

Report to Council

Agenda
Item:

15(i)

Meeting Date: 14 July 2020
 Portfolio: Environment and Transport
 Key Decision: Yes: KD.08/20
 Within Policy and Budget Framework: Yes
 Public / Private: Public

Title: FOOD LAW ENFORCEMENT SERVICE PLAN 2020/21
 Report of: Corporate Director of Governance and Regulatory Services
 Report Number: GD.31/20

Purpose / Summary:

The Food Law Enforcement Plan sets out how Regulatory Services will deploy its resources in 2020 to 2021 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 Council:

- i. Approve the key actions of the Food Law Enforcement Service Plan in accordance with the Council’s Budget and Policy Framework.

Tracking

Executive:	27 May 2020 & 22 June 2020
Scrutiny:	11 June 2020 (Report was listed for information only)
Council:	14 July 2020

1. BACKGROUND

- 1.1** Standards of hygiene when eating out was the main concern for members of the public who took part in the latest Food Standards Agency's (FSA) Public Attitudes Tracker Survey (November 2019). Other concerns from the survey include food poisoning, food additives, levels of sugar and salt in food and the amount of food waste. The City Council through its Food and Public Protection Team plays a significant role in protecting the public by its food inspections and infectious disease investigations.
- 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. Service plans help local authorities to:
- follow the principles of good regulation;
 - focus on key delivery issues and outcomes;
 - provide an essential link with corporate and financial planning;
 - set objectives for the future, and identify major issues that cross service boundaries;
 - provide a means of managing performance and making performance comparisons;
 - provide information on an authority's service delivery to stakeholders, including businesses and consumers.
- 1.3** The "Framework Agreement on Official Feed and Food Controls by Local Authorities" (2010) sets out what the Food Standard Agency 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 2017), 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** In 2014 the Food Standards Agency's (FSA) published its strategy for 2015-2020. Within the strategy the FSA identified its flagship policy 'Regulating Our Future'. This policy aims to modernise the way food businesses are regulated, creating a system that is modern, risk based, proportionate, robust and resilient. The FSA plan to implement and deliver the new regulatory model for food by 2020. It is not fully clear

to date what impact the changes will have on the Regulatory Services Department; however, we will continue to monitor the FSA proposals and respond accordingly through the FSA's 'open policy' approach. To ensure consistency of approach, any FSA proposals will be discussed with other Cumbrian Local Authority Environmental Health Departments at the regional liaison group meetings.

- 1.6** The Plan covers the period 1st April 2020 to the 31st March 2021 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. The 2019/20 Food Law Plan also identified a shortfall of 74 interventions for Low Risk (Category E premises), which was raised as an area of concern by the FSA following receipt of the Authority's Food Law Return. An intervention plan was implemented to address the shortfall and 88% of these premises received an intervention. The remaining interventions will be targeted during the 2020/21 period.
- 1.7** Following our exit from the EU, we are now in the transition period. Enforcement of EU Food Law will continue until the end of 2020. The European Union (Withdrawal) Act 2018 provides that, from 1 January 2021, certain directly applicable EU legislation will be converted into UK law. The section will closely monitor the developments and ensure we make the appropriate changes to our authorisations, policies and procedures prior to the end of the transition period.
- 1.8** It is important to note that the plan will be subject to change following the **COVID19** outbreak, which has had a significant impact on the food business sector and how we perform our day to day enforcement duties. As the restrictions are gradually lifted, the section will need to establish what impact the outbreak has had on the planned work and how this will be managed moving forward. Taking advice from the Food Standards Agency, it is inevitable that the section will need to prioritise resources on statutory functions and on a risk-based approach. It will be essential that food officers are provided with the appropriate protective equipment and training to perform their duties safely. Risk assessments will be amended and continuously reviewed.
- 1.9** It is also important to note that officers of the Food & Public Protection Team are authorised to enforce the COVID19 'business closure' related legislation. It is likely that these provisions will remain in place for some business sectors over coming year. The team will also be involved in advising businesses on re-opening requirements as the restrictions are lifted and monitoring/enforcing control measures which may be imposed i.e. social distancing to protect staff and customers. At the time of writing this report, the Environmental Health Team have also been identified as a potential resource for the COVID19 contact tracing. All these additional responsibilities may also impact on the Food Law Enforcement Plan for 2020/21.

2. PROPOSALS

2.1 That Council:

- i. Approve the key actions of the Food Law Enforcement Service Plan 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 accepted by Executive on 27 May & 22 June 2020 with no amendments made.
- The plan was referred to the 11 June 2020 Health & Wellbeing Scrutiny Panel, following which the report was list as for information only – no changes made.

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 2020 to 2021.

6. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

6.1 ***Priority: Support business growth and skills development to improve opportunities and economic prospects for the people of Carlisle:***

- 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: Further develop sports, arts and cultural facilities to support the health and wellbeing of our residents:

- 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 5: Promote Carlisle regionally and internationally as a place with much to offer – full of opportunities and potential

- 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), PHE Laboratory Preston, PHE Health Protection Team, Food Standards Agency.

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

**Appendices attached to report: Appendix 1 – Food Law Enforcement Plan - Summary Report
Appendix 2 – Food Law Enforcement Service Plan 2020 to 2021**

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 2020/21.

EQUALITY – None

INFORMATION GOVERNANCE – It is recommended that Officers are mindful of the potential to record personal and special category data during inspections and the need to ensure appropriate processing and protection.

FOOD LAW ENFORCEMENT SERVICE PLAN 2020 – 2021 - 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

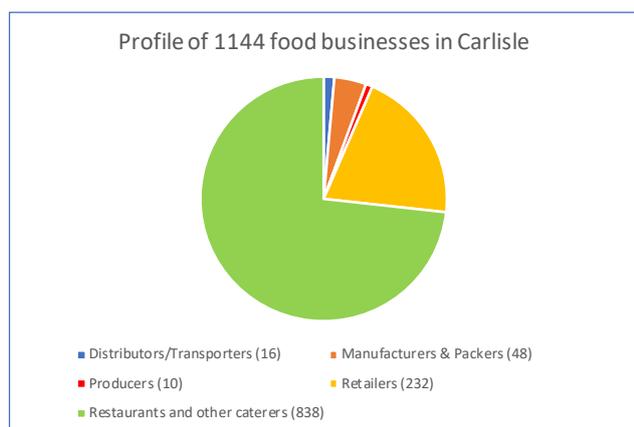


Figure 1: Chart showing the breakdown of food business types

Category	Frequency of Intervention	Number of premises
A	6 months	0
B	12 months	8
C	18 months	153
D	24 months	499
E	36 months	389
UNRATED		9
OUTSIDE		85
Total		1143

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

Key work activities performed during 2019/20

Table 2: Summary of food hygiene related visits made 2019/20

Type of visit:	Number
Food Inspection & Audit Visits	354
Food New Business Inspections	82
Food Hygiene Complaint Visits	61
Food Hygiene Revisits following inspection	38
Food Hygiene Rating Scheme (FHRS) Re-score Visits	3
Food Hygiene Rating Scheme (FHRS) Appeal Visit	1
Food Sampling Visits	58
Food Advisory Visits	44
Food Hygiene Other Visits	14
Total	655

Table 3: Number of incidents received/responded to 2019/20

Type of Incident / Action	Number
Premises hygiene complaints / Food Complaints	97
FSA Food Alerts (inc Product Recall)	71
FSA Food alerts for action by LA	3
FSA Allergy Alerts	98
Export Certificates approved	491
Requests for food advice	81
Infectious disease cases	216

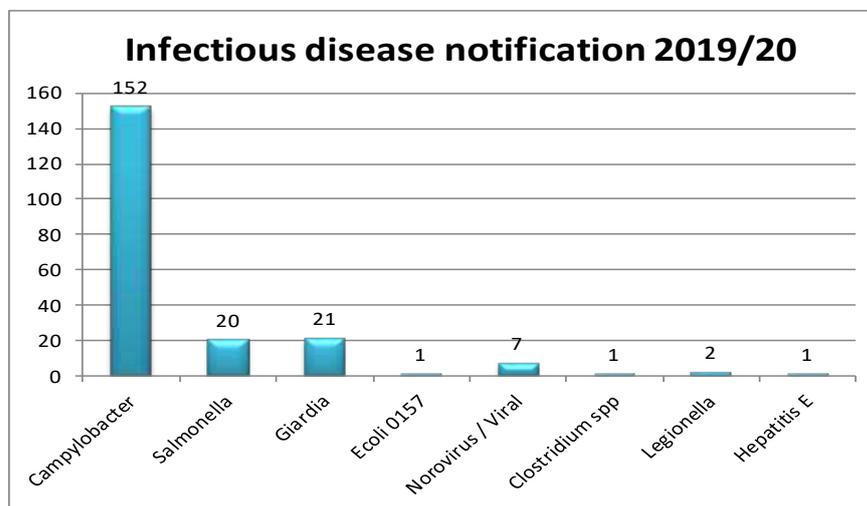


Figure 2 - Chart showing the number of foodborne / waterborne infectious diseases received and investigated during 2019/20

Enforcement actions by authorised officers during 2019/20

- 142 written warnings for food hygiene contraventions
- 2 Hygiene Improvement Notices
- 2 Voluntary Closures

Planned inspections/interventions by risk category for 2020/21

Risk Category	No of targetted premises	Carried over from 19/20
A (High risk)	0	0
B	9	0
C	99	2
D	242	23
E (Low risk)	164	15
Unrated (awaiting inspection)	8	-
TOTAL	522	40

Key objectives for 2020/21: (Subject to change following COVID19 Outbreak)

- Prioritise inspections of food businesses according to risk. at intervals in accordance with the Food Standard's Agencies Code of Practice and educate and enforce where necessary. Prioritise resources toward business that are high risk and those that are non-compliant (0-2 FHRS rated)
- Apply changes to internal policies, procedures, documents, website etc. following the EU Exit transition period as set by Central Govt / FSA
- 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.
- Participate and delivery of a Cumbria wide Healthier Food Choices Award
- Work in partnership with other agencies and regulatory bodies to achieve common goals.

FOOD LAW ENFORCEMENT SERVICE PLAN 2020 - 2021

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 regulations made under the European Communities Act 1992.

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 2015 – 2018 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: Support business growth and skills development to improve opportunities and economic prospects for the people of Carlisle:

- 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: Further develop sports, arts and cultural facilities to support the health and wellbeing of our residents:

- 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: Promote Carlisle regionally and internationally as a place with much to offer – full of opportunities and potential

- 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), PHE Laboratory Preston, PHE Health Protection Team, Food Standards Agency.

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.

3 Background

3.1 Organisational structure

The structure of Food and Public Protection Team can be seen in page 12. 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 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.

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 food establishments
- Identifying and assessing premises that require approval of 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 5th Floor of the Civic Centre, Rickergate, Carlisle Tel 01228 817200 Email: environmentalhealth@carlisle.gov.uk.

As of 1st April 2020 a total of **1144** food premises are subject to programmed food hygiene interventions as per the table below:

Type of Premises	Number
Distributors/Transporters	16
Manufacturers & Packers	48
Producers	10
Retailers	232
Restaurants and other caterers	837
Total	1143

The City Council also has 6 “approved” processes subject to Regulation 853/2004.

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
66457	Calder Foods	Meat Products / Fish / Dairy	VK004

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. The table below provides a summary of the food business risk profile:

Category	Intervention Type	Frequency	Number of premises
A	Full & Partial Inspection / Audit	6 months	0
B	Full & Partial Inspection / Audit	12 months	8
C	Full & Partial Inspection / Audit / Other Official control - Broadly compliant premises	18 months	153
D	Inspection / Audit / Other Official Control (e.g. surveillance, verification, sampling)	24 months	499
E	Inspection / alternative enforcement strategy	36 months	389
UNRATED	Awaiting inspection		9
OUTSIDE	Outside inspection programme		85
Total			1143

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. 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 addition to businesses that form part of the programme, the local authority annually inspected 82 new food businesses.

In 2019 - 20 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	141
FSA Food Alerts (inc Product Recall)	71
FSA Food alerts for action by LA	2
FSA Allergy Alerts	98
Export certificates approved	491
Requests for food advice	81
Infectious disease cases	216

Summary of food hygiene related visits made 2019/20

Type of visit:	Number
Food Programmed Inspection & Audit Visits	354
Alternative Enforcement Strategy Questionnaire	19
Food New Business Inspections	82
Food Hygiene Complaint Visits	61
Food Hygiene Revisits following inspection	38
Food Hygiene Rating Scheme (FHRS) Re-score Visits	2
Food Hygiene Rating Scheme (FHRS) Appeal Visit	1
Food Sampling Visits	58
Food Advisory Visits	44
Food Hygiene Other Visits	14
Total	673

4 Service Delivery

4.1 Food interventions

In the financial year 2020-2021, targetted inspections/interventions are due to be carried out at 562 premises. The target for each category is detailed on page 14.

Risk Category	No of targetted premises	Carried over from 2019/20
A	0	0
B	9	0
C	99	2
D	242	23
E	164	15
Unrated	8	-
TOTAL	522	40*

These numbers will alter throughout the year as new businesses open and existing businesses close. Officers will aim to inspect a food business within 28 days of the scheduled date.

***Of the 40 businesses carried over from the 2019-20 period, 17 premises had been targetted for February (7) and March (11). In light of the Covid19 lockdown period commencing in March, these visits will be carried out when business restrictions are lifted and visits can be undertaken by officers safely.**

Priority will always be given to high risk food businesses (A & B risk rated businesses) and any national or local situations which require urgent attention for example Food Standards Agency food alerts or food poisoning outbreaks.

Category E premises are defined in the Food Law Code of Practice as low risk food establishments and allows local authorities to adopt an alternative enforcement strategy to ensure resources are prioritised accordingly towards higher risk premises. Local authorities must ensure low-risk premises are subject to an alternative enforcement intervention every 3 years. The current strategy adopted by this authority alternates a visit with an enforcement questionnaire every 3 years.

The 2019/20 Food Law Enforcement Plan also identified a shortfall of 74 interventions for Low Risk (Category E premises), which was raised as an area of concern by the FSA following receipt of the Authority's 2019/20 Food Law Return. An intervention plan was implemented to address the shortfall and 88% of these premises received an intervention. The remaining interventions will be targeted during the 2020/21 period.

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). A total of 38 revisits following a routine inspection were undertaken during 2019/20 and 2 FHRS re-scoring visits performed for the same period.

During the course of delivering the food safety service, officers may need to resort to formal action in some circumstances. During 2019/20 officers issued:

- 142 Written warnings for food hygiene contraventions**
- 2 Hygiene Improvement Notices**
- 2 Voluntary Closures**

4.2 Enforcement policy

Regulatory Services, within which the Food & Public Protection Team sits, adopts the principles laid down in the Enforcement Concordat, which states that enforcement must be fair, consistent and equitable. 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:

<http://www.carlisle.gov.uk/Portals/0/Documents/Residents/Environment/A2%20Food%20Safety%20Enforcement%20Policy%202015.pdf>

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 2019/20 the local authority dealt with 141 food hygiene related complaints.

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

A food sampling programme is produced every year which outlines the local authority's sampling strategy and approach to specific local and national demands.

The Cross Regional Survey Steering Group co-ordinate the sampling programme for Carlisle, Allerdale, Copeland, South Lakeland, Barrow and Eden. The plan is developed by the group to incorporate priorities identified by Public Health England and the Food Standards Agency. Sampling surveys to be undertaken for 2020/21 will include:

- Coleslaw and mayonnaise from large open tubs in catering premises (Regional Survey)
- Dips from Takeaways (Regional Survey)
- Fridges in communal areas with a focus on hand contact surfaces (Regional Survey)
- Children's highchairs in restaurants (Regional Survey)
- Salads/slaws and water used during production (National Study)
- Taps/water in temporary/mobile supplies (National Study)

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

In 2019/20 the Food and Public Protection Team took **75** food samples, **60** of which were reported as Satisfactory, **3** Borderline and **12** unsatisfactory. Sampling initiatives for the period included:

- **Soil bearing vegetables (potatoes, carrots, leeks, celery, cabbage etc) – surveillance**
- **Sandwiches with shelf-life of +2days or more with a focus on labelling**
- **Premises with no dishwasher and single multi-purpose sink (inc swabbing)**
- **Cloths v's disposable for cleaning**

Where necessary visits were made to those premises to identify reasons why the food samples will have been unsatisfactory and repeat sampling undertaken. If necessary, results will be notified to other local authorities.

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. During 2019/20, 1 sample was submitted for analysis to indentify a type of mould growth found in a ready made curry meal.

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 Public Health England. 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 the Public Health England.

The table below summarises the number of cases notified to Carlisle City Council in 2019/20.

Disease	Number
Campylobacter	152
Salmonella	20
Ecoli 0157	1
Clostridium spp	1
Legionella	2
Norovirus / Viral	7*
Hepatitis E	1
Cryptosporidium	11
Giardia	21

*number of outbreaks e.g. residential homes

There were no confirmed food poisoning outbreaks during 2019/20; however officers of the Food & Public Protection Team investigated 7 norovirus/viral outbreaks associated with residential care settings. The number of cases associated with each outbreak in care settings is not fully recorded. The primary objective of testing is to establish whether the outbreak is food borne related or viral, and provide advice on isolation/cleaning. A limited number of samples are taken and once established the cause is viral, sampling would cease.

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 2019/20 a total of 74 Food Alerts were received by the authority, of which 3 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:

- 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. Other promotional initiatives used included:

- Local Healthy Options Award – to be replaced with the Cumbria wide Healthier Food Choices Award
- Food Safety Week – date to be confirmed by FSA
- Attendance at local events

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	0.3
Environmental Health Officers / Technical Officer	2.1
Total	2.5

5.2 Officer development

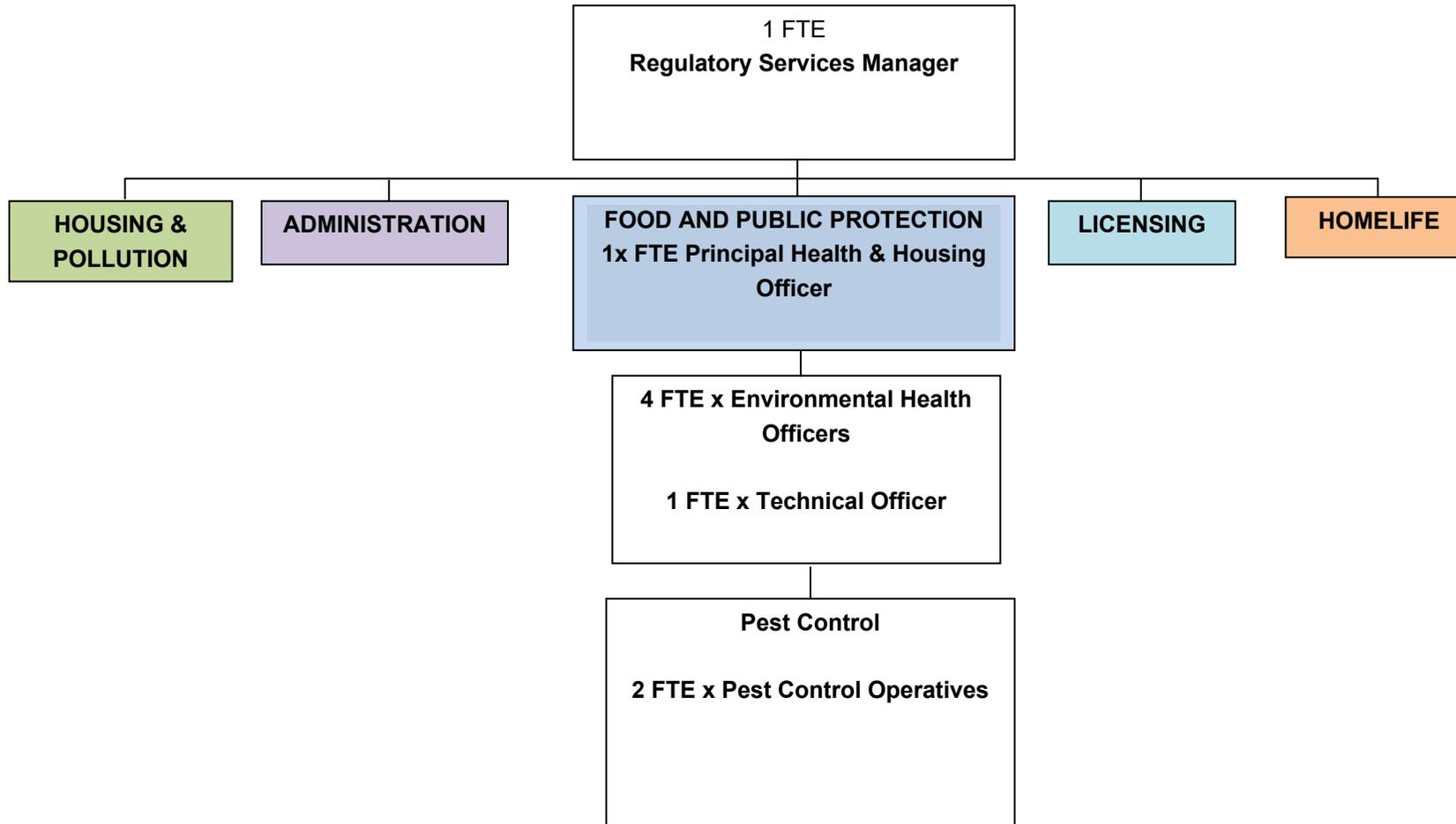
Carlisle City Council are committed to ensuring officers authorised to perform food safety enforcement functions receive relevant structured ongoing training to promote competency, ensure understanding of legislation and technological developments. As stipulated within the Food Law Code of Practice (England) March 2017, all authorised officers will receive a minimum of 10 hours training on food safety issues. 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 2020 / 2021



Plan of work key actions – 2020/21 – Subject to change due to impact of COVID19 Outbreak

Outcome	Key Actions	2019/20 Performance	Target 2020/21	NOTES
<ul style="list-style-type: none"> • Support Economic Growth 	Review the Council’s Web Site in relation to service provided by the Food & Public Protection Team to ensure information to the public is relevant and accessible and facilitates e-government for accessing application forms etc and specifying service provision and charges where appropriate. (Priority)	Food & Safety webpages reviewed and amended where necessary.	Food & Safety webpages to be monitored to ensure information is accurate and reliable.	
	Provide an informal out of hour’s service for Food & Health and Safety where circumstances necessitate. (Priority where circumstances require immediate action to protect public health)	Arrangements made for out of hours food hygiene inspections and special events (e.g. Markets, Festivals, etc.)	React to out of hours requests where circumstances necessitate.	
<ul style="list-style-type: none"> • Sustainable Food Chain • Healthier lives 	Inspect food businesses at intervals in accordance with the Food Standard’s Agencies Code of Practice and educate and enforce where necessary. (Priority)	Category A – 100% Category B – 100% Category C – 98% Category D – 91% Category E – 81% (of targeted)	Category A – 100% Category B – 100% Category C – 80%* Category D – 80%* Category E – 50%*	*Lower target to account for impact of COVID19 – progress and target to be reviewed as year progresses

		<p>Unrated – 100% of those indented at start of year</p> <p>74 Cat E premises identified as overdue an intervention at 1/4/2019. Following an intervention strategy 88% of these received an intervention during 2019/20. Remainder will be targeted an intervention during 2020/21.</p>	<p>Unrated (of those identified at the start of the year) – 100%</p>	
	<p>Continue to work with and promote the National Food Hygiene Rating System.</p> <p>(Priority)</p>	<p>FHRS ratings for registered businesses within the scope of the scheme uploaded onto the FSAs FHRS website and issued window sticker following intervention.</p> <p>Continued compliance with the FSAs brand standard agreement</p>	<p>Ensure continued compliance with the Food Standards Agency brand standard agreement.</p> <p>Ensure registered food businesses within the scope of the scheme are issued a rating displayed on the FHRS website.</p>	<p>Check on:</p> <ul style="list-style-type: none"> • food.gov.uk/ratings • FHRS Web Data Tool

	<p>To sample foodstuffs for microbiological safety in accordance with local and national need</p> <p>Local sampling programme – Priority</p> <p>Participation in National Surveys - Desirable</p>	<p>Participation in PHE coordinated surveys.</p> <p>75 samples taken:</p> <ul style="list-style-type: none"> • 60 satisfactory • 3 Borderline • 12 Unsatisfactory 	<p>Collect samples as requested by the Public Health England coordinated sampling programme and local priority samples as determined by risk.</p>	<p>Planned sampling will be on a reduced basis due to the impact of COVID19 – sampling plan to be amended – liaise with PHE</p>
	<p>To actively take part in Cumbria Food Liaison Group (FLG) plan of work (Priority)</p>	<p>Representation at all FLG meetings – one cancelled due to COVID19</p> <p>Contributed to FLG work plan</p>	<p>Full Contribution and Attendance at arranged meetings and development of Action Plan</p>	
	<p>Identify all non-compliant businesses / 0-2 FHRS rated food businesses and take appropriate action to raise compliance level (to broadly compliant) (Priority)</p>	<p>98% of all food businesses broadly compliant</p>	<p>98% of food businesses broadly compliant</p>	
	<p>EU Exit – Transition Period – ensure authorisations, policies, procedures, letters, notices, website etc. are changed in-line with legislative changes prior to 1 January 2021 (Priority)</p>		<p>Ensure changes are made in line with legislation / guidance as issued by Central Govt / FSA</p>	

	<p>Delivery of a Cumbria wide Healthier Food Choices Award</p> <p>(Desirable)</p>	<p>Award agreed by all Cumbrian Authorities</p>	<p>Launch of Award scheduled for April 2020 – delayed as a result of COVID19</p>	<p>Only desirable at this stage - focus will be on statutory functions and backlog of programmed inspections – to be reviewed</p>
	<p>Participate in “public health” related activity as requested by partners such as the County Council, Public Health England and the Food Standards Agency.</p> <p>(Desirable)</p>	<p>2019 FSA Christmas Food Safety Campaign -press release & council website</p>	<p>At least one campaign per year</p>	

EXCERPT FROM THE MINUTES OF THE EXECUTIVE HELD ON 27 May 2020

EX.45/20 **FOOD LAW ENFORCEMENT SERVICE PLAN 2020/21**
(Key Decision – KD.08/20)

Portfolio Environment and Transport

Relevant Scrutiny Panel Health and Wellbeing

Subject Matter

The Environment and Transport Portfolio Holder submitted report GD.14/20 providing details of the Food Law Enforcement Service Plan covering the period 1 April 2020 to 31 March 2021. A summary report of the Plan had also been produced at Appendix 1 for the assistance of Members.

The Plan set out how Regulatory Services would deploy its resources in 2020 to 2021 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 that Carlisle City Council achieved its national statutory responsibilities.

The Portfolio Holder highlighted uncertainties identified within the report. Firstly, paragraph 1.5 recorded that the Food Standards Agency planned to implement and deliver the new regulatory model for food by 2020. It was not to date fully clear what impact the changes would have on the Regulatory Services Department. However, the department would continue to monitor the FSA proposals and respond accordingly through the FSA's 'open policy' approach.

Secondly, although enforcement of EU Food Law would continue until the end of 2020, the Council was not absolutely certain what would happen from 1 January 2021, so again the section would closely monitor developments and ensure that appropriate changes to authorisations, policies and procedures were made prior to the end of the transition period.

The Portfolio Holder expressed huge thanks to the Regulatory Services Team who had been engaged in management of change as a result of the COVID-19 outbreak. Their work was greatly appreciated.

The Environment and Transport Portfolio Holder then moved the recommendations.

The Communities, Health and Wellbeing Portfolio Holder formally seconded the recommendations and, in so doing, highlighted the priorities identified at paragraph 6.1; importantly the priority to 'further develop sports, arts and cultural facilities to support

the health and wellbeing of our residents'. She welcomed continued support for the development of the Food City Partnership which provided good quality local food for our residents. The Food Safety Service also had a key role in the delivery of the Local Healthy Options Award and advising food businesses on healthy menu alternatives.

Summary of options rejected that the key actions of the Food Law Enforcement Service Plan should not be agreed

DECISION

That the Executive:

1. Agreed the key actions of the Food Law Enforcement Service Plan as appended to Report GD.14/20.
2. Referred the said Plan to the Health and Wellbeing Scrutiny 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 2020 to 2021

EXCERPT FROM THE MINUTES OF THE EXECUTIVE HELD ON 22 JUNE 2020

EX.59/20 **FOOD LAW ENFORCEMENT SERVICE PLAN 2020/21
(Key Decision – KD.08/20)

(In accordance with Paragraph 15(i) of the Overview and Scrutiny Procedure Rules, The Mayor had agreed that call-in procedures should not be applied to this item)

Portfolio Environment and Transport

Relevant Scrutiny Panel Health and Wellbeing

Subject Matter

Pursuant to Minute EX.45/20, the Environment and Transport Portfolio Holder submitted report GD.20/20 providing details of the Food Law Enforcement Service Plan covering the period 1 April 2020 to 31 March 2021. A summary report of the Plan had also been produced at Appendix 1 for the assistance of Members.

The Plan set out how Regulatory Services would deploy its resources in 2020 to 2021 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 that Carlisle City Council achieved its national statutory responsibilities.

The Environment and Transport Portfolio Holder indicated that the Health and Wellbeing Scrutiny Panel had chosen to receive the report for information only. He then moved the recommendations set out.

The Leader seconded the recommendations.

Summary of options rejected that the Plan should not be referred to Council for approval

DECISION

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.

Reasons for Decision

The recommended key actions had been identified following consultation and reflected the resources available to Regulatory Services in the financial year 2020 to 2021