

# FAREHAM

## BOROUGH COUNCIL

### **Report to Public Protection Policy Development and Review Panel**

**Date**                    **23 July 2013**

**Report of:**           **Director of Regulatory and Democratic Services**

**Subject:**             **REPORT ON FOOD STANDARDS AGENCY AUDIT**

#### **SUMMARY**

The Food Standards Agency has a remit to oversee local authority food law enforcement to ensure appropriate local services are in place. Fareham Borough Council's food law enforcement service was selected for a focused audit covering food hygiene database management, food premises interventions and internal monitoring arrangements by the Agency earlier this year. The onsite audit took place on 12-13 March 2013.

Although a draft audit report has been received, the final report is still awaited. The draft report was very positive with many examples of good practice highlighted; there were also four relatively minor recommendations. An action plan is required by the Agency to address these, and this has been produced and sent to them. The Agency will require an update on progress after 6 months.

#### **RECOMMENDATION**

- (a) that the Panel note that the audit has taken place and the recommendations that have been made, which are set out in Appendix A within the Audit Action plan; and
- (b) that an update and progress against the plan be reported to the Panel in March 2014 when it also considers the Food Safety Service Plan.

## **BACKGROUND**

1. The Food Standards Act 1999 gives the Agency powers to monitor and audit local authorities. The Act provides the Agency with statutory powers to strengthen its influence over enforcement activity and to ensure national priorities and objectives will be delivered. It gives the Agency powers to carry out the following duties:
  - set standards of performance in relation to enforcement of feed and food law;
  - monitor the performance of enforcement authorities;
  - require information from local authorities relating to feed and food law enforcement and inspect any records;
  - enter authority premises, to inspect records and take samples;
  - publish information on the performance of enforcement authorities;
  - make reports to individual authorities, including guidance on improving performance; and
  - require local authorities to publish these reports, and state what action they propose in response.
2. The Framework Agreement on Official Feed and Food Controls by Local Authorities is the mechanism by which the Agency puts into effect the powers contained in the Food Standards Act 1999. It provides for the following:
  - published local service plans to increase transparency of local enforcement services;
  - clear agreed standards for local authority feed and food law enforcement;
  - local authority monitoring data used to select authorities for audit where there are concerns over enforcement performance; and
  - an audit scheme aimed at securing improvements and sharing good practice.
3. Any audit carried out by the Agency of Local Authorities is done so by comparing the Food Safety arrangements against the standards set by the Framework Agreement.

## **INTRODUCTION**

4. Earlier this year Fareham Borough Council received notification that its Food law Enforcement arrangements had been selected by the Food Standards Agency for a focussed Audit.
5. Fareham had been selected as it had not received an Audit in the previous 5 years. The focussed audit would cover food hygiene database management, food premises interventions and internal monitoring arrangements. It was agreed with the Agency that the Audit would take place on the 12 -14 March 2013.
6. Prior to the audit the Agency required a questionnaire to be completed and returned together with some 40 files which included procedures, the service plan, enforcement policy and spreadsheets detailing all of the work undertaken during the previous 2 year period.

## **THE AUDIT**

7. The audit will comprised of an opening meeting, discussions with the audit liaison officer, a staff interview, various record checks, a site visit to a food establishment and a closing feedback session, over a 3 day period.
8. The audit of Fareham's Food Law Enforcement arrangements went very well with the audits highlighting a number of areas of good practice:-

### **Good Practice- Business Process Management System**

The Authority had developed a computerised business process management system which helped manage critical process control points during food law enforcement and interventions. This provided prompts and guidance for officers helping maintain consistency and quality.

### **Good Practice - Automated Internal Monitoring**

The Authority had developed a computerised internal monitoring system which regularly automatically ran and produced reports to monitor data entries for food law enforcement activities.

### **Good Practice - FBO Certification of Compliance**

The Authority had developed a "certification of compliance" system for traders where remedial action was required by the food business operator (FBO). This provided the FBO with details and photographs as appropriate of remedial action and work required. FBOs were invited to certify that all action required by officers had been taken.

### **Good Practice – Complaint Tracker System**

The Authority had developed an internet based complaint tracker system which provided complainants with electronic access to check the progress of their complaint.

## **AUDIT RECOMMENDATIONS**

9. There were four recommendations that resulted from the audit, these are detailed within the action plan that has been drafted and sent to the Agency in accordance with their requirements. The action plan is shown at Appendix A.

## **RISK ASSESSMENT**

10. There is a risk of adverse publicity from the Food Standards Agency should the Audit recommendations not be addressed.

## **CONCLUSION**

11. The Audit from the Food Standards Agency was extremely thorough and the outcome very positive. Although the audit was scheduled for 3 days it concluded on the second day. A number of areas of good practice were identified by the Agency and the four recommendations were relatively minor in nature and good progress has already been made in addressing these.

### **Background Papers:**

None.

### **Reference Papers:**

None.

### **Enquiries:**

For further information on this report please contact Ian Rickman (Ext 2401).

Appendix A - Action Plan

Action Plan for Fareham Borough Council

<b>TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)</b>	<b>BY (DATE)</b>	<b>PLANNED IMPROVEMENTS</b>	<b>ACTION TAKEN TO DATE</b>
<p>3.1.6 Ensure that all documented procedures are reviewed at regular intervals. [The Standard – 4. 1]</p>	<p>31/12/13</p>	<ul style="list-style-type: none"> <li>• Programme to review current procedures and produce procedures for Remedial Action Notices and Detention Notices in progress.</li> <li>• Procedures are now a standing item on the Food team meeting agendas.</li> </ul>	<ul style="list-style-type: none"> <li>• Master list of procedures produced with review dates included.</li> <li>• 50% of current procedures have been reviewed and updated where necessary.</li> </ul>
<p>3.1.10 Ensure that officers receive and record the minimum ten hours relevant training per annum based on the principles of continuing professional development. [The Standard – 5.4 and 5.5]</p>	<p>01/04/13 and ongoing</p>	<ul style="list-style-type: none"> <li>• Continue to have standard item on team meetings agendas and monitoring of Officer attainment.</li> <li>• Issues of concern to be reported upwards to the Head of EH at 121's with team leader.</li> </ul>	<ul style="list-style-type: none"> <li>• Officer training is now a standard item on monthly team meeting agenda. This includes a review of each officers CPD attainment to date and also ensuring that all training is accurately recorded.</li> <li>• Officer training and development is part of the Council's employee performance and development programme. Requirement recognised in revised corporate training plan.</li> </ul>

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
3.3.9 Ensure inspections at product-specific establishments subject to approval under Regulation (EC) No. 853/2004 are recorded on the appropriate product specific aides-memoire. [The Standard – 7.3 and 16.1]	31/07/13	<ul style="list-style-type: none"> <li>• A review of existing Approved premises to be undertaken to ensure all correct documentation is held on file.</li> </ul>	<ul style="list-style-type: none"> <li>• Procedures have been updated in respect of Product Specific Approvals.</li> <li>• A Business Process Management System (BPMS) checklist has been put into place and is now live. Checklist includes a link to website and instruction re specific inspection pro formas.</li> </ul>
3.5.5 Ensure records of all internal monitoring are maintained. [The Standard – 19.3]	31/07/13 and ongoing	<ul style="list-style-type: none"> <li>• Inspection proforma to be amended to include more detail about traceability.</li> <li>• Code to be added to database to enable premises to be easily identified that are supplying vulnerable groups.</li> </ul>	<ul style="list-style-type: none"> <li>• Standard team meeting Agenda re-established and the recording of minutes.</li> <li>• Officer consistency is a standard item on the agenda.</li> <li>• Codes in database introduced to enable monitoring self-certification of compliance returns.</li> <li>• FHRS local indicator included in Food Safety Plan for 2013/14 and approved by Executive at meeting on 13 May 2013.</li> </ul>