

ENVIRONMENTAL HEALTH AND TRADING STANDARDS SERVICE

Review of Food and Feed Law Enforcement Performance

2015 / 2016

1.0 Introduction

In May 2014 the Food Standards Agency carried out an audit of the Food and Feed law enforcement services of Neath Port Talbot County Borough Council. The audit was undertaken to ensure compliance with the Framework Agreement (2010). An action plan was agreed to implement a number of recommendations to improve the service in areas identified by the audit report.

3.27(ii) of the Action Plan recommended that the authority:-

“ carry out an annual food and feed law enforcement performance review for approval by the relevant member forum or senior officer, as appropriate (The Standard – 3.2)”

This is the aforesaid review, submitted to the Head of Planning and Public Protection for approval.

2.0 Planned inspections/interventions 2015/16:

2.1.0 Food Hygiene:-

RISK CATEGORY	NUMBER OF PREMISES CARRIED FORWARD	NUMBER OF NEW INTERVENTIONS DUE / PLANNED 2015/16	TOTAL NUMBER DUE / PLANNED 2015/16	OUT-TURN / ACHIEVED
High Risk:-				
A	0	14	14	100%
B	0	45	45	100%
C	7	221	228	100%
Low Risk:-				
D	143	55	[198]*	29 carried forward (169/198 = 85% achieved)
E	275	42	[317]**	294 carried forward

				(23/317 = 7% achieved)
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Commentary:

Resources were prioritised on undertaking all High Risk food premises, together with an initiative to address the backlog of lower risk premises (focussing on Category D- rated premises).

2.1.1 Broadly Compliant PI: (PAM009)

The out-turn PI for 2015/16 was : 92.73% (based on 1033/1114 premises achieving a 3/4/5 FH Rating).

The out-turn PI for 2014/15 was : 92.83% (based on 1023/1102 premises achieving a 3/4/5 FH Rating).

2.1.2 Food Hygiene Ratings:

476 Food Hygiene ratings were issued ;

43 Food hygiene re-ratings were undertaken;

The FSA website had regular uploads of data (at least every 28 days), and additional ad-hoc uploads were undertaken to take account of important in-month changes.

2.2 Food Standards : Planned Interventions

CATEGORY	NUMBER OF PREMISES CARRIED FORWARD	NUMBER OF INTERVENTIONS DUE / PLANNED 2015/16	TOTAL NUMBER DUE / PLANNED 2015/16	ACTUAL 2015/16	OUT TURN / ACHIEVED
A	0	17	8	8	100%
B	38	101	76	42	55%
C	196	174	50	45	90%
UNRATED	174	174	174	23	13%
TOTAL	408	466	276	136	

The department has a significant backlog in respect of unrated business premises and what appears a disproportionate level of intervention at “C” rated premises. For the year 2016/17, resources have been restructured for food standards. Unrated businesses have now been allocated to specific officers, similarly B rated businesses have been allocated to the remaining section members. This has led to a slight improvement in inspection figures for the year to date.

The level of C rated business interventions can be explained by sampling and other lower level forms of intervention at those businesses. The sampling has led to formal investigations into certain food business operators and their re-risking as high rated businesses. Food businesses such as takeaways and restaurants make up a significant proportion of the C rated businesses category in NPT. However, intelligence has identified that there is a significant problem with adulteration,

substitution and control of allergens in this sector. Consequently, the department is directing resources to this area.

Progress and quality on interventions are monitored by the Trading Standards Team Leader via spot checks, accompanied visits, annual appraisals and quarterly staff review meetings

2.3 Feed Standards : Planned Inspections

The proposed inspection plan for feed standards 15/16 was abandoned after the implementation of the regionally coordinated feed framework and inspection programme.

Feed enforcement within Wales is now funded directly by the Food Standards Agency, and administered by the Welsh Heads of Trading Standards. Wales is divided into regions, Neath Port Talbot and Swansea form one of these regions. Co-ordination across the Swansea / Neath Port Talbot area is delivered by an officer from Swansea Trading Standards, the Trading Standards Team Leader in Neath Port Talbot acts as liaison with Swansea.

The feed inspection programme is drafted by WHOTS and the FSA based on the feed registers from each authority. The FSA categorises feed businesses by feed registration and approval type. These businesses are required to be inspected during the forthcoming year. Each region is expected to carry out inspections at those premises.

Neath Port Talbot and Swansea met their feed inspection targets last year. As to be expected, there were changes in the registration and approval from the register. With agreement from the FSA, replacement businesses were identified to be inspected.

Local Authority	Above the Line (non-farms)			Below the Line (farms)			LA Total
	Actual	Target	%	Actual	Current target (45% of CoP requirement adjusted)	%	%
Swansea	5	7	71	18	15	120	105
NPT	27	29	93	26	22	118	104
Swansea / NPT	32	36	89	44	37	113	-

The Food Standards Agency is satisfied with the delivery of the feed enforcement service across Wales. In this second year, WHOTS and the FSA are looking to strengthen the foundations of regional delivery.

3.0 Samples:

3.1 Food Hygiene:-

Samples were mainly taken in accordance with the National Sampling priorities, as agreed via the Welsh Food Microbiological Forum (WFMF). Additionally, local sampling initiatives were undertaken to increase the surveillance of locally available products, and to maximise the benefit of sampling allocations- in conjunction with Wales Public Health Laboratory, based at Glangwilli Hospital, Carmarthen. 200 samples were taken during 1/4/2015 to 31/3/2016, of which 32 were Unsatisfactory, 121 were Satisfactory; and 47 were classed as borderline (but not a fail).

Satisfactory samples do not attract any further action.

All borderline samples are followed up with an advisory letter to encourage reviews of pertinent controls, such as temperature controls; stock rotation; handling practices.

All unsatisfactory results are followed up with advice on suggested improvements to undertake, together with further sampling- to ensure that standards are addressed and improved, or products are no longer sold.

3.2 Food Standards

Until 2016/17 NPT acted as liaison for the bid from the Glamorgan Group as part of the Food Standards Agency's National Coordinated sampling programme. It also placed an independent bid for sampling for food supplements.

Furthermore, the Trading Standards Team Leader acts as chair for the Glamorgan Food Group. Coordinating and arranging the regions sampling programme.

Local sampling initiatives are intelligence led. Specific examples have included:

- Mis-description of food supplied to local schools
- Sampling from takeaways and catering establishments in relation to substitution of ingredients, mis-description of meals and illegal use of colours. The department successfully prosecuted 2 takeaways in relation to mis-description, issued 1 simple caution and a number of written warnings. A further successful prosecution has followed in the new financial year, and there are ongoing investigations and follow up visits in this area.
- Allergens. - The department has offered advice on a number of samples that have been found to contain allergenic ingredients when the sampling officer has declared an allergy. Follow up sampling exercises are planned, and formal action will be taken where appropriate.
- Investigation into food supplements imported by a local firm. The FBO makes a number of claims on its products. The products have been analysed, and the FBO advised accordingly. Follow up action is ongoing.

Sampling and any subsequent investigations are monitored by the Trading Standards Team Leader via spot checks, annual appraisals and quarterly staff review meetings.

3.3 Feed Standards

The new regional co-ordinated framework agreement has led to more support being available for taking samples. As part of the regional sampling programme and in line with the national priorities for sampling, the service took 3 samples, none of which failed on analysis.

4.0 Service requests (Complaints) / reactive work:

4.1 Food Hygiene:-

Food service requests- all types = 524

Of which:-

FNA (Food new business- advice for speculative start-up) = 33.

FNB (Food new business- advice & advisory interventions prior to trading) = 111.

FNC (Food new business- trading) = 48

Also, the Food & Health Protection service received the following:-

Infectious Diseases- service requests = 178 total;

Food alerts [FPI] (for social media) = 90 (mainly dealt with by Support staff).

Whilst target response times have been established for all service requests, a further analysis will be undertaken to ensure that they remain fit for purpose, and that prioritisation of resources (in accordance with lean systems principles) will ensure the best utilisation of resources, whilst managing expectations of service requestors.

4.2 Food & Feed Standards

The department received 25 requests for food advice last year that were not as the result of an intervention. These varied from business start-ups to specific issues. The most common single request was for allergen advice. The department had already made provisions for this via a training day held in conjunction with the FSA and Swansea Trading Standards.

1 request for feed advice was received.

Via the Citizens Advice Consumer Service and other means, the department received 27 food complaints during 2016/17. Most of the complaints related to the sale of out of date food (best before and use by). The businesses were advised accordingly.

There has been little information from the public in relation to description (including presence of allergens) of food within NPT, this is notable considering the levels of infringement found when the department carries out interventions.

No feed complaints were received.

The department received 104 food alerts. As with Food hygiene these are mainly dealt with by support staff. Where necessary they will be escalated by the Trading Standards Team Leader. No feed alerts were received.

Requests for advice and complaints are fed into the authorities intervention plan which in turn leads to the identification of priorities and work areas for the forthcoming year.

Response times and investigation / advice is monitored by the Trading Standards Team Leader via spot checks, annual appraisals and quarterly staff review meetings.

5.0 Promotional work:

5.1 Food hygiene promotional work:-

The service was able again to support National Food Safety week (in June 2015).

5.2 Food Standards Promotional work :-

The section has assisted other departments in promoting business support and advice sessions by contacting local FBOs to raise awareness of planned events.

In conjunction with Swansea Trading Standards and the Food Standards Agency, the department ran allergen training events aimed at caterers at the beginning of the year

The section identified specific issues to advise businesses on, and advice was sent out via mail and e-mail to the relevant FBOS. This included :

- Stock rotation (best before / use by)
- Food allergen advice to schools
- Takeaways - use of colours and substitution / description
- Colours in food colouring pens
- Promotion of the " Menu Count In Care" initiative disseminated to care homes.

5.3 Feed Standards Promotional Work

New feed businesses are regularly identified and contacted to ensure that they are properly registered.

6.0 Primary Authority:

6.1 Food hygiene, Food Standards and Feed Standards-

Although there are currently no formal Primary Authority partnerships established with this authority; there are a growing number across the UK. Where such partnerships exist, and cover businesses operating with NPTCBC, we liaise with the relevant LA's to give specific feedback following inspections which are subject to an agreed (UK wide) inspection plan, and general feedback where problems are discovered.

7.0 Safety Incidents:

7.1 Food hygiene:-

No food safety incident reports (e.g. withdrawals) necessitated initiation by EH of NPTCBC.

All notifications of withdrawals requiring specific action are prioritised.

7.2 Food Standards

No food safety incident reports (e.g. withdrawals) necessitated initiation by TS of NPTCBC.

All notifications of withdrawals requiring specific action are prioritised.

7.3 Feed Standards

1 feed safety incident was instigated by NPT TS in relation to a local pet food producer. This was notified to the FSA. The distribution of the pet feed concerned was restricted to West Wales. Buyers were identified, and the product was recalled and destroyed.

8.0 Staff Development / Training / Continuing professional development:

8.1 Food hygiene:-

All staff have achieved their expected CPD (which is set at a minimum of 10 hours per calendar year) ; additionally:

1 member of staff (REJ) has completed the Food Premise Inspection qualification, and been given a revised (restricted) Authorisation.

1 member of staff (JC) is currently training towards a qualification in Food Premise Inspection.

1 member of staff (REN) has completed 2 years post-qualification experience in food hygiene inspection work, and been given a revised Authorisation.

1 member of staff (NMH) is working towards achieving 2 years post-qualification experience.

8.2 Food Standards

All staff met their required 10 hours CPD in 2015/16. This was achieved by a combination of courses run by the Food Standards Agency, Welsh Heads of Trading Standards, online courses run by the FSA and workshops run within Neath Port Talbot.

8.3 Feed Standards

All but one member of staff met their required 10 hours CPD this year. This was achieved by a combination of courses run by the Food Standards Agency, Welsh Heads of Trading Standards, online courses run by the FSA and workshops run within Neath Port Talbot Standards

9.0 Monitoring:

9.1 Food hygiene monitoring:-

LAEMS data is provided annually to the Food Standards Agency- which gives detailed information on the key performance statistics for each Council across the UK, for submission to EU. The detail covers areas such as: intervention totals and by risk category; enforcement actions; number of premises by type and risk categorisation; samples taken; staffing levels; certain service requests etc.

On a quarterly basis key performance indicators are reported to Scrutiny Committee and the associated Cabinet Board, and are publically available.

Line managers keep track of inspection targets, and the reactive workloads on a monthly basis, or more frequently when required.

9.2 Food & Feed Standards monitoring:-

LAEMS data is provided annually to the Food Standards Agency- which gives detailed information on the key performance statistics for each Council across the UK, for submission to EU. The detail covers areas such as: intervention totals and by risk category; enforcement actions; number of premises by type and risk categorisation; samples taken; staffing levels; certain service requests etc.

Each officer's intervention programme is set at the beginning of the year. This is reviewed and updated during the relevant officer's quarterly review. Section progress is checked on a quarterly basis, key performance indicators are reported to Scrutiny Committee and the associated Cabinet board, and are publically available.

The TS Team Leader monitors officer inspection targets and reactive workloads formally during the quarterly review. If issues with performance are identified, this frequency is increased. Food / Feed Aide Memoires and post inspection reports are reviewed by the Trading Standards Team Leader.

Feed standards inspections progress is fed back to WHOTS and the FSA via the regional lead officer. The Trading Standards Team Leader and regional lead identify and address issues with performance against the inspection programme

10.0 Review of Policies/Procedures

10.1 Food hygiene / Food Standards / Feed Standards-:-

All major food policies and procedures have been revised from year commencing 1/6/2015.

11. Conclusions

Food hygiene, Food and feed standards enforcement remains a priority for the service.

Food hygiene inspections were prioritised on undertaking all high risk food premises together with an initiative to address the backlog of lower risk premises (focussing on Category D- rated premises). The broadly compliant indicator remains consistently high. National and local food sampling initiatives were carried out throughout the year, and we will continue to take part and make use of sampling resources made available. The service supports the FSA Food safety week as an important initiative to raise awareness of current issues. The new business team within the Food and Health Protection team contribute to providing advice and coaching to businesses prior to the start of trading, in an attempt to give businesses relevant good practice and to inform them of their legal requirements.

The new feed arrangements appear to have been a success, and the section will exploit the regional connections that have been forged. There are clear issues with the number of interventions for food over the past year and resources have been allocated to address this. Regional working and intelligence gathering should continue to be developed and there are clear priorities for the service in relation to both food and feed and these need to be addressed, but without ignoring other issues that are appearing on the horizon.