring in temporary consultancy support to meet the statutory demands. However, this cost was more than off-set by more than expected income from export health certificates and by a significant expansion in the work of the team to generate income from consultancy work.

Internal Audit

112. During late 2018 the service was the subject of an internal audit. The auditors concluded that the assurance rating of the service was 'reasonable'. It identified that of the 25 controls relating to the service which were evaluated, 23 were adequate, two were partial and two were weak. The partial and weak controls are the subject of an improvement plan.

8.0 Development Plan

113. The work of the service has been consolidated in a revised Corporate Plan 2016-21. There are also a range of local performance measures which are the main way by which the Head of Environmental Services monitors performance.

Measure	Target
Corporate Plan Measure	
Proportion of food premises achieving a food hygiene rating score of 5	>83%
Number of registered food businesses active in the District	>810
Local Targets	
% of service requests responded to within target time.	1 day >82% 3 days >92% 10 days >96%
Proportion of service requests to environmental health which are still open after 2 months	≤10%
% of inspections completed in accordance with the Commercial team and Environmental Permit Inspection Plans*	100%
% of registered food establishments which have been food hygiene risk rated*	≥99%
% of ABC risk rated food businesses found to be broadly compliant**	≥90%
% of total risk rated food businesses found to be 'broadly compliant'	≥98.5%
% of food hygiene reports issued within 10 days of the inspection**	>95%
Number of food hygiene inspections carried out >28 days after the scheduled inspection date**	<5
Number of 'follows' of the Environmental Health Facebook page	>1800

* These three indicators are used by 'Which' to compare the performance of all food hygiene services across the UK. In the absence of any national benchmarking process for food safety services the service has adopted these as a way of measuring the relative performance of the food safety service.

**These are new indicators for 2019/20 which have been adopted in response to the internal audit actions mentioned in para 112.

Appendix 1

Changes in resources 2018/19 to 2019/20

Staff Member	% of time delivering food safety service		FTE delivering food safety service	
	2018/19	2019/20	2018/19	2019/20
Senior EHP (1 FTE)	75%	75%	0.75	0.75
Food Safety Officer (0.8 FTE)	80%	80%	0.64	0.64
Food & Health & Safety Officer (1 FTE)	75%	75%	0.75	0.75
Environmental Health Manager (1 FTE)	15%	15%	0.15	0.15
Business Support Compliance Officer (1 FTE)	40%	40%	0.4	0.4
Business Support Officer (0.6FTE)	92%	92%	0.6	0.6
Environmental Health Officer (Pollution) (1 FTE)	0%	5%	0	0.05
TOTAL			3.29	3.34

Appendix 2

Financial Arrangements (Cost Centre CEE00)

Cost	2018/19(Budget)	2018/19 (Actual)	2019/20(Budget)
Direct Costs (Employees, third party costs)	£144,506	£150,442	£150,202
Internal Support Service Costs	No data	No data	No data
Income	£(72,000)	£(98,880)	£(72,000)
NET EXPENDITURE (Excluding Support Services)	£72,506	£51,562	£78,202

Appendix 3

Table 1 - Food Inspection Demand 2019/20

Risk Rating (Max. Official Control interval)	Number of inspections due	Number of inspections overdue from previous year	Estimated number of revisits
Category A (every 6 months)	4	0	4 ¹
Category B (every 12 months)	20	0	15 ²
Category C (every 18 months)	74	0	15 ³
Category D (every 24 months)	153	0	0
Unrated	0	0	0
Total	251	0	34
Registered Outside District	8	0	0

Footnote¹: Estimated number of revisits are based on an assumption that 100% of inspections will require a revisit.

Footnote²: Estimated number of revisits are based on an assumption that 75% of inspections will require a revisit.

Footnote³: Estimated number of revisits are based on an assumption that 20% of inspections will require a revisit.

Table 2 - Alternative Intervention Demand 2019/20

Risk Rating (Max. Official Control interval)	Number of interventions due	Number of interventions overdue from previous year	Estimated number of revisits
Category E (every 36 months) or AES	146	0	15 ⁴

Footnote⁴: Estimated number of revisits are based on an assumption that 10% of AES will require a revisit.

Appendix 4

Estimated numbers of additional inspections/visits

Nature of Additional Inspections	Number
New food businesses or existing premises that have changed ownership	100
Outdoor stalls/mobiles at fairs and festivals	0 ⁵
Other visits (e.g. spot checks/sampling/advisory/complaints)	100
TOTAL	200

Footnote⁵: See para 109 and the adoption of earned recognition for festival catering

Therefore, the estimated number of inspections, revisits, spot checks and other visits/interventions will be 646 (totals in Appendix 3 plus Appendix 4). This process will be carried out in a risk rated manner, focusing on the prioritisation of high-risk businesses.

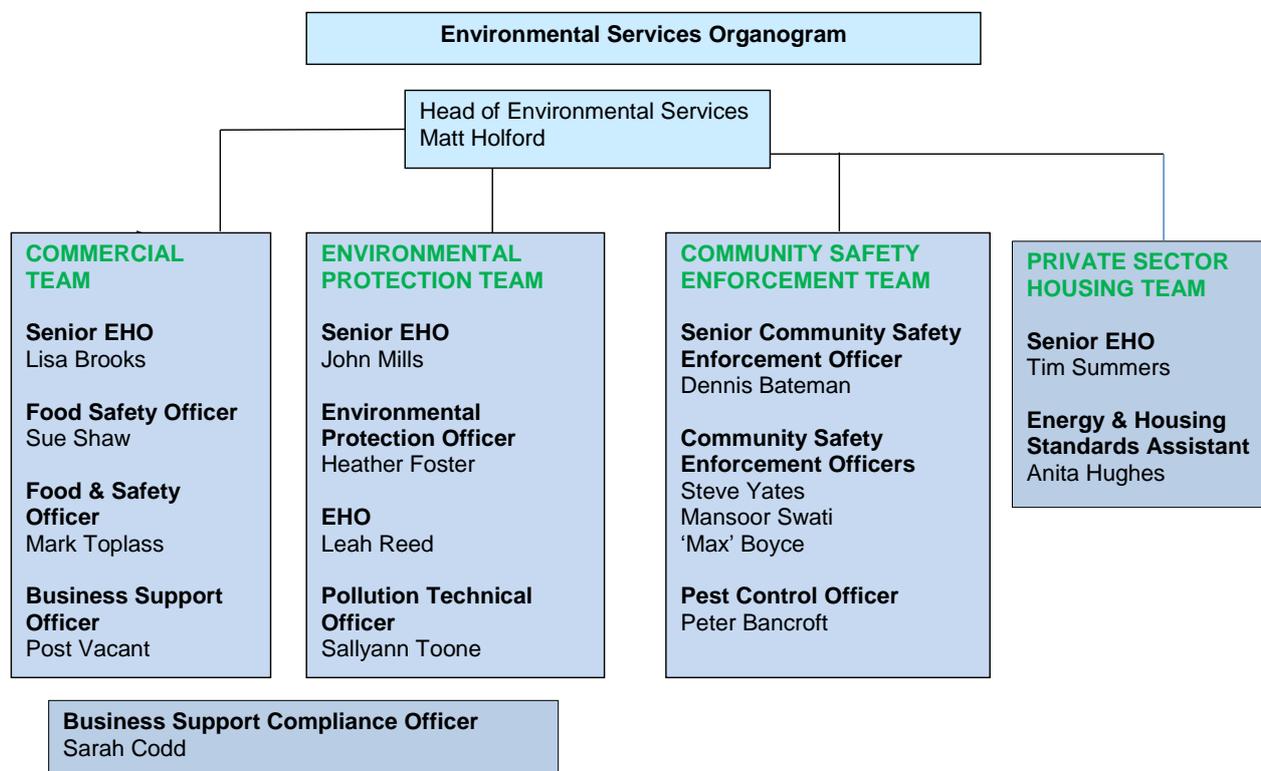
Appendix 5

REACTIVE/OTHER SERVICES

Task	Level of Activity		
	2018/19 Estimate	2018/19 Actual	2019/20 Estimate
Request for information (code F25)	50	56	50
Food related service requests/complaints (code F50&FS)	100	113	100
Infectious disease control - estimate notifications of food borne/food poisoning illnesses	100	66	100
Primary Authority agreements	2	3	3
Planning application responses	250	329	250
Food Safety Recalls, allergy alerts and FSA food alerts for action	All alerts are automatically input onto the Facebook page		

Appendix 6

Environmental Health Organisation Chart



Appendix 7

Job Roles

Environmental Health Manager	Overseeing the strategic management of the team.
Senior Environmental Health Officer (Commercial)	Day-to-day operational supervision of the work of the Commercial Team and enforcement of food and health and safety matters in the West of the district
Food Safety Officer	Enforcement of food safety, sampling and hazard checking in the East of the district.
Food and Health & Safety Officer	Health and safety enforcement, delivering non-official controls at low-risk food establishments and information dissemination and gathering at new food businesses.
Business Compliance Support Officer	Intervention and information dissemination in low risk establishments and systems administration.
Business Support Officer	Production of export certificates, food hygiene rating stickers and post inspection correspondence.

Environmental Health Officer (Pollution)	Low risk food hygiene inspections and additional resilience capacity
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Appendix 8

Services provided to the Food Service by external agencies

Name of Organisation	Type of Service	Frequency of Service
PHLS Leeds	Samples taken are normally routine bacteriological food samples or food complaints of an unfit or questionable bacteriological quality.	Monthly and ad hoc as required
Staffordshire County Council Public Analyst	Analysis of food complaints, water samples	Ad hoc
Public Health England Nottingham	Medical advice on aspects of disease control and prevention	On going
Better Regulation Delivery office (BRDO) (part of BIS)	Information and guidance	On going
Chartered Institute of Environmental Health (CIEH)	Information and advice. Materials for food hygiene courses	Ad hoc
Food Standards Agency (FSA)	Monitoring of performance, Information and advice	Ad hoc

Appendix 9

Officer competency profile.

The following authorisations have been issued to officers in accordance with the more detailed guidance in the FSA Food Law Code of Practice. Because the competencies are relevant to individuals and not to posts, serving officer initials have been used rather than post titles. The titles provide a brief summary of each of the competency

LEAD FOOD OFFICER

	LOCAL AND SPECIALIST KNOWLEDGE	N° Of Officers
1.1	Knowledge and understanding of area	2 (LB, MH)
1.2	Knowledge and understanding of hazards in the area	2 (LB, MH)
1.3	Knowledge and understanding of specialist auditing and quality	1 (LB)

	assurance skills	
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	LEGISLATION AND CENTRALLY ISSUED GUIDANCE	N° Of Officers
2.1	Relevant EU and national food hygiene law and application	2 (LB, MH)
2.2	Framework agreement on Food Law Enforcement	2 (LB, MH)
2.3	Full range of enforcement sanctions	2 (LB, MH)

	PLANNING OF AN OFFICIAL CONTROL PROGRAMME	N° Of Officers
3.1	Can apply national and local priorities	2 (LB, MH)
3.2	Can identify knowledge or skills gaps in officers	1 (LB)
3.3	Understands process of managing food incidents	1 (LB)
3.4	Understands local emergency contingency arrangements	1 (LB)
3.5	Understand Home and Primary Authorities	2 (LB, MH)
3.6	Compliance with local and national data gathering	2 (LB, MH)
3.7	Co-ordination of official controls within and between authorities	2 (LB, MH)

SECTION B : AUTHORISED OFFICERS

	INSPECTIONS	N° Of Officers
4.1	HACCP based procedures	2 (LB, SS)
4.2	Determine and identify hazards and risks	3 (LB, SS, MH)
4.3	Understand relevant EU & national food law and standards	2 (LB, SS)
4.4	Appropriate action to remedy non-compliance	4 (LB, SS, LR, MH)
4.5	Able to rate for FHRS	3 (LB, SS, LR)
4.6	Understanding of common food types and hazards	3 (LB, SS, LR)

	ENFORCEMENT SANCTIONS	N° Of Officers
5.1	Differentiate between legal requirements and good practice	4 (LB, SS, LR, MH)
5.2	Understand enforcement authorisations, policy, etc	4 (LB, SS, LR, MH)

5.3	Understands legal framework	4 (LB, SS, LR, MH)
5.4	Understanding about how to serve notices, gather evidence	4 (LB, SS, LR, MH)

	SAMPLING	N° Of Officers
6.1	Formal / informal sampling methodologies	2 (LB, SS)
6.2	National and local sampling priorities	3 (LB, SS, MH)
6.3	Can interpret sample results	3 (LB, SS, MH)

	IMPORT / EXPORT CONTROLS	N° Of Officers
7.1	Understand import / export legal framework	2 (LB, SS)
7.2	Can determine appropriate action based on available sanctions	2 (LB, SS)
7.3	Can identify food types and identify fitness	1 (JM)
7.4	Understands controls at points of entry	1 (LB, SS)

	REACTIVE INVESTIGATIONS	N° Of Officers
8.1	RIPA, PACE and evidence gathering	4 (LB, JM, MH, LR)
8.2	Engagement with other agencies during outbreaks or incidents	5 (LB, SS, JM, LR, MH)

SECTION C: REGULATORY SUPPORT OFFICERS

	INFORMATION GATHERING	N° Of Officers
9.1	Informal sampling methodologies and protocols	5 (LB, JM, MH, MT, SS, LR)
9.2	Understanding of identification of food hazards	6 (LB, JM, LR, MH, MT, SS)
9.3	Communications skills	6 (LB, JM, LR, MH, MT, SS)
9.4	Ability to locate current sources of guidance	6 (LB, JM, LR, MH, MT, SS)

Key:

JM – John Mills; LR – Leah Reed; LB – Lisa Brooks; MH – Matt Holford; MT – Mark Toplass; SS – Sue Shaw.

Additional qualified officers may be called in to provide Regulatory Support Officer or lower level support of times of high demand.

External contractors will all meet the competency requirements of the services required of them.