

BABERGH DISTRICT COUNCIL

FOOD AND HEALTH AND SAFETY SERVICE PLAN

2008/2009

1. INTRODUCTION

- 1.1 The Government has directed that local authorities should adopt a balanced approach to enforcement. The principles are outlined in the Enforcement Concordat and its successor, the Regulators' Compliance Code to which the Council must have regard in making enforcement decisions. The Food Standards Agency and the Health and Safety Commission has issued guidance on how local authorities can achieve a balanced enforcement approach through the issue of Service Plans. Each Service Plan must contain details of the service the Council provides: how those services are delivered and how performance standards are achieved. It should also include a performance review mechanism.
- 1.2 This document addresses the requirements laid down in the Food Standards Agency's Framework Agreement on Food Law Enforcement to produce a Food Safety Service Plan. It covers all aspects of food safety enforcement within the Babergh Council area.
- 1.3 This plan also satisfies the requirements of the Health and Safety Commission in respect to section 18 guidance for the delivery of Health and Safety functions within the Babergh Area.
- 1.4 This is the second combined Service Plan, the seventh annual Food Service Plan submission, as required by the Food Standards Agency, and is also the equivalent of the seventh annual Health and Safety Service Plan.
- 1.5 Following a corporate restructure, officers responsible for implementation of the plan work within the Food and Safety Regulation (FSR) section of the Natural and Built Environment Division

2. SERVICE AIMS AND OBJECTIVES.

- 2.1 The FSR team's food safety and divisional objectives support the Council's Strategic Plan and are:
 - to ensure that all food intended for human consumption that is manufactured prepared or sold in the Babergh District complies with food safety requirements;
 - to carry out 'interventions' in food premises which may include inspections, audits, verification and surveillance of food businesses in accordance with the Food Standards Agency Code of Practice and Practice Guidance issued under the Food Safety Act 1990;
 - to advise and educate consumers, businesses and other service users on food safety matters. This will include assisting businesses to comply with legal obligations;
 - the promotion of food and health issues generally;

- to investigate and take appropriate action on all complaints relating to food safety matters;
- to prevent the spread of specified infectious diseases and food poisoning;
- to carry out a planned food sampling programme;
- and to ensure that private water supplies such as wells and boreholes used for food production purposes are safe and comply with legal requirements.

2.2 The FSR team's health and safety and divisional objectives support the Council's Strategic Plan and are:

- To undertake programmed inspections of businesses in accordance with Health and Safety Executive (HSE) guidance.
- To advise and educate businesses, employers, employees and other service users on health and safety matters. This includes assisting businesses to comply with legal obligations.
- The promotion of health and safety at work issues generally.
- The investigation of reportable injuries, diseases and dangerous occurrences, and the issue of advice and information on prevention.
- The receipt of formal notifications under the Lifting Operations and Lifting Equipment Regulations 1998 and the taking of appropriate actions.
- The approval of operations under the Control of Asbestos at Work Regulations 2002.
- To support cross-agency working through sharing enforcement roles at local level with the Health and Safety Executive.

All the above activities will be undertaken in accordance with the principles of consistency, transparency and proportionality as laid down in the Council's Enforcement Policies.

2.3 This plan cross-links to other plans that support the Service Priorities, including:-

- The Council's Strategic Plan.
- The Natural and Built Environment Division Service Plan (under review).
- Best Value Performance Reviews, National Indicators, and Local Performance Indicators.
- The Council's policies on Equal Opportunities and Race.
- Health objectives of the Council's Local Strategic Partnerships and developing Community Strategies.
- Primary Care Trust Local Health Delivery Plans.

3. BACKGROUND

3.1 At the last census in 2001 the population of Babergh District had grown to approximately 83,500. This population is divided between 76 parishes. There are a number of areas that support light and medium industries. Apart from arable agriculture, the main food safety sector activity arises as a consequence of the large leisure and tourism industry. Food manufacture is limited to one large company and a handful of smaller producers. All food

businesses are under considerable economic pressure within the community, as a result of which, many are seeking to diversify.

- 3.2 The majority of food businesses are involved in catering in public houses, hotels and restaurants. From 1st January 2006, a complete overhaul of food safety legislation has placed additional duties on food businesses to document their management of food safety. The small business catering sector is probably the most affected by these changes and it is also the principal category of food business in Babergh. As a result, Babergh has had to take measures to support these businesses.
- 3.3 With regard to health and safety, there are many low risk premises, such as retail outlets and offices, but also a significant number of Industrial estates with higher risk wholesale and retail distribution premises found mostly in Sudbury but also located on the Ipswich fringe. The large manufacturing units fall to HSE to enforce but the retail outlets remain with Babergh.

4. FOOD PREMISES INSPECTIONS

- 4.1 Food safety interventions are carried out in accordance with the Food Safety Act Code of Practice. Although described as a Code of Practice, it is backed by statute. Food Authorities must either follow its requirements or demonstrate that action that they take which differs from the Code is of equal effect.
- 4.2 The code has recently been updated to comply with the proposed Regulatory Reform Act's aim of reducing the regulatory burden on businesses. The main change is that Category C and D premises need not necessarily receive a full inspection each time they are due, rather, officers should select from a suite of 'interventions' the most appropriate intervention for the business which will improve levels of compliance. Interventions include audit, inspection, surveillance and verification.
- 4.3 Food premises are subject to interventions at intervals determined on their risk rating in accordance with the inspection rating system within the Food Standards Agency Code of Practice. This system rates food premises according to the type of food sold, the nature of the trading and the overall food safety standards of the business. The frequency of inspection is dependent on the rating score obtained for each premises.
- 4.4 There has been a significant change to the way that the F&SR Team's performance will be measured by the Food Standards Agency. Historically the relevant Performance Indicator measured the percentage of due inspections carried out during the fiscal year. The new approach (National Indicator 184) measures the percentage of premises in the district which are 'broadly compliant' i.e. scoring no more than 10 points in the aspects of the risk rating relating to hygiene, structure and confidence in management. The FSR team will be expected to increase the percentage of broadly compliant premises over time by selecting interventions that will achieve this aim.
- 4.5 Over recent months the FSR team has been trialling a new approach with A - rated premises, i.e. those which are the least compliant and pose the greatest risk to public health. The 'Adopt an A' pilot has seen individual officers

working closely with their 'adopted' premises, carrying out inspections, offering advice and generally keeping in contact as regularly as required to facilitate improvements. To date the pilot has shown mixed results but will continue to run at least until the end of March 2009 to assess whether this approach may benefit other less compliant premises. This pilot will work alongside a new local indicator that targets support and advice at category A and B premises subject to standards of management that require improvement.

- 4.6 In accordance with changes in the Code of Practice in 2005, Babergh introduced a new inspection regime for low risk food premises. These are premises which until then would have been inspected every three to five years and typically include businesses such as newsagents, chemists, sweetshops etc. that sell shelf-stable low risk foods, together with very low risk catering operations, such as Bed and Breakfasts. These premises are now sent questionnaires every three years and only inspected if the questionnaires are either not returned or show significant changes in the business. Two cycles of questionnaires are allowed before an inspection is carried out. Inspections are also triggered by other events, such as complaints, food alerts or observed change of use. This system is in line with the Alternative Enforcement Strategies put forward by the Food Standards Agency and LACORS(Local Authorities Co-ordinators of Regulatory Services)
- 4.7 The aim of Alternative Enforcement Strategies is to reduce the inspection burden on small businesses and to release officer time to focus on higher risk food premises, rather than simply focusing on targets involving overall numbers of inspections achieved. In practice, any saving in inspection times on low risk premises is limited. The number of inspections within these categories varies from 15 to 20% of overall demand, depending on the year of the inspection cycle, and in terms of time required, less than 10% of total programmed inspection time taken per year. In addition, administration of the new system takes resources previously used for inspections. The overall saving is estimated at approximately 5% of officer time, which permits additional time to be taken to assess management systems in the higher risk categories.
- 4.8 The number of premises within each risk category always fluctuates to some extent as businesses close and new ones open. In addition, there are likely to be some minor variations as changes in the law mean that some categories of business are now required to register (e.g. bed and breakfast) whereas others are no longer covered by the law at all (e.g. some voluntary sector activities). The figures for January 2008 are as follows. For January 2007 the figures appear in square brackets and for 2006 in round brackets :-

Category A (6 month interval)	[3]	(0)	6
Category B (12 month interval)	[57]	(42)	57
Category C (18 month interval)	[303]	(318)	281
Category D (24 month interval)	[122]	(135)	127
Category E (36 month interval)	[291]	(237)	341
Category F (60 month interval)	[78]	(102)	47
Approved premises	[5]	(6)	5

Total	[859]	(841)	864

Analysis of the figures would suggest no significant changes in overall food business ratings but a small number of high risk premises have been identified on inspection as a result of operation of the risk rating process.

- 4.9 The section undertakes about 450 routine or initial food safety inspections every year. Each year a proportion will require revisits. Additional to these figures are inspections or visits undertaken because of complaints or other demands, such as food poisoning outbreaks, food sampling, food safety campaigns or national alerts from the Food Standards Agency. Where appropriate some inspections are undertaken out of normal office hours. The FSA have indicated that this informal approach should be regularised, so that premises that are open for business at night should on occasions be inspected at these times even if they are open during the day. A policy of programmed out-of-hours inspections would have resource implications. At present, a limited number of inspections are carried out outside office hours simply because of trading times.
- 4.10 The majority of inspections are carried out by authorised officers, qualified in accordance with the requirements of the Food Safety Act's Code of Practice. For the last year, one vacancy has been filled by an officer who has been under training to achieve the Higher Certificate in Food Premises Inspection. This has raised capacity for food inspection albeit that for a significant part of 2008/9, the officer under training will not be able to carry out the full range of duties. Since 2007, a part time post dedicated entirely to Health and Safety matters has not been filled. This puts additional duties onto the section manager that compete with the manager's food safety demands. However, a significant proportion of the health and safety FTE shortfall has been taken up with the employment of a contractor, reducing this problem to some extent.
- 4.11 An officer monitoring scheme is in operation. Approximately once per quarter a sample of premises visited are sent a questionnaire which asks for the Food Business Operator' opinion on the quality of the visit. This is subject to review as a result of the introduction of NI182, a national indicator focusing on business satisfaction with local authority regulatory activity.

5. FOOD AND FOOD STANDARDS COMPLAINTS

- 5.1 Complaints may relate to contaminated food or poor standards at food premises. They arise from members of the public, employees and other local authorities, or via food alerts from the Food Standards Agency which is separately recorded later. Numbers can fluctuate and at 54 (18 food complaints and 34 food premises complaints) are broadly in line with 2006/2007. Complaints are investigated in accordance with LACORS (Local Authorities Co-ordinators of Regulatory Services) guidance. This level of complaint per year requires a basic 0.15 FTE staff, but again this figure may increase considerably if a complaint results in formal enforcement action.
- 5.2 In 2008, a complaint led to seizure and condemnation of food, a court case and investigations which are still ongoing. This demonstrates how complaints can have a substantial impact on the team's workload.

6. HEALTH AND SAFETY PREMISES INSPECTIONS

6.1 Premises in which the Council enforces the Health and Safety at Work etc. Act 1974 (HSWA) will be contacted at intervals determined by their risk rating in accordance with the inspection rating system described in LAC 67/1(rev 3) "Advice to Local Authorities on Inspection Programmes and an Inspection Rating System". The current advice is that premises which are rated B3, B4 or C should not be routinely inspected but it is Babergh's policy that even low risk premises should ever be left longer than 9 years without some form of regulatory contact.

6.2 The number of premises within each risk category fluctuates to some extent but they are currently as follows.* Figures for 2005/2006 are given in round brackets, 2006/7 in square brackets and for 2007/8 no brackets :-

Category A (yearly)	[5]	(1)	7
Category B1. (two years)	[12]	(16)	8
Category B2 (three years)	[39]	(47)	39
Category B3 (four years)	[108]	(125)	135
Category B4 (five years)	[169]	(188)	247
Category C (reviewed every five years)	[783]	(816)	670

TOTAL	1116	(1193)	1106

* Figures as at 31 January

A major review of the database has been carried out during the year and will be complete in June 2008.

6.3 Despite the constraints described in 6.2 above, in keeping with the policy of targeting high risk premises, all those with a high risk rating have been inspected. Lower risk premises B3, B4 and C, which are overdue, have been sent information leaflets and a questionnaire with an SAE in an attempt to determine whether they remain low risk. In keeping with Central Government guidance these premises are unlikely to receive an inspection unless they do not return the questionnaire, request a visit or have a major accident.

6.4 All inspections are carried out by competent authorised officers, qualified in accordance with the requirements of Section 18 of the HSWA. The current staffing resource for all Health and Safety functions following re-organisation and departure of the part time Technical Officer is now approx 0.8 FTE, which included a temporary contractor until the end of June 2008. There is now one Environmental Health Officer who manages the Food and Safety Team and three Food and Safety Officers who are principally involved in food hygiene and licensing work, one of whom works part time. Two of the Food and Safety Officers are also competent in health and safety enforcement as was the part time contractor but the number of inspections carried out by the Food and Safety Officers is limited.

6.5 Health and Safety inspections and follow up actions are carried out in accordance with the Council's Health and Safety Enforcement policies and guidance issued by the HSC and HSE, including the Enforcement Management Module (EMM) This a standard guidance tool used to determine the best method of enforcement for given situations. This service has

undergone a major data clean-up and review since last year with the support of contractor involvement (which will not be available from July 2008). The inspection requirement is estimated to be 0.8 FTE.

- 6.6 Emphasis has now also been put upon work programmes based upon the Fit 3 Government initiative, which is a rolling programme focusing on a group of target areas such as work at height, slips and trips and occupational health. The HSE wishes such work to be better targeted towards these high risk areas and currently Babergh participates where possible within resource constraints.
- 6.7 For 2007 all the FSR officers were involved heavily in the Smokefree launch in July 2007 and all relevant officers were also involved in a targeted campaign of pub cellar safety. Babergh also took part in a two week Asbestos programme which was carried out with all the other Suffolk authorities and the HSE, under the joint warranting scheme. This scheme has been recognised as a major step forward in partnership working on a National basis. Planned areas of partnership working for 2008/9 include migrant workers issues and legionella.

7.0 HEALTH AND SAFETY COMPLAINTS

- 7.1 Complaints may relate to poor working conditions, welfare issues, working hours and a wide range of technical matters. They may arise from employees, members of the public, union and safety representatives, or by reference from the HSE. 42 such complaints have been received for the period of 1st April to 31 March 2008. All complaints are investigated. Numbers fluctuate but the level of complaint requires about 0.05 FTE staff per year. No complaints against the service offered by the Council have been received for many years.

8.0 INJURIES, DISEASES AND DANGEROUS OCCURENCES

- 8.1 The investigation of injuries, diseases and dangerous occurrences is carried out in accordance with written local procedures. These incidents can range from fatalities to minor injuries, but regard must always be had to the possibility of personal claim actions in which the Council may be required to engage with as witnesses to evidence. A rising number of injured persons contact the section for increasingly detailed reports on the investigations carried out by the staff.
- 8.2 The number of accidents and reported incidents varies from year to year. In 2006/2007 the figure was 58 (28 public and 30 Employees) and for 2007/2008 (45 public and 39 employees). The council is keen to see accuracy in the number of reports in order for a true picture of management arrangements to emerge.
- 8.3 For 2007 a 'non notified' accident resulting in a serious injury to a child, initiated a major investigation which culminated in a court appearance for the Riding School owner and a guilty plea. A minimum of 0.05 FTE is required for routine accident investigations and in the event of a major incident or fatality this figure will be far higher. Resources used in this one incident exceeded the FTE minimum.

9.0 HOME AUTHORITY PRINCIPLE (FOOD)

9.1 The Division supports the LACORS Food Home and Originating Authority principle. Babergh does not currently have any Home authority agreements but acts as Originating Authority for two large manufacturers and a number of smaller producers. Work is in progress to set up a Home Authority Agreement with Pepsico for the Copella Fruit juices and PJ smoothies at Boxford. The Regulatory Enforcement and Sanctions Bill replaces the Lacors concept of Home Authorities with a statutory framework of Primary and Secondary Authorities. These new arrangements may significantly increase workload in this area.

10.0 LEAD AUTHORITY (HEALTH AND SAFETY) LARGE ORGANISATIONS PILOT PROJECT (LOPP)

At present the authority does not undertake the role of Health and Safety Lead Authority or LOPP for any business. The HSC has expressed a wish to see all local enforcing authorities undertake this role for at least one national organisation. The role requires an authority to work closely with a business and examine all standard Health and Safety protocols in use. The nominated authority then becomes a point of contact for all other local authorities in the country on Health and Safety issues. However, resources restrict engagement in this process.

11.0 ADVICE TO BUSINESSES

11.1 General Reactive and Promotional Work

The Council is fully committed to providing advice for businesses in accordance with its Corporate Strategy objectives. To that end, it works with businesses to provide advice on all aspects of food and health and safety. It will help co-ordinate approaches to other relevant bodies both within the Council and outside, where appropriate. It recognises that whilst enforcement has a clear role, advice that achieves the same ends, without compromising the Council's resources or legal position, may be a more effective use of officers' time in some situations

Advice routes are:

- Direct contact with businesses, existing or proposed, to assist on food safety and health and safety issues and legal requirements. Simple telephone calls are not recorded but site visits are, and are actively promoted where it is felt that they would be of benefit to proprietors.
- Provision of advice during routine inspections. The requirement in most cases for documented food safety management systems has led to an increase in the time taken to complete inspections. Many small businesses are unaware of the requirements and need help and advice to reach compliance.
- Provision of a wide range of information booklets, both national and locally developed.
- Circular letters to businesses on major new topics.

- Development and publishing of Foodwise and Worksafe information leaflets sent to all businesses in the district.
- The provision of a low cost but economic and self-supporting Food hygiene training service on demand but this service has been temporarily suspended on account of lack of sufficient resource.
- Liaison with business groups via the Suffolk Working Groups, bodies which co-ordinate enforcement and advice across the county.

11.2 New and general business advice

In 2007/8 there were 21 requests for new food business advice and approximately 50 general advice requests. Brief contacts for advice are not included in these figures. For 2006/7 the numbers are 17 and 57 respectively. Figures for health and safety were very stable at 14 for 2007/8 when compared with last year which was 13. Such requests can be very time consuming and may often involve an advisory visit and subsequent report, subject to available resources. Diversification is clearly a major contributor. Business advice to both areas is assessed as 0.25 FTE.

11.3 Safer Food, Better Business (Food safety management systems)

In 2007, the Food Standards Agency (FSA) provided several ethnic groups with their own specialised pack for their cuisine in their own language or the equivalent in English. These have been hand delivered by the team along with the associated Enforcement protocol, again in their own language. The FSA later provided a multi language DVD to explain how to use the pack and this was once again delivered free of charge to all the relevant businesses. Overall the introduction of SFBB has gone well but active enforcement, in keeping with a Suffolk wide policy, is now underway where businesses have failed to implement or maintain their food safety management systems.

11.4 Health and Safety Campaigns and Promotions.

- The Council participates in campaigns targeted for action in the Suffolk Health and Safety Group's work plan
- The Council supports the annual European Health and Safety Week and where resources permit is active in promoting advice on the specialist topics raised.
- The information available on the Council's Health and Safety website has been expanded and updated as a consequence of new legislation and changes in enforcement Policy imposed by Central Government
- The Council has taken part in identified work streams from the HSE, subject to resource availability. (See 6.5 above)

- Where new legislation is introduced the Council will publish the change in the Business advisory leaflet (Worksafe) and where there was a major push in one area, which for 2007 was Asbestos, the Council wrote to all the businesses to raise the profile of this high risk area
- This is assessed as an FTE of 0.25

12.0 FOOD INSPECTION AND SAMPLING.

12.1 Food samples are taken in response to complaints, as part of the Council's proactive surveillance procedures for ensuring that food produced and/or sold in Babergh is safe to eat, or as part of an investigation into food poisoning outbreaks. The Council also participates in a regional sampling programme across Norfolk, Suffolk, Essex and Cambridgeshire. This programme also incorporates LACORS and European Community/Food Standards Agency national sampling demands. 140 samples were taken in the fiscal year 07-08. These figures do not include the sampling of private water supplies that the section also undertakes by contractor. This sampling is funded through a separate budget.

12.2 There is one oyster bed in the district which is no longer viable for harvesting. Sampling has now ceased and the bed declassified, meaning it cannot be harvested again unless a sampling programme is reinstated. As this sampling was not rechargeable, the declassification has resulted in a limited release of resources for other duties.

12.3 Most samples are taken for microbiological purposes. Non-microbiological samples (for example the identification of physical contaminants) are submitted to the Public Analyst.

12.4 Samples are taken in accordance with procedures compliant with Food Standards Agency and LACORS sampling guidance. Routine samples are taken unannounced and as customers where possible. All businesses subject to sampling are sent sample results and guidance on their interpretation. Public Analyst expenses vary from year to year, but when required can be extremely costly.

12.5 Staff resources allocated to sampling should remain at 0.3 FTE for the time being. In previous years the department has not fully met its requested sampling numbers because of the Oyster bed sampling, but now this very time consuming duty has ceased we are able to devote more resources to this general task.

13.0 CONTROL AND INVESTIGATION OF OUTBREAKS AND FOOD RELATED INFECTIOUS DISEASE

13.1 The investigation of cases of food-related infectious disease is carried out in accordance with written local procedures based on advice agreed with the Suffolk Food Liaison Group and liaison with the Consultant in Communicable Disease Control (CCDC). The CCDC is a consultant employed by the Health Protection Agency but who is appointed by Babergh District Council to act on its behalf for certain key health functions. Both patient and public safety concerns are taken into account and information leaflets are available. The

investigation of outbreaks is covered by written procedures that incorporate the Outbreak Control Plan for Suffolk, agreed between the CCDC and Suffolk CEHOs.

- 13.2 There were no major food poisoning outbreaks recorded during the year and only one incident in July 2007 where food was suspected of causing sickness to a number of people. However, investigations were inconclusive and the cause of the incident could not be confirmed. Fortunately, those affected suffered only short-term symptoms. However, this incident required nearly two weeks FTE officer involvement and demonstrates how resource-intensive even minor outbreaks can be.
- 13.3 Incidents involving the contamination of water supplies are covered by a separate plan with Anglian Water that covers their supply region. There were none in 2007/8.
- 13.4 During 2007 one of the hotels in the district was tentatively linked with a death from Legionella in Essex. However, extensive enquiries did not confirm any association with the premises in Babergh.
- 13.5 For the calendar year of 2007 there were 189 cases of infectious disease and food related illnesses recorded. For the same period in 2006 the total was 202.
- 13.6 Food-poisoning outbreaks are unpredictable and an appropriate allocation must be made to cover for it as they are very resource-intensive. Current resource requirements include some time for these exceptional events and should remain at 0.2 FTE.

14.0 FOOD SAFETY INCIDENTS

- 14.1 Food Alerts are issued by the Food Standards Agency by email and text messages and are categorised as for action or for information for local authorities. They are followed up in accordance with local procedures that incorporate the requirements of the Food Standards Agency Code of Practice.
- 14.2 Food Alerts are variable in number and in the past year the pattern of alert has been changed. This reflects recognition that the industry often self regulates in the case of alerts where there is no direct risk to human health or where it can be easily controlled by withdrawal. During the last year, 46 alerts were received but only 3 were listed as requiring action, and none were found to have implications for Babergh. The FSA have also separate allergy alerts from our main system, which for the previous year covered 80 incidents. The overall number of alerts appears to be increasing but the work involved appears to be less. The number of staff days required to deal with these matters can vary significantly but when action is required, this takes priority over existing workloads and may involve many days FTE officer involvement spread across the entire team.

15.0 SMOKE FREE IMPLEMENTATION

- 15.1 For 2007 this has been a major resource commitment entailing training and active enforcement. All of the premises in Babergh, including those where we do not routinely enforce Health and Safety, were written to and advisory leaflets and signage were widely distributed free of charge.
- 15.2 Officers were available to give advice to anyone who asked and a policy of advice and assistance was routinely adopted in the early stages. Advisory visits were undertaken on request, where we had complaints and where problem areas were identified. All of the industrial estates were surveyed. Most issues centred on the need for signage and the design of smoking shelters but visits by the Smokefree officer resulted in very few instances of non-co-operation. No one was taken to Court and the number of letters warning of that outcome which were sent were fewer than 10. All complied in the end.
- 15.3 Associated issues with anti social disposal of cigarette ends and noise have been addressed using other legislation. Subsidising the cost of disposal bins where required has largely worked well to address rubbish issues.

16.0 LIAISON WITH OTHER ORGANISATIONS (FOOD)

The Council ensures that its approach to food safety is consistent with other local authorities by liaison with local authority and professional organisations. It also promotes communication with the public via local press and radio. The key bodies involved are:

- The Suffolk Food Liaison Group. Members include lead Food Safety Officers from all Suffolk Councils, including Trading Standards. There is full-time representation from the Health Protection Agency and the Meat Hygiene Service and occasional representation from the Consultant in Communicable Disease Control (CCDC). This group is the principal liaison mechanism for these bodies and is overseen by the Suffolk Chief Officers' Group, to whom it reports.
- The Eastern Region Co-ordinated Food Sampling Group establishes the sampling programme and procedures for East Anglia, as well as disseminating sample result summaries.
- The Chartered Institute of Environmental Health which holds forums and meetings on food safety.
- LACORS and Food Standards Agency briefings and updates attended by the section manager and/or the Lead Food Safety Officer.
- Liaison with Suffolk West and Central Suffolk Primary Care Trusts' public health divisions as appropriate.
- Direct mail to businesses on food safety topics.

Resources required for these arrangements are at least 0.1 FTE.

17.0 LIAISON WITH OTHER ORGANISATIONS (HEALTH AND SAFETY)

17.1 The Council ensures that its approach to Health and Safety is consistent with other local authorities by liaison with local authority and professional organisations. It also promotes communication with the public via local press and radio. The key bodies involved are:

- The Suffolk Health and Safety Liaison Group. Members include the lead health and safety enforcement officers from all Suffolk councils. There is also representation from the HSE and Trading Standards. This group is the principal liaison mechanism for the HSE and is overseen by the Suffolk Chief Officers' Group, to whom it reports. The current secretary for the group is the Lead Officer at Babergh District Council
- Attendance at the LACORS Health and Safety Forum. The Lead Officer at Babergh is currently the sole representative for practitioners in the East of England.
- Attendance at the Workplace Deaths standing committee, a joint committee with other regulatory bodies. The Lead Officer at Babergh District Council once again represents the East of England Local Authorities and is currently the Chair.
- The HSE and HSC directly. Comments and observations are also made on proposed changes in legislation and guidance.
- The Eastern region partnership forum meetings where joint work programmes are discussed and decided upon.
- The Chartered Institute of Environmental Health Eastern Centre meetings on Health and Safety.
- Direct mail to businesses on Health and Safety topics.
- The FSR team work and liaise with the Suffolk SmokeFree Alliance and Regional DoH Representatives.

Resources required for these arrangements are at least 0.15 FTE

18.0 FOOD SAFETY PROMOTION

- The Council participates in National Food Safety Week activities promoted by the FSA. These events often receive extensive coverage in the local press. The section will continue to develop this activity, and will participate in the campaign again in 2008, and plans for this year are well advanced. In 2007/8 the topic was food allergy, whilst in 2009 it will be temperature control of cold food in the home.
- Food safety information on the Council's website was reviewed and updated during the year.
- Two issues of the well-received FoodWise leaflet were produced and delivered to all food businesses in the district.
- FSA food alerts where necessary are followed up and any advice or warning distributed to businesses as required.
- The Council is registered as a CIEH centre for food safety training but currently local training demands are met by the private sector.

These activities will continue to require at least 0.05 FTE.

19.0 IMPORTED FOOD CONTROLS

19.1 As an inland authority Babergh has responsibilities under imported food legislation to ensure that food from non-EU countries on sale in the district has been produced and imported legally and is fit for human consumption. For 2008/9 the F&SR team will be focussing on this issue in premises which are believed to be 'high risk' for imported foods as part of the planned inspection programme. Officers are authorised to detain, seize and order the destruction of imported foods which have been illegally imported and/or are unfit.

20.0 RESOURCES.

20.1 Qualified staff in the Food and Safety Regulation Team of the Natural and Built Environment Division in 2007/8 consisted of one Principal Food and Safety Officer, one Senior Food and Safety Officer, two Food and Safety Officers and one part time contractor who will leave the service at the end of June 2008. One of the permanent Officers is part time. In addition to food control, the section carries out duties in relation to health and safety at work, it advises on some internal health and safety matters and regulates and monitors private water supplies, animal welfare, infectious diseases and food poisoning. It also has consultee duties under the Licensing Act 2003 as well as being the principal enforcement team for smoking legislation in all workplaces within the District. The Administration Section assists with clerical support for both food and safety regulation and other environmental health sections within the Natural and Built Environment Division. Information Technology and reporting assistance is provided by the Business Support officer, who has a similar role for other divisional teams.

20.2 In order to carry out their duties food and safety regulation staff are required to be qualified and to be able to demonstrate and maintain competence in accordance with the Food Standards Agency Code of Practice. A similar requirement exists for health and safety enforcement. An allowance of 0.05 FTE must be made for staff training in each year to maintain qualification for enforcement. Any contractor employed by the Council to carry out Food safety duties must also meet the requirements of the Food Safety Act Code of Practice.

20.3 The staff resource requirements for Food Health and Safety and Infectious Disease in 2008/2009 are calculated to be **4.8** FTE. Food poisoning outbreaks whose demand cannot be predicted are not included. These figures do not take into account any extra resources required to meet emergencies or additional inspection schemes and do not include Health and Safety which similarly could also have to deal with a work place death or a prosecution.

The **estimated** requirement is based on the following breakdown and the relevant paragraphs above are given in brackets. Where possible the identified roles have been combined and the duties in Health and Safety separated out.

Food Inspection (4.7)	2.6
Health and safety Inspection (6.5)	0.8
Sampling Food (12.5)	0.3
Infectious disease (13.6)	0.2
Health and Safety complaints (7.1)	0.05
Accidents and Dangerous Oc. (8.3)	0.05
Business advice (both areas) (11.4)	0.25
Home Authority Food (9.0)	0.05
Food complaints (5.1)	0.15
Food Liaison (16)	0.1
Health and Safety Liaison (17.1)	0.15
Food Safety Promotion / Alerts(18)	0.05
Training (20.2)	0.05
Total	4.80 FTE

This level is the theoretical minimum required to carry out the function and roles of the section. Current allocated resources are 4.3FTE but one part time post is vacant, albeit compensated in 2007/8 to some extent by use of Department of Health funding for Smokefree enforcement. The staffing level also has to provide a significant range of other functions as described in 20.1 above.

20.4 Despite a resource shortfall, demands on the service have been met. This has been achieved through:

- Effective prioritisation of workloads by motivated and experienced officers, capable of achieving rigorous team targets.
- A significant amount of health and safety programmed work being assigned to a temporary contractor, who has also been engaged in Smokefree work funded by Central Government. The employment of this contractor has helped avoid any shortfall in health and safety activity in 2007/8.
- Recruitment to fill a vacant Food and Safety Officer post.
- The absence of a major food poisoning or health and safety-related death in 2007/2008, although two food prosecutions and a health and safety prosecution have largely counteracted this resource saving.
- The suspension of accredited training courses in Food and Health and Safety, countered to some extent by support and advice for the FSA's 'Safer Food Better Business' campaign..
- The cessation of sampling of oysters in Holbrook Bay during 2007.
- The Principal Food and Safety Officer retaining an inspection workload at the expense of some management functions.

20.5 All staff are interviewed twice yearly as part of the Council's appraisal and performance related pay schemes. During these appraisals any special training needs are highlighted and included in each member of staff's development plan. The Council also has to ensure that members of staff are given the opportunity to receive update training in all their competency areas.

20.6 Legal action is taken whenever necessary. There is no specific budget for legal action within the section but some costs are recoverable if action is successful.

21.0 QUALITY CONTROL AND REVIEW.

21.1 The following monitoring arrangements are in place to assist in the quality assessment of the work being carried out:

- Review by the section manager of all post-inspection paperwork
- Regular team meetings
- Annual performance appraisal system
- Use of questionnaires on customer satisfaction.
- Inter-authority and peer review system operating in Suffolk.

21.2 Performance indicators covering response times to complaints and the level of programmed inspections form part of the Natural and Built Service Division's service and performance plan, along with indicators on business satisfaction. This plan is subject to review annually by Council

21.3 Any service issues identified during routine performance monitoring will be recorded and an appropriate action plan to address them will be formulated and agreed with the division's Head of Service.

22 ACTION PLAN FOR FOOD AND HEALTH AND SAFETY 2007/2008 (includes outcome in brackets)

- Publicise the existence of this plan and engage more formally with the members champion (*completed*)
- Implement any major changes to the legislation and enforcement procedures(*completed*)
- Anticipate as far as possible the requirements of Hampton and the Local Better Regulation Office. Actively engage with those plans and from work with others contribute further to the customer-focused approach towards Business. (*work in progress*)
- To ensure that service delivery continues to levels which are acceptable given the current level of resources taking into account the risk rating of the premises concerned.(*completed*)
- To maintain document control and update where necessary policies and procedures (*completed*)
- Update and review, following liaison with new businesses the Council's database (*completed*)
- Continue to develop and take part in the Suffolk wide Safe Food Better Business initiative.(*completed*)
- Support and where practical take part in Health related initiatives(*completed*)

- To take account of and contribute to the FSA Strategic Plan 2005/10(completed)
- To produce one copy of Food wise during the year(*actually produced two copies*)
- Engage with and support the FIT 3 (Health and Safety) programme in conjunction with the HSE and other Local Authorities using the Suffolk Flexible warranting scheme (*contributed to two major initiatives*)
- Review all accident reports and carry out all necessary follow up inspections(*completed*)
- Produce one further edition of Worksafe during the year
- Actively promote and support the Smoking in public places legislation when it comes into force in July 2007 by liaison with all businesses through active education and support in the first instance, and where it proves necessary enforcement (*completed major success*)
- Investigate the setting up of a customer-orientated business forum to improve liaison on all matters relating to food and health and safety(*not completed- staff resources major limiting factor*)
- To develop an open (via the web) food hygiene scoring system(*work in progress but not possible to complete due to delays in implementation by FSA of a national scheme*)

23 ACTION PLAN FOR FOOD AND HEALTH AND SAFETY 2008/2009

- Publicise the existence of this plan
- Engage with and support the FIT 3 (Health and Safety) programme in conjunction with the HSE and other Local Authorities using the Suffolk Flexible warranting scheme
- Produce one further edition of Worksafe during the year
- Actively promote and support Smokefree legislation and engage with mental health units to ensure compliance in this sector when it comes into force in July 2008.
- Investigate the setting up of a customer-orientated business forum to improve liaison on all matters relating to food and health and safety.
- Engage with the Education Authority to work on promotion of food safety education initiatives in schools.
- To develop an open (via the web) Food Hygiene scoring system and implement the new Food Hygiene risk rating scheme to measure outcomes
- Review all accident reports and carry out all necessary follow up inspections
- To produce at least one copy of Foodwise during the year

- Support and where practical take part in health-related initiatives
- Maintain service delivery whilst undergoing Local Government review and migration of the business database to a new software system.
- Engage with both local and national sampling programmes.
- Undertake a major review of animal licensing conditions and implement and update policies and procedures.
- Ensure necessary procedures are in place and reviewed, and that they support officers in following the requirements of the new Regulators' Compliance Code requirements.