

# Carlisle City Council

## Report to Executive

### Report details

Meeting Date:	3 <sup>rd</sup> October 2022
Portfolio:	Environment and Transport
Key Decision:	Yes: KD.18/22
Policy and Budget Framework	Yes
Public / Private	Public
Title:	FOOD LAW ENFORCEMENT SERVICE PLAN 2022/23
Report of:	Corporate Director of Governance and Regulatory Services
Report Number:	GD.57/22

### Purpose / Summary:

The Food Law Enforcement Plan sets out how Regulatory Services will deploy its resources in 2022 to 2023 to improve hygiene standards, prevent food borne diseases and help people live healthier lives. It seeks to target interventions to tackle local issues whilst ensuring Carlisle City Council achieves its national statutory responsibilities. To assist members, a summary report of the plan has been produced as Appendix 1.

### Recommendations:

That the Executive:

- i. Agree the key actions of the Food Law Enforcement Service Plan
- ii. Refer the said plan to Council for approval in accordance with the Council's Budget and Policy Framework.

### Tracking

Executive:	<b>30<sup>th</sup> August 2022 &amp; 3<sup>rd</sup> October 2022</b>
Scrutiny: Place	<b>Circulated to Panel for information</b>
Council:	<b>8<sup>th</sup> November 2022</b>

## **1. Background**

- 1.1** The main statutory objective of the Food Standard Agency's (FSA) Strategy for 2022 to 2027 is ***'to protect public health from risks which may arise in connection with the consumption of food (including risks caused by the way in which it is produced or supplied) and otherwise to protect the interests of consumers in relation to food'***. As enforcers of official food controls within most food establishments, the City Council, through its Food and Public Protection Team, play a significant role in the delivery of the FSA Strategy
- 1.2** In improving food standards, Regulatory Services are contributing to ensuring a safe, healthy and sustainable food chain for the benefit of consumers. Service plans are an important part of the process to ensure that national priorities and standards are addressed and delivered locally.
- 1.3** The "Framework Agreement on Official Feed and Food Controls by Local Authorities" (2010) sets out what the FSA expects from Carlisle City Council in delivering official controls on feed and food law. To help to ensure local transparency and accountability, and to show the Service's contribution to the authority's Carlisle Plan, the Framework Agreement recommends that food service plans are approved at the relevant level established for that local authority. The Food Law Enforcement Service Plan is in Carlisle City Council's Policy Framework in Article 4 of the Constitution.
- 1.4** The Food Law Codes of Practice (March 2021) issued by the FSA, details how local authorities deliver their enforcement duties but allows local authorities flexibility over how to deliver the national food controls. The Plan sets out how and at what level official food controls will be provided, in accordance with the Codes of Practice.
- 1.5** The Plan covers the period 1st April 2022 to the 31st March 2023 and includes the statutory food safety controls to be performed by the authority e.g. Inspections/sampling. The plan also includes targeted educational and promotional work to be undertaken by the section. A summary of the previous year's performance and activities is also provided.
- 1.6** The COVID-19 pandemic had a significant impact on the delivery of food safety controls for the 2020 and 2021 period. Targeted inspections and sampling work were postponed whilst the nation experience national lock downs and mandatory business closures. Authorised officers within the Food and Public Protection Team were redeployed to assist with the local track and trace programme and enforce the COVID business restrictions. Resource allocated for food safety controls were directed to towards those complaints / incidents that presented a serious risk to public health.
- 1.7** In July 2021, the FSA released the COVID-19 Local Authority Recovery Plan. This recovery plan provided a framework for re-starting the delivery of food control interventions in line with the Food Law Codes of Practice for the period from 1 July 2021 to 2023/24. The guidance and advice within the document aim to ensure that

during the period of recovery from the impact of COVID-19, local authority resources are targeted where they add greatest value in providing safeguards for public health and consumer protection in relation to food. The Food Law Enforcement Service Plan for 2022/23 incorporates the principles of the FSA's recovery plan framework . Priority will be given to new business registrations, high risk food businesses and those establishments that are less than broadly compliant.

## **2. Proposals**

That the Executive:

- i. Agree the key actions of the Food Law Enforcement Service Plan
- ii. Refer the said plan to Council for approval in accordance with the Council's Budget and Policy Framework.

## **3. Risks**

- 3.1** Failure to develop and implement a food law service plan which, approved at the relevant level, would not satisfy the requirements laid down in the Food Standards Agency 'framework agreement'. The framework, for which we are monitored and audited against, sets out the standards expect by Local Authorities responsible for official controls on food law. The publication of the food law enforcement plan helps ensure local transparency and accountability. To ensure compliance with the framework, the Food Law Enforcement Service Plan is in Carlisle City Council's Policy Framework in Article 4 of the Constitution.

## **4. Consultation**

- 4.1** Consultation to Date. - The Plan has been drafted in consultation with officers within Regulatory Services. The Plan was sent to the Chair of Place Scrutiny Panel for consideration and circulation to the Panel as information.

## **5. Conclusion and reasons for recommendations**

- 5.1** The recommended key actions have been identified following consultation and reflect the resources available to Regulatory Services in the financial year 2022 to 2023.

## **6. Contribution to the Carlisle Plan Priorities**

- 6.1** **Priority: Economic Growth** - We will continue to prioritise the current response to and rapid recovery from the economic impacts of the Covid-19 pandemic on the local economy.
- Deliver an improved service to existing and new businesses in the District – joining up our statutory and advisory support functions. The Food Safety Service provides free and impartial advice on both legal and technical matters relevant to the trade. A key requirement of the regulators code is to use the regulators unique contact with local businesses as a means of ensuring growth as well as compliance.

**Priority: Health & Wellbeing** - we will promote a vibrant and diverse food economy, with local communities having access to a range of healthy and affordable food options.

- Continue to support and develop the Food City Partnership. As a member of the group, the Food Safety Service have a key role in the delivery of the Local Healthy Options Award and advising food businesses on healthy menu alternatives.

**Priority: Key economic growth programmes and projects** - Delivering the Borderlands Inclusive Growth Deal, the Future High Street Fund, Town Deal Accelerated Fund and related regeneration projects

- We work in partnership in delivering projects with organisations such as: Cumbria County Council Trading Standards, Cumbria Food Group (made up of all 6 Cumbrian Local Authorities), UKHSA Laboratory York, UKHSA Health Protection Team, Food Standards Agency.

**Priority: Create the new Cumberland unitary authority** – To improve services for local people, making them more effective and efficient with a greater integration of planning and delivery activities.

- We will work with colleagues across the 7 local authorities in Cumbria to ensure a smooth transition to the new working arrangements for the service.

#### **Contact details:**

Contact Officer:            Andrew Smith (Principal Health &            Ext:    7098  
   Housing Officer)

#### **Appendices attached to report:**

- **Appendix 1 – Food Law Enforcement Service Plan - Summary Report**
- **Appendix 2 – Food Law Enforcement Service Plan 2022 to 2023**

Note: in compliance with section 100d of the Local Government Act 1972 the report has been prepared in part from the following papers:

- None

#### **Corporate Implications:**

**Legal** - The Council has a Food Law Enforcement Service Plan in accordance with the Food Standard Agency's Framework Agreement which applies to local enforcement of all feed and food laws and incorporates the latest guidance and standards on feed and food law enforcement. As stated in the report, the Food Law Enforcement Service Plan forms part of the Council's Policy Framework and as such, needs to be considered by the relevant Scrutiny Panel before being referred by the Executive for approval by Council.

**Property Services** - No property implications

**Finance** - The costs of implementing and monitoring this Food Law Enforcement Service Plan can be met from within existing base budgets under the control of the Governance and Regulatory Services Directorate in 2022/23.

**Equality** – None

**Information Governance** - It is recommended that Officers are mindful when recording personal and special category data during inspections and the need to ensure appropriate processing and protection in accordance with the GDPR and Data Protection law.

# FOOD LAW ENFORCEMENT SERVICE PLAN 2022 – 2023 - Summary Report

Regulatory Services – Food & Public Protection Team

## Background

This Service Plan sets out how Carlisle City Council intends to provide an effective food safety service that meets the requirements of the Food Standards (FSA) Framework. The main objective of the service plan is to ensure that all food and drink intended for sale for human consumption that is produced, stored, distributed, handled or consumed in Carlisle City is safe, hygienic and compliant with food hygiene and standards legislation and that all food businesses and food handlers comply with the Food Hygiene Regulations.

## Food Business Profile

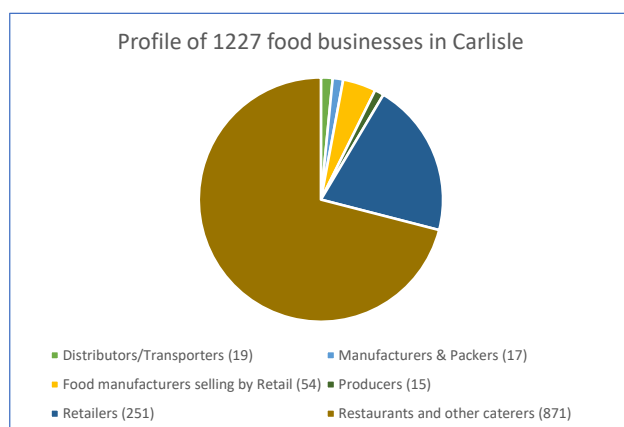


Figure 1: Chart showing the breakdown of food business types

Category	Frequency of Intervention	Number of premises
A	6 months	0
B	12 months	4
C	18 months	160
D	24 months	515
E	36 months	447
UNRATED		15
OUTSIDE		86
<b>Total</b>		<b>1227</b>

Table 1: Breakdown of food businesses by risk category and frequency of interventions (Category A being highest risk)

## Key work activities performed during 2021/22

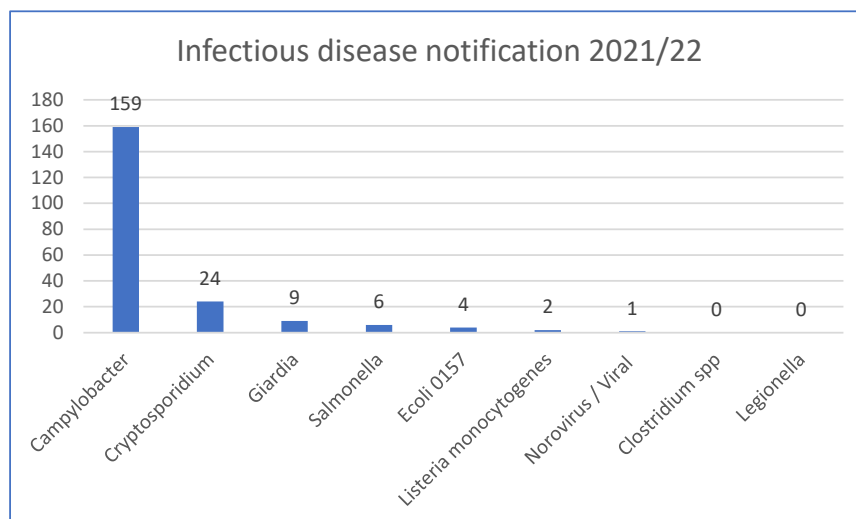
Table 2: Summary of food hygiene related visits made 2021/22 – these are significantly lower than previous years due to the impact of the COVID pandemic.

Type of visit:	Number
Food Inspection & Audit Visits	112
Food New Business Inspections	136
Food Hygiene Complaint Visits	3*
Food Hygiene Revisits following inspection	8
<b>Total</b>	<b>260</b>

\* More food related complaint visits will have been undertaken during 2021-22 as part of COVID enforcement visits – unable to extract and interpret this data for the purposes of food hygiene.

Table 3: Number of incidents received/responded to 2021/22

Type of Incident / Action	Number
Premises hygiene complaints / Food Complaints	92
FSA Food Alerts (inc Product Recall)	71
FSA Food alerts for action by LA	2
FSA Allergy Alerts	98
Export Certificates approved	337
Requests for food advice	30
Infectious disease cases	205



**Figure 2** - Chart showing the number of foodborne / waterborne infectious diseases received and investigated during 2021/22

### **Enforcement actions by authorised officers during 2021/22**

- 94 written warnings for food hygiene contraventions
- 3 Hygiene Improvement Notice

### **Planned inspections/interventions by risk category for 2022/23**

Food Establishment Risk Category	Number of inspections to be undertaken by 31/3/23*
A	0
B	4
C	106
D	402
<b>Total</b>	<b>512</b>

\*In line with the FSA COVID-19 Local Authority Recovery Plan

### **Key objectives for 2022/23:**

- Undertake food control interventions in accordance with the FSA COVID-19 Local Authority Recovery Plan
- Prioritise resources toward business that are high risk and those that are non-compliant (0-2 FHRS rated) and take appropriate action to raise compliance level
- Continue to work with and promote the National Food Hygiene Rating System – upload ratings onto FSA's FHRS website and issue FHRS rating stickers to food businesses.
- Sample foodstuffs for microbiological safety in accordance with local and national programmes.
- Assist in the planning and implementation of LGR with regard to Food Safety – attendance at regional meetings
- Work in partnership with other agencies and regulatory bodies to achieve common food safety goals.

## **FOOD LAW ENFORCEMENT SERVICE PLAN 2022 - 2023**

**Carlisle City Council**

Regulatory Services – Food & Public Protection Team

**Governance & Regulatory Services**

## 1. Introduction

This Service Plan sets out how Carlisle City Council intends to provide an effective food safety service that meets the requirements of the Food Standards (FSA) Framework Agreement. It covers the functions carried out by authorised officers of the Food and Public Protection Team under the provisions of the Food Safety Act 1990, the Food Safety and Hygiene (England) Regulations 2013 and relevant EU retained law.

## 2. Service aims and objectives

To ensure that all food and drink intended for sale for human consumption that is produced, stored, distributed, handled or consumed in Carlisle City is safe, hygienic and compliant with food hygiene and standards legislation and that all food businesses and food handlers comply with the Food Hygiene Regulations. This will be achieved through:

- Programmed inspections
- Targeted interventions
- Investigation of complaints
- Investigation and control of infectious diseases
- Sampling initiatives
- Training
- Advisory visits
- Promotional events

### 2.1 Links to Corporate Priorities and Plans

The Food Law Enforcement Service Plan supports and contributes to the Carlisle Plan 2021-23 and the Regulatory Services Service Plan. The service provides a range of mandatory and discretionary activities that protect the health and well-being of the citizens of Carlisle. This Service links directly to some of the key priority actions of the Carlisle Plan:

**Priority: Economic Growth** - We will continue to prioritise the current response to and rapid recovery from the economic impacts of the Covid-19 pandemic on the local economy.

- Deliver an improved service to existing and new businesses in the District – joining up our statutory and advisory support functions. The Food Safety Service provides free and impartial advice on both legal and technical matters relevant to the trade. A key requirement of the regulators code is to use the regulators unique contact with local businesses as a means of ensuring growth as well as compliance.

**Priority: Health & Wellbeing** - we will promote a vibrant and diverse food economy, with local communities having access to a range of healthy and affordable food options.

- Continue to support and develop the Food City Partnership. As a member of the group, the Food Safety Service have a key role in the delivery of the Local

Healthy Options Award and advising food businesses on healthy menu alternatives.

**Priority: Key economic growth programmes and projects** - Delivering the Borderlands Inclusive Growth Deal, the Future High Street Fund, Town Deal Accelerated Fund and related regeneration projects

- We work in partnership in delivering projects with organisations such as: Cumbria County Council Trading Standards, Cumbria Food Group (made up of all 6 Cumbrian Local Authorities), UKHSA Laboratory York, UKHSA Health Protection Team, Food Standards Agency.

**Priority: Create the new Cumberland unitary authority** – To improve services for local people, making them more effective and efficient with a greater integration of planning and delivery activities.

- We will work with colleagues across the 7 local authorities in Cumbria to ensure a smooth transition to the new working arrangements for the service.

## **2.2 Links to Other Strategies**

The Service seeks to achieve the priority outcomes for regulatory services as detailed in the Better Regulation Delivery Office document “Priority Regulatory Outcomes – A New Approach to Refreshing the National Enforcement Priorities for Local Authority Regulatory Services” (November 2011). Regulators must take into account and give due weight to the priority outcomes when developing policies and operational procedures, setting standards or giving guidance on enforcement.

### **Regulatory Priority Outcomes:**

1. Support economic growth, especially in small businesses, by ensuring a fair, responsible and competitive trading environment. **(Direct Link to the Carlisle Plan)**
2. Improve quality of life and well-being by ensuring clean and safe neighbourhoods **(Direct Link to the Carlisle Plan)**
3. Help people live healthier lives by preventing ill health and harm and promoting public health.
4. Ensure a safe, healthy and sustainable food chain for the benefit of consumers and the rural economy

The “**Regulators’ Code 2014**” made under section 23 of the Legislative and Regulatory Reform Act 2006, applies to all the activities delivered by Regulatory Services. The code requires Regulatory Services, along with its principal function of protecting public health, to engage with and support business growth.

All interventions with businesses and members of the community are carried out with regard to the local authority’s commitment to equality of opportunity for local people as stated in the Equality Policy 2020.

## **3 Background**

### **3.1 Profile of the authority**

Carlisle is the capital of Cumbria with a population more than 108,000. The city is recognised as the capital of an economic region serving 1.1 million people who live in Cumbria, Northumberland, and Southern Scotland.

The City of Carlisle is the largest settlement in the district with more than two thirds of the population. The remaining population is distinctly more rural and in places extremely sparse. The most significant rural populations are in smaller market towns and large villages spread across the district, including Brampton, Dalston, Longtown and Wetheral.

Across the district, there are a wealth of natural and cultural assets making Carlisle a great place to live, work and visit. Carlisle draws strength from its strategic location, with heritage and environmental sites of national and international importance (Solway Coast and North Pennines) and good connections to national infrastructure.

### **3.2 Organisational structure**

The structure of Food and Public Protection Team can be seen in page 13. The Principal Health & Housing Officer (Food and Public Protection) is responsible for the day to day supervision of the team and has a lead responsibility for the food hygiene function. The Food and Public Protection Team is positioned within the Regulatory Services Department and perform other regulatory duties, including infectious disease investigations, health and safety, nuisance complaints, public health burials, animal related licensing and registrations for acupuncture, cosmetic piercing & tattooing/skin colouring. The Council's Pest Control Service also sits within the Food and Public Protection Team.

Food and Public Protection sits within the Council's Portfolio for Environment & Transport.

### **3.2 Scope of the service**

The Food and Public Protection Team are responsible for the enforcement of relevant Food Law, including the Food Safety and Hygiene (England) Regulations 2013.

Carlisle City Council carries out all functions relating to food safety matters, including the following:

- Carrying out interventions e.g. inspections, audits, sampling at food establishments
- Providing advice to food business operators including help on implementing the most appropriate food safety management system for that business; for example the Food Standards Agency's Safer Food, Better Business food safety management system
- Operating inland imported food control at retail and catering establishments etc.
- Registration of food establishments

- Identifying and assessing premises that require approval for specific food products and ensuring that they are issued with conditional and full approval as necessary
- Undertaking food sampling
- Issuing export certificates
- Investigation of complaints concerning food establishments and food handling practices
- Investigation of cases of suspected and confirmed food poisoning
- Providing food hygiene training where appropriate
- Liaison with the local authority's procurement team when selecting new food contracts
- Consulting on relevant planning and premises licence applications

### 3.3 Demands on the food enforcement service

The City Council's food safety service is delivered from the 5<sup>th</sup> Floor of the Civic Centre, Rickergate, Carlisle Tel 01228 817200 Email: [environmentalhealth@carlisle.gov.uk](mailto:environmentalhealth@carlisle.gov.uk).

As of 1<sup>st</sup> April 2022 a total of **1227** food premises are subject to programmed food hygiene interventions as per the table below

Type of Premises	Number
Distributors/Transporters	19
Manufacturers & Packers	17
Food manufacturers selling by Retail	54
Producers	15
Retailers	251
Restaurants and other caterers	871
<b>Total</b>	<b>1227</b>

The City Council also has 5 “approved” processes subject to Regulation 853/2004 (retained EU law).

Ref no	Name	Product	App Number
66460	Nestle	Dairy - Milk powder/cream	VK302
66469	Esk	Dairy - Milk/cream	VK010
66442	Cavaghan and & Gray (Eastern Way)	Meat / Fish / Dairy / Egg	VK001
66444	Cavaghan and & Gray (Riverbank)	Fish / Dairy / Egg	VK011
66576	Bells Fishmongers	Fish	VK007

All food premises are rated according to their level of risk, as defined by the Food Standards Agency Code of Practice. The risk rating determines the frequency and nature of the interventions that are classed as official controls. However, for the 2022/23 period, the authority will be following the targetting framework laid down in the FSA's COVID-19 Local Authority Recovery Plan (see Section 4)

The table below provides a summary of the food business risk profile as of 31<sup>st</sup> March 2022:

Category	Intervention Type	Frequency	Number of premises
A	Full & Partial Inspection / Audit	6 months	0
B	Full & Partial Inspection / Audit	12 months	4
C	Full & Partial Inspection / Audit / Other Official control - Broadly compliant premises total	18 months	157
C	Less than broadly compliant total	18 months	3
D	Inspection / Audit / Other Official Control (e.g. surveillance, verification, sampling)	24 months	515
D	Less than broadly compliant total	24 Months	0
E	Inspection / alternative enforcement strategy	36 months	447
UNRATED	Awaiting inspection		15
OUTSIDE	Outside inspection programme		86
<b>Total</b>			<b>1227</b>

Officers will aim to inspect new food premises within 28 days of being notified to the City Council. Each business will be rated in accordance with the Food Standards Agency - Food Law Code of Practice and incorporated into the inspection programme. Officers will decide if a revisit is necessary following an inspection and the Civica database will be used to programme the revisit date. During 2021/22, the local authority inspected 136 new food businesses.

The food sampling programme is an intervention that supports the other official controls undertaken by officers.

The Food and Public Protection Team are also required to meet additional demands arising from local activities, such as inspecting the visiting markets and other seasonal festivals.

Officers are required to undertake inspections/interventions outside normal working hours, for example where food businesses operate only at night or at weekends to attend markets and festivals.

The City Council has procedures in place to share its food premises database with the County Council's Trading Standards Department who have responsibility for Food Standards within the District.

In 2021-22 the local authority dealt with a range of incidents and enquiries. These are set out in the following table:

Type of Incident / Action	Number
Premises hygiene complaints / Food complaints	92
FSA Food Alerts (inc Product Recall)	71
FSA Food alerts for action by LA	2
FSA Allergy Alerts	98
Export certificates approved	337
Requests for food advice	30
Infectious disease cases	205

Summary of food hygiene related visits made 2021-22

Type of visit:	Number
Food Programmed Inspection & Audit Visits	112
Food New Business Inspections	136
Food Hygiene Complaint Visits	3*
Food Hygiene Revisits following inspection	8
<b>Total</b>	<b>260</b>

**\* More food related complaint visits will have been undertaken during 2021-22 as part of COVID enforcement visits – unable to extract and interpret this data for the purposes of food hygiene.**

## **4 Service Delivery**

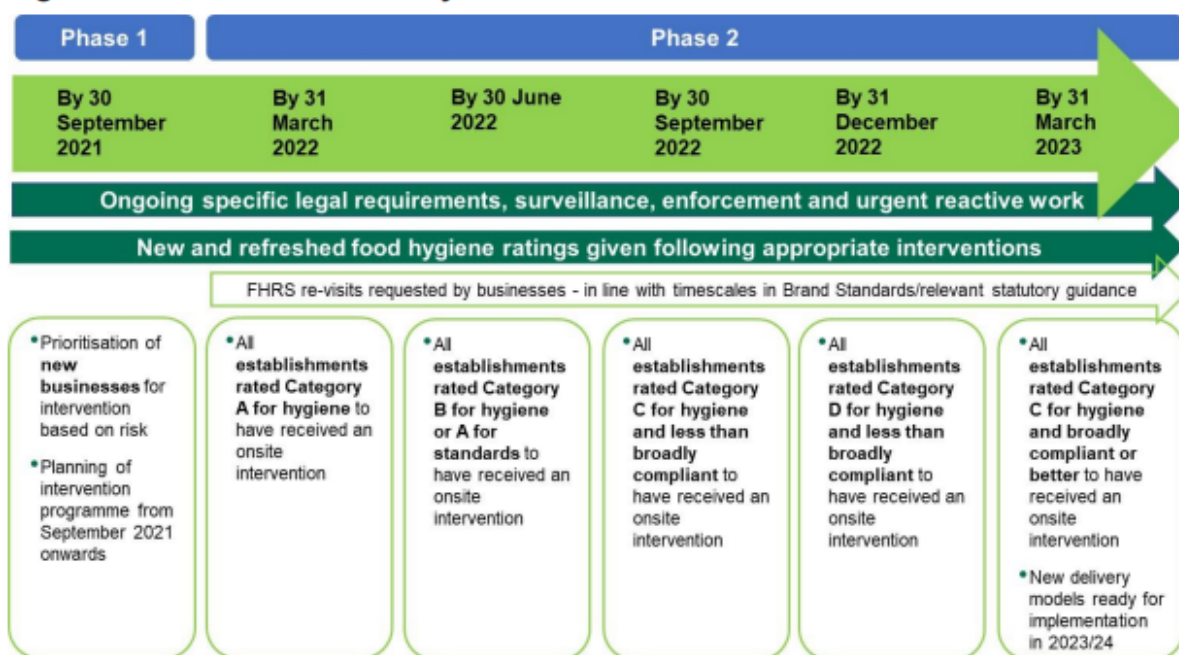
### **4.1 Food interventions – 2022 / 23**

#### **FSA COVID-19 Local Authority Recovery Plan**

During the COVID-19 pandemic, the inspection programme was adversely impacted by the introduction of numerous national lockdowns, business closures and redirection of LA resources. In July 2021, the Food Standards Agency released the COVID-19 Local Authority Recovery Plan. This recovery plan provided a framework for re-starting the delivery of food control interventions in line with the Food Law Codes of Practice for the period from 1 July 2021 to 2023/24.

The guidance and advice within the document aim to ensure that during the period of recovery from the impact of COVID-19, local authority resources are targeted where they add greatest value in providing safeguards for public health and consumer protection in relation to food.

**Figure 1: Outline of the Recovery Plan**



#### Notes

The key milestone dates within the Recovery Plan for higher risk establishments are shown.

For lower risk establishments not shown in the figure, local authorities have the flexibility to defer planned interventions and only undertake intervention where information/intelligence suggests that risks have increased/standards have fallen or if the establishment is otherwise considered a priority for intervention due to the risk posed.

In the case of food standards, the impact on the business of the new requirements on allergen labelling for products prepacked for direct sale - that apply from 1 October 2021 - should also be taken into account.

This Authority will follow the principles of the framework as outlined above. Priority will be given to new business registrations, high risk food businesses and those establishments that are less than broadly compliant.

Following an assessment of the risk profile of food businesses within the district and the resources available, it is the aim of this department to visit all food business establishments rated category C & D. The following table shows a breakdown of the businesses by category identified for targeted inspection which will receive an inspection by 31<sup>st</sup> March 2023.

#### Number of inspections to be achieved 1/4/22 to 31/3/23:

Food Establishment Risk Category	Number of inspections to be undertaken by 31/3/23
A	0
B	4
C	106
D	402
<b>Total</b>	<b>512</b>

Where resource permits, the Authority will also engage with low risk Category E premises, are defined in the Food Law Code of Practice, by means of inspection or alternative enforcement intervention (e.g. questionnaire).

Revisits following an inspection will be undertaken by officers when deemed necessary or in response to a requested revisit or appeal under the Food Hygiene Rating Scheme (FHRS).

During the course of delivering the food safety service, officers may need to resort to formal action in some circumstances. During 2021-22 officers issued:

## **94 Written warnings for food hygiene contraventions**

### **3 Hygiene Improvement Notices**

#### **4.2 Enforcement policy**

The local authority's Food Safety Enforcement Policy outlines the enforcement options available for dealing with problems relating to non-compliance with the legislation. The Policy has been written having regard to Government's Regulators Code and can be found on the website:

[https://www.carlisle.gov.uk/LinkClick.aspx?fileticket=nOIE44j\\_VWY%3d&tabid=728&portalid=0&mid=2830](https://www.carlisle.gov.uk/LinkClick.aspx?fileticket=nOIE44j_VWY%3d&tabid=728&portalid=0&mid=2830)

#### **4.3 Food complaints**

The investigation of customer's complaints regarding food safety is an important area of work for the team. The local authority has a response target of 5 days for such complaints, however more serious complaints/allegations will be visited on the day of receipt where possible. In 2021/22 the local authority dealt with 45 complaints relating to food and 47 complaints about the hygiene of premises.

#### **4.4 Primary and home authority principle**

The Home Authority Principle was developed by food and trading standards authorities to aid consistent enforcement. The scheme provides businesses with a home authority source of guidance and advice and provides a system for the resolution of disputes.

Alternatively, businesses can form a 'Primary Authority' statutory partnership with a local authority to assist with consistent enforcement. The guidance and advice the local authority provides will be taken into consideration by officers carrying out inspections and dealing with instances of non-compliance.

Carlisle City Council fully endorses the Home authority and Primary Authority principle but has yet not received any requests for business support in this area.

## **4.5 Advice to business**

The Food and Public Protection Team provide advice and support for all food businesses on request. Information is available on the local authority website, <http://www.carlisle.gov.uk/Residents/Environmental-Problems/food-safety>. Information leaflets are also available from the Civic Centre Offices. Officers are available to visit businesses to advise on any aspect of food safety and hygiene. Advice is also given during the planning and building control processes.

## **4.6 Food sampling**

As part of the prioritisation approach of resources undertaken during the pandemic, food sampling work was placed on hold until appropriate resources were made available. A food sampling programme has now been developed for the 2022/23 period which outlines the local authority's sampling strategy and approach to specific local and national priorities.

UK Health Security Agency carried out a sampling consultation to agree their study programme for 2022/23. As a result the following studies were agreed:

National Surveys:

- Study 74 - Hygiene in sandwich and salad bars (Apr – Oct 22)
- Study 75 - Vegan meals/ingredients/meat alternatives (Sept 22 – March 23)
- Study 78 – Reactive - topic will be agreed at a later date based on public health intelligence (Jan – Mar 2023)

Microbiological examinations are undertaken by UKHSA - Food, Water and Environmental Microbiology Laboratory York, National Agri-Food Innovation Campus, Block 10, Sand Hutton, York YO41 1LZ.

When necessary, food complaint samples are sent to the Public Analyst at Lancashire County Scientific Services, Pedders Way, Ashton-on-Ribble, Preston PR2 2TX for non-microbiological food analysis. The analysis includes testing for food composition and contamination.

The team also utilised the insect identification service provided by the Authority's pest control product supplier, to identify a number of insects found in food complaints.

## **4.7 Control and investigation of outbreaks and food-related infectious disease**

The Food and Public Protection Team will investigate food-related infectious disease notifications in accordance with procedures agreed with UKHSA. The response to notifications of illness will be dependant on the severity of illness ranging from immediate response in the case of serious infections e.g. E.coli 0157 & typhoid; to postal questionnaires for cases of campylobacter.

Investigation of outbreaks will be in accordance with the Outbreak Control Plan agreed with UKHSA.

The table below summarises the number of cases notified to Carlisle City Council in 2021-22.

Disease	Number
Campylobacter	159
Salmonella	6
Ecoli 0157	4
Clostridium spp	0
Legionella	0
Norovirus / Viral	1
Listeria monocytogenes	2
Cryptosporidium	24
Giardia	9

There were no confirmed food poisoning outbreaks during 2021/22.

#### **4.8 Food safety incidents**

Food alerts are issued by the Food Standards Agency to relate information on national food issues to local authorities, the majority being for information only. Food alerts for action require officers to undertake a wide variety of courses of action dependent upon the issue at hand. In 2021-22 a total of 171 Food Alerts were received by the authority, of which 2 required action by the Food & Public Protection Team.

#### **4.9 Liaison with other organisations**

Environmental Health involves a number of stakeholders in the supply and operation of its food hygiene services including:

- UK Health Security Agency (formerly Public Health England)
- The County Council's Public Health and Trading Standards Departments
- Cumbria Food Liaison Group
- Cumbria Health Protection Liaison Group
- Care Quality Commission
- Cumbria Chamber of Commerce and the Carlisle and Penrith Federation of Small Business
- Food Standards Agency
- Better Regulation Delivery Office
- Carlisle Food City Steering Group
- Neighbouring local authorities

#### **4.10 Food safety and promotions**

Carlisle City Council participates in the Food Standards Agency National Food Hygiene Ratings Scheme. The scheme is designed to provide information about business hygiene standards to members of the public but is also a useful tool to drive up performance standards of food businesses.

## 5.0 Resources

### 5.1 Staffing resource

A structure chart is available on page 12. The number of full time equivalent (FTE) officers estimated to be deployed solely on food safety is set out in the following table:

Officer Post	FTE
Regulatory Services Manager	0.1
Principal Health & Housing Officer	0.4
Environmental Health Officers / Technical Officer	2.1
<b>Total</b>	<b>2.6</b>

### 5.2 Officer development

Carlisle City Council are committed to ensuring officers authorised to perform food safety enforcement functions receive relevant structured ongoing training to promote competency, ensure understanding of legislation and technological developments. As stipulated within the Food Law Code of Practice (England) March 2021, all authorised officers will receive a total of 20 CPD hours per year, relevant to the activities they are authorised to undertake. These 20 hours CPD are split as follows:

- a minimum of 10 hours training on food safety issues set out in Chapter 1 of Annex II of Regulation (EU) 2017/625 and on the obligations of the Competent Authority resulting from this Regulation, relevant to the activities they are authorised to undertake.
- 10hours on other professional matters

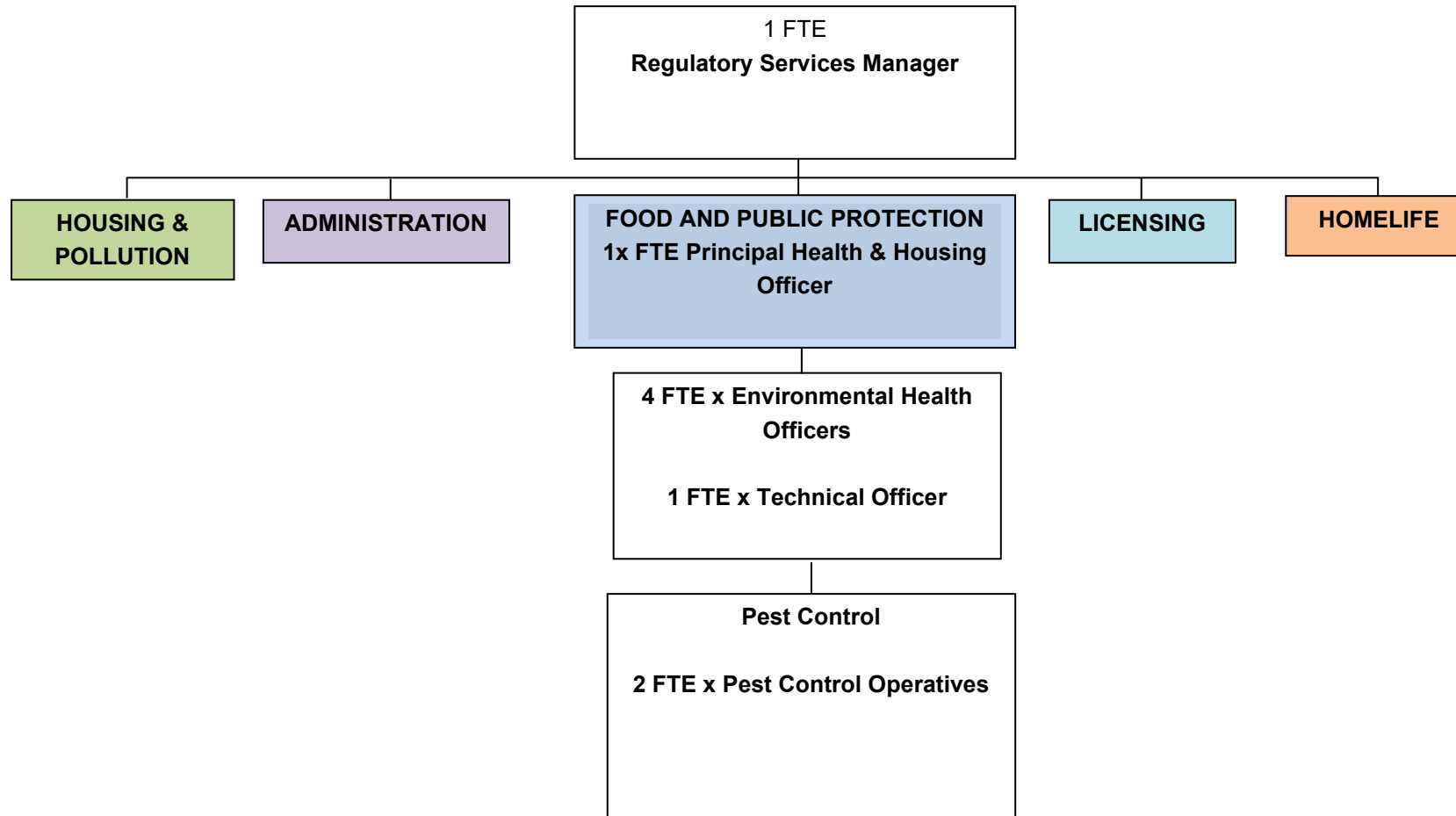
All existing officers have obtained the Certificate of Registration of the Environmental Health Registration Board (EHRB) or the Diploma in Environmental Health award by the Royal Environmental Health Institute of Scotland (REHIS). A record of certificates of registration, qualifications and records of on-going training for authorised officers are stored and maintained by the department. The Principal Health & Housing Officer for Food & Public Protection team is required to monitor and report on compliance with our competency requirements. Any essential training needs identified will be provided either in-house or externally.

### 5.3 Quality assessment and performance management

The Principal Health & Housing Officer (Food & Public Protection) and the Regulatory Services Manager will monitor quality and performance on a monthly basis. Audit actions will be recorded on the department's database management system (FLARE – Civica App).

# REGULATORY SERVICES

Structure Chart 20222 / 2023



## Plan of work – 2022/23

Objective	Outcome	Specific Task	Measure	Achievable	Resource	Start	End
<b>Compliance with our statutory duties to regulate food safety</b>	Ensure a safe healthy and sustainable food chain for the benefit of consumers	Provide an informal out of hour's service for Food & Health and Safety where circumstances necessitate.	React to out of hours requests where circumstances necessitate.	Within existing staff	Food & Public Protection Team	1/4/22	31/3/23
	Help people live healthier lives by preventing ill health and harm and promoting public health	Inspection of new registered food businesses	Within 28 days of registration or from when the Authority becomes aware the business is operating, whichever is sooner.	Within existing staff	Food & Public Protection Team	1/4/22	31/3/23
		Undertake food control interventions in accordance with the FSA COVID-19 Local Authority Recovery Plan	<p>FSA recovery programme targets achieved.</p> <p>For the period 1/4/22 - 31/3/23 - we aim to inspect the following identified establishments by risk category:</p> <ul style="list-style-type: none"> <li>• Cat B – 4</li> <li>• Cat C – 106</li> <li>• Cat D – 402</li> <li>• Unrated - 15</li> </ul>	Within existing staff / use of external consultant	Food & Public Protection Team	1/4/22	31/3/23

		Identified non-compliant businesses / 0-2 FHRs rated food businesses - take appropriate action to raise compliance level (to broadly compliant)	Measure against broadly compliant businesses – target at least 98%	Within existing staff	Food & Public Protection Team	1/4/22	31/3/23
		To sample foodstuffs for microbiological safety in accordance with local and national priorities	Collect samples as requested by UKHSA coordinated sampling programme and local priority samples as determined by risk – see F&PP sampling plan 22/23	Within existing staff	Food & Public Protection Team	1/4/22	31/3/23
<b>Support National FHRs Scheme</b>	Promote consumer choice & confidence on where to eat	Ensure registered food businesses within the scope of the scheme are issued a rating displayed on the FHRs website – in accordance with FSA brand standard.	Check monthly monitoring reports to ensure accuracy of data uploaded on to FHRs portal.	Within existing staff	Food & Public Protection Team	1/4/22	31/3/23

<b>Liaise with Cumbrian LA Food Authorities &amp; other Agency's</b>	Consistency of approach to enforcement  Awareness of National changes / priorities	To actively take part in Cumbria Food Liaison Group (FLG) plan of work	Full Contribution and Attendance at arranged meetings and development of Action Plan	Within existing staff	Food & Public Protection Team	1/4/22	31/3/23
<b>Promote Public Health messages / campaigns</b>	Help people live healthier lives by preventing ill health and harm and promoting public health	Participate in "public health" related activity as requested by partners such as the County Council, UKHSA and the Food Standards Agency.  Use of Council Social Media	Evidence of campaign involvement	Within existing staff	Food & Public Protection Team / support from Comms Team	1/4/22	31/3/23
<b>Local Government Reorganisation – formation of Cumberland Unitary</b>	Transition to Cumberland Unitary Authority	Assist in the planning and implementation of LGR with regard to Food Safety – attendance at regional meetings	Progress measured against LGR framework timescales	Within existing staff	Food & Public Protection Team  Cumbria LA Food Lead Officers	Started	31/3/23

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## **EXCERPT FROM THE MINUTES OF THE EXECUTIVE HELD ON 30 AUGUST 2022**

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### **EX.108/22 FOOD LAW ENFORCEMENT SERVICE PLAN 2022-23**

(Key Decision – KD.18/22)

**Portfolio** Environment and Transport

**Relevant Scrutiny Panel** Place Panel

### **Subject Matter**

The Environment and Transport Portfolio Holder presented the 2022/23 Food Law Enforcement Service Plan (GD.45/22) which would be considered by the Place Panel.

The Food Law Enforcement Service Plan set out how the Regulatory Services would deploy its resources in 2022 to 2023 to improve hygiene standards, prevent food borne diseases and help people live healthier lives. It sought to target interventions to tackle local issues whilst ensuring Carlisle City Council achieved its national statutory responsibilities.

The Environment and Transport Portfolio Holder moved, and the Leader seconded the recommendations.

**Summary of options rejected** None

### **DECISION**

That the Executive:

- (i) agreed the key actions of the Food Law Enforcement Service Plan (GD.45/22)
- (ii) referred the said Plan to the Place Panel in accordance with the Council's Budget and Policy Framework.

### **Reasons for Decision**

The recommended key actions had been identified following consultation and reflected the resources available to Regulatory Services in the financial year 2022 to 2023