

Food Safety Service Plan 2020/21

Summary

The Food Standards Agency requires all food authorities to have a Food Safety Service Plan to ensure that national priorities and standards are addressed and delivered locally. The Framework Agreement on Local Authority Food Law Enforcement which provides guidance on Food Safety Service Plans advises that they should be submitted to the relevant member forum for approval to ensure local transparency and accountability. This report presents the Food Safety Service Plan for 2020/21 and highlights the impact of the COVID-19 pandemic on the work of the food safety service.

Recommendation

The Licensing Committee is advised to resolve that the Food Safety Service Plan 2020/21 attached at Annex A to this report be approved.

1. Resource Implications

- 1.1 There are no additional resource implications arising from this report.
- 1.2 The Council employs 2.20 FTE officers to enforce food safety in 624 food businesses.

2. Key Issues

- 2.1 The Food Standards Agency (FSA) requires all food authorities to have a Food Safety Service Plan to ensure that national priorities and standards are addressed and delivered locally. The Framework Agreement on Local Authority Food Law Enforcement which provides guidance on Food Service Plans advises that they should be submitted to the relevant member forum for approval to ensure local transparency and accountability.
- 2.2 The draft Food Safety Service Plan 20/21 is attached at Annex A.
- 2.3 The headlines are as follows:
 - a. The number of food businesses in the Borough which receive a rating of 3, 4 or 5 (Satisfactory/Good/Very Good) in the national Food Hygiene Rating Scheme and are therefore broadly compliant with food hygiene law remains high at 96.4% The small percentage of business that are rated 0,1 and 2 (Urgent Improvement/Major Improvement/Some Improvement Necessary) are subject to written warnings, hygiene improvement notices or voluntary / emergency closure/prosecution depending on the severity of non-compliance.

- b. Officers carried out 274 food safety inspections/audits with 97% completed within the due date. It was not possible to complete 100% due to the COVID-19 pandemic.
 - c. The service continues to support the Council's six Primary Authority Partnerships (PAPs) with local businesses. The PAP scheme entitles businesses or organisations which operate across local authority boundaries to ask for a Partnership with a Local Authority (LA). Those businesses are expected to work closely with the LA to ensure they comply with the Regulations that apply to them. This is expected to lead to greater compliance by the business, but also greater consistency and co-ordination of regulatory enforcement by LAs. The Council is able to recharge the businesses for the officer time spent on the partnership.
 - d. In 2019/20 72 food and environmental samples were taken from 20 food premises; 92 complaints about food or food premises and 126 food borne infectious disease cases were investigated.
 - e. All food safety interventions completed were of the correct standard and quality and regulation by officers was consistent and in accordance with the service's Enforcement Policy.
- 2.4 The impact of the COVID-19 pandemic on the food safety work programme is highlighted and the revised work priorities for the food safety service until 30 September 2020/21 are set out in accordance with the latest advice to LAs from the FSA. It is acknowledged that this Service Plan will need to be kept under review.

3. Options

- 3.1 The options are to approve or to amend the attached Food Safety Service Plan for 2020/21.

4. Proposals

- 4.1 The proposal is for the Licensing Committee to approve the attached Food Safety Service Plan for 2020/21.

5. Corporate Objectives and Key Priorities

- 5.1 The Food Safety Service Plan sets out how the Council will deliver the service in accordance with the national priorities and standards required by the FSA and the food safety service contributes to the corporate priorities set out in the Council's Annual Plan 2020/21. The Service Plan provides information about the food safety service, the means by which is provided and the means for monitoring and reviewing the service against the following Corporate Success Measures:
 - The percentage of food premises achieving a Food Hygiene Rating 3 or above (i.e. Satisfactory, Good or Very Good)

- The percentage of food premises that are inspected within 28 days of being due and number of inspections completed.

6. Legal Issues

- 6.1 In the United Kingdom Food Safety Law is enforced by officers employed by local authorities and port health authorities who are collectively known as Food Authorities. The enforcement of food safety law is one of the Council's statutory functions.
- 6.2 The Central Competent Authority for the arrangement of food official controls is the FSA. Statutory guidance on the way that official controls should be carried out is provided in the Food Law Code of Practice and this is supported by non-statutory guidance in the Food Law Practice Guidance. Further guidance is provided by the FSA with respect to the delivery of official controls by food authorities in the Framework Agreement which also sets out the Agency's arrangements for food authorities.
- 6.3 The FSA's power to monitor and audit LAs is contained in the Food Standards Act 1999. The FSA follow-up action to their audits will depend on the level and type of non-conformance identified and the action plan produced by the local authority. Follow-up arrangements by the FSA will, in some circumstances, include re-visits to LAs. Where these arrangements identify a LA failing to implement all or part of their action plan, subsequent FSA action will be considered on a case by case basis.

7. Risk Management

- 7.1 Failure of the Authority to have an approved Food Law Enforcement Service Plan could result in criticism and even action by the FSA and could have a detrimental effect on the reputation of the Council.

Annexes	Annex A – Food Safety Service Plan 2020/21
Background Papers	None
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Consultations, Implications and Issues Addressed

Resources	Required	Consulted
Revenue	✓	✓
Capital		

Resources	Required	Consulted
Human Resources		
Asset Management		
IT		
Other Issues	Required	Consulted
Corporate Objectives & Key Priorities	✓	✓
Policy Framework		
Legal	✓	✓
Governance		
Sustainability		
Risk Management	✓	✓
Equalities Impact Assessment	✓	✓
Community Safety		
Human Rights		
Consultation		
P R & Marketing		