

FAREHAM

BOROUGH COUNCIL

Report to the Executive for Decision 13 May 2013

Portfolio: Public Protection
Subject: Food Standards Agency - Food Safety Service Plan
Report of: Director of Regulatory and Democratic Services
Strategy/Policy: Framework Strategy Food Safety Service Plan

Corporate Objective: A safe and healthy place to live and work

Purpose:

This report refers to the annual Food Safety Service Plan, which each local authority is required to produce in line with the Food Standards Agency Framework Agreement on Local Authority Food Law Enforcement. The Plan demonstrates to the Agency that Fareham has sufficient arrangements in place to undertake its statutory food safety enforcement responsibilities.

Executive summary:

The Food Standards Agency came into operation on 1 April 2000 and is responsible for the directing, monitoring and auditing of local authorities' work in respect of food law enforcement. The Agency requires local authorities to produce an annual Food Safety Service Plan, in line with guidance issued by the Agency, for delivery of its Food Safety Service. The Food Standards Agency requires each authority to produce a Food Safety Service Plan that details the food enforcement service that the Council provides and which should be approved by the Council and reviewed annually. This plan was presented to the Public Protection Policy Development and Review Panel on 12 March 2013. The Food Safety Plan is one of the Council's Framework Strategies that requires annual approval by full Council.

Appendix A to this report contains the Council's proposed Food Safety Service Plan for 2013/14.

Recommendation:

That the Council be recommended to approve the Food Safety Service Plan 2012/13, as detailed in Appendix A to this report.

Reason:

The Council is required by the Food Standards Agency to produce an annual Food Safety Service Plan to demonstrate it has adequate arrangements in place to meet its statutory obligations in respect of Food Safety.

Cost of proposals:

The cost of undertaking the work detailed in the plan for 2013/14 has been included in the spending Plans that were approved by the Executive at its meeting held on 3 December 2012

Appendix A: [Food Safety Plan 2013/14](#)

Background papers: None

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Executive Briefing Paper

Date: 13 May 2013

Subject: Food Standards Agency - Food Safety Service Plan

Briefing by: Director of Regulatory and Democratic Services

Portfolio: Public Protection

INTRODUCTION

1. The Food Standards Agency is responsible for directing, setting and monitoring standards and auditing local authorities' enforcement activities in order to ensure that these activities are effective and undertaken on a consistent basis and in line with current guidance. Powers enabling the Agency to monitor local authorities are contained in the Food Standards Act 1999.
2. As part of its role the Agency issued a Framework Agreement on Local Authority Food Law Enforcement which provides guidance on how local authorities are expected to undertake their duties in respect of Food Law enforcement.
3. Fareham's current Food Service Plan is based upon this guidance and was reported to the Public Protection Policy Development and Review Panel on 13 March 2012, to the Executive on 2 April 2012 and approved by Council on 26 April 2012.
4. The proposed plan for 2013/14 was reported to the Public Protection Policy Development and Review Panel on 12 March 2013 where it was AGREED that the Food Safety Service Plan, as shown in Appendix A to the report, be commended to the Executive for approval.

SUMMARY OF CHANGES TO PLAN FROM 2012/13

5. The format for this plan, as prescribed by the Food Standards Agency, has remained the same since its inception in 2001. Each year the previous year's plan is updated and presented to the Panel for the following year. A summary of the changes from last year's plan is given below:-
 - (i) The details of the Food Analyst has been updated as the HPA has had a structural change and the laboratory has moved to Porton Down from Southampton General. (*para 20*)

- (ii) The Food Premises Register has been updated for 2013. *(para 26)*
- (iii) The Food Hygiene Rating Scheme information has been updated to provide the Panel with current data. *(para 43)*
- (iv) The Enforcement Policy has been updated and details of the Executive Approval are included. *(para 47)*
- (v) The details of Lord Young's Report have been removed from the Service Plan, as practice guidance and procedures have been updated to incorporate the recommendations of these reports.
- (vi) The Intervention Plan has been amended to reflect the work for 2013/2014. *(para 66)*
- (vii) Details of the Home Authority Principle have been removed as this is incorporated into the Primary Authority Scheme. *(para 85)*
- (viii) Details of the Food Sampling Programme 2013/2014 and results for 2012/2013 have been included. *(para 102)*
- (ix) A paragraph has been added regarding the local performance measure the Council has in place, its inclusion in the plan was recommended by the Food Standards Agency Auditors *(para 134)*.
- (x) A Reflection on performance for 2012/2013 has been added *(para 135)*
- (xi) The Areas for improvement has been updated to reflect those planned for 2013/14. *(para 136)*
- (xii) Appendix 3 to the plan has been updated to show the proposed food Sampling Activity for 2013/2014.

FOOD STANDARDS AGENCY AUDIT

6. Within the proposed Food Safety Plan paragraph 127, reference is made to an Audit which the Food Standards Agency was to undertake from the 12 - 14 March 2013. Paragraph 135 makes reference to the development of an action plan to implement any recommendations that arise from the audit.
7. The Food Standards Agency as part of its remit oversees local authority food law enforcement, to ensure appropriate local services are in place. The Agency selected Fareham for an audit at this time as it had not to date received an audit. The audit was a focussed audit covering food hygiene database management, food premises interventions and internal monitoring arrangements. Whilst focussed it covered the vast majority of the Food Safety enforcement activities.
8. The audit was conducted on the 12-13 March 2013, it concluding earlier than planned on the 13 March 2013. The draft audit plan has since been received and an action plan as required by the Agency is currently being drafted. The progress against this action plan will be reported back to the Executive via the Public Protection Policy Development and Review Panel later in the year. The Agency themselves require a progress report in 6 months time. Progress will also be reported in the 2014/15 Food Safety Plan. This action plan is mentioned in paragraph 136 of the Food Safety Plan.

9. The audit generally went very well, with areas of best practice being identified. There are however three recommendations within the draft report as follows:-
- Ensure all documented procedures are reviewed at regular intervals.
 - Ensure that all officers receive and record the minimum ten hours relevant training per annum.
 - Ensure that inspections at product specific establishments are recorded on the appropriate product specific aide memoire.

All of the above will be included and addressed within the aforementioned action plan.

PERSONNEL IMPLICATIONS

10. The service detailed within the Plan can be delivered in accordance with the budget that was reported to and approved by the Executive at its meeting on 7 January 2013.

LEGAL IMPLICATIONS

11. The adoption of a Food Safety Service Plan demonstrates that the Authority is meeting its statutory responsibilities in relation to food law enforcement.

CORPORATE STRATEGY

12. The Food Safety Service Plan will promote measures that support good health and reduce ill health and contribute to achieving the Council's Priority, ensuring in particular that Fareham remains a safe and healthy place to live and work.

RISK ASSESSMENT

13. The Council has a statutory duty to provide a food safety service. If it fails in its duty, the Food Standards Agency has the power to take over the service and charge accordingly. This may also result in bad publicity for the Council.

CONCLUSION

14. The Food Safety Service Plan attached to this report has been produced in accordance with the requirements of guidance issued to local authorities by the Food Standards Agency. The plan details how Fareham undertakes its food safety enforcement responsibilities.

Reference Papers: None