## London Borough of Bromley Environmental Services Public Protection

# Food Standards Agency Framework Agreement on Local Authority Food Law Enforcement

Food Service Plan 2015-16 and Performance Review 2014-15

1.0	SERVICE AIMS AND OBJECTIVES	
1.1	Aims and Objectives	
	To sustain and improve the standards of safety and quality of food manufactured, prepared and supplied in Bromley following a	
	risk based intervention and enforcement programme and via business advice.	
	To exercise control and surveillance of communicable diseases.	
	To investigate complaints about food premises and food sold in the Borough.	
	To provide a fair, equitable and cost effective service to the Boroughs residents and businesses.	
1.2	LINKS TO CORPORATE OBJECTIVES AND PLANS	
	Building a Better Bromley objectives	
	Public Protection & Safety Portfolio Plan.	
	Environmental Services Enforcement Policy	
2.0	BACKGROUND	
2.1	PROFILE OF THE LOCAL AUTHORITY	
	The Borough is the largest in London by area and occupies 59 square miles (152.8 km²), of which the majority is Metropolitan Green	
	Belt land. It has a population of about 310,000 people, the 4 <sup>th</sup> most populous London Borough, with an ethnic minority population of	
	23%. 71% of the residents are owner occupiers and over 66% of the economically active population are in employment with only	
	2.3% unemployed. The latest figures show that there are over 12,000 businesses in the borough. The majority of businesses are	
	small with less than nine people in each. Public administration, education and health are the Boroughs largest employers. Business	
	and financial services are the second largest employers. Biggin Hill airport, the Princess Royal University, Orpington, Beckenham	
2.0	Beacon and Bethlem Royal NHS Hospitals are located within the Borough.	
2.2	ORGANISATIONAL STRUCTURE	
	The Food Team is located within the Public Protection Division of the Environmental and Community Services Department (See	
	tables 2 and 3 for structure details).	
	Feeding stuffs and alcohol authenticity enforcement is carried out by the Trading Standards team.	
	Kent Scientific Services is appointed as the Food Analyst.	
	Public Health England acts as the Council's Food Examiner.	

#### 2.3 SCOPE OF THE FOOD SERVICE

#### Scope

The Food Safety team undertakes the following activities to improve the safety of food manufactured, prepared and supplied within the Borough Bromley and to control food borne communicable diseases via:

- Food hygiene and Food standards inspections
- Responding to food safety incidents
- Issuing approvals for premises under product specific hygiene regulations,
- Food sampling
- The investigation of complaints relating to food premises within the Borough of Bromley
- The investigation of complaints about food produced or purchased within the Borough of Bromley
- To act as the Proper Officer for notifiable diseases.
- The investigation of notifiable food borne infections to determine the source of infection and prevent further spread
- The investigation of premises within the Borough where there are possible links to food poisoning
- Provision of advice and support to existing and prospective food businesses within the borough on all issues relating to food hygiene and food standards via our website
- Publicity relating to food safety
- Food consumer advice via our website.

#### Other services provided alongside the food service:

- Health and safety "hazard spotting" is carried out in food premises where the local authority is the enforcing authority where significant health and safety matters are noted, in line with the Health and Safety Executives (HSE) National Local Authority Enforcement Code.
- Advice about infection control procedures is given during visits to day care groups.
- · Responding to Freedom of information requests.

#### 2.4 DEMANDS ON THE FOOD SERVICE

#### **Premises Profile**

• There are approximately **2300** food premises, most of which as SMEs. There are also **7** third country food importers, 2 large manufacturing bakers, **47** supermarkets, two approved fishery premises, an approved meat product manufacturer and an FSA approved catering butcher. **3** weekly markets, several occasional and visiting markets and events. 263 new premises registered in 2014/15 while 163 closed down. Bromley Town Centre is being redeveloped, and this will result in an increased number of new food businesses.

#### Resources

• The Food Team is run and managed in-house with 5.5 FTE food safety officers (1FTE food safety officer is on maternity leave until June 15), including the Food Team Coordinator, who does not have a full inspection caseload. The team also has 0.16 FTE admin support. However, the food safety officers will be reduced to 4.5 FTEs around June 2015. This is significantly below the number required to comply with our statutory requirements. (See Table I – Summary of Food Team Resources). Outsourcing of the service is currently being explored.

#### **Service Delivery**

- The service is based at the Bromley Civic Centre where the Customer Service Centre(CSC) is located to receive personal and telephone callers. The decision has been taken to relocate the CSC to Barrow in the future.
- Due to the reduction in food team staff, the service will focus on its statutory requirements with high risk activities taking priority.
- The service operates between office hours
- · An emergency out of hours service is available.
- Out of hours interventions are carried out by officers as required.
- The Council's website has sign posts to Food Team information for both consumers and businesses.

#### **External Factors Having Impact on the Service**

- FBO's having limited understanding of English
- The increasing number of business that only operate outside of office hours
- The high turnover of food businesses
- Emergency work such as closures, seizures, outbreaks and Food Alerts
- Prosecution work
- The increasing number of existing and new businesses seeking advice
- The increasing number of home based food businesses
- The redevelopment of Bromley Town Centre
- Food Hygiene Rating re-score requests
- Freedom of Information requests

#### 2.5 REGULATION POLICY

- Public Protection has signed the Cabinet Office's Enforcement Concordat.
- The Enforcement Policy for Public Protection applies to all enforcement action taken in relation to the food service. It is located in the Legal Process Quality Manual of Public Protection "A Guide to Our Enforcement Policy" has been produced setting out the principles of the policy and enforcement actions. The policy is publicised on the Council's website.
- The Food Safety Team work to support the aims of the Regulators Code

#### 3.0 SERVICE DELIVERY

#### 3.1 Food Premises Interventions

The Food Safety Team inspects premises according to the FSA'S Food Law Code of Practice, where resources allow. Inspection frequencies are based on the food safety risk posed by the premises and inspection frequencies calculated using Chapter 5 of the Code.

Food standard and hygiene inspections are combined when either will be due before the next routine inspection. However, separate Food Standards inspections are carried out in high risk premises

#### 3.1 Food Premises Interventions contd.

New premises are to receive a food safety inspection within 28 days of registration to comply with the Code, however, this is not always possible due to our resources. We therefore aim to inspect them within 3 months, depending on their food safety risk. New premises which are deemed to be low risk e.g. home cake-makers, are not routinely inspected. Their risk is assessed by a desk top exercise. This is a pragmatic approach which does not comply with the Code but ensures our resources are targeted towards higher risked premises. To date, we have 250 new premises which are awaiting an inspection, 151 of which are low risk home businesses.

To comply with the Code, Category A & B food hygiene inspections are to be carried out within 28 days of their inspection date and we aim to comply with this requirement. We have a back log of 26 B rated inspections, 11 of which only trade out of office hours.

The Code requires premises to be inspected while they are trading. We will inspect these premises within 2015/16 as a priority.

Category C food hygiene inspections are to be inspected every 18 months. We have a backlog of 334 outstanding C rated inspections from 2014/15, 63 of which only trade out of office hours. The Code requires premises to be inspected while they are trading. We will inspect these premises within 2015/16.

The number of outstanding category C food hygiene inspections from 2014/15 will have an impact on ability to comply with the inspection interval set out in the code in 2015/16. Therefore the majority of C rated food hygiene premises due in 2015/16, will have their food hygiene inspection delayed until 2016/17. This will have a cumulative effect on target inspection numbers in the following years.

Category D food hygiene inspections are to be inspected every 24 months. Due to our resources, these premises are only inspected when we have capacity or when they are the subject of a complaint. We currently have a back log of around 246 Category D food hygiene premises awaiting inspection. With the current level of resources these will remain uninspected in this and future years.

Category A food standards inspections are due annually, we have 1 outstanding which will be given priority. Category B food standards inspections are due every 24 months. These are combined with hygiene inspections when the hygiene inspection is due. We currently have 74 outstanding category B food standard inspections.

Premises which are a category D for food hygiene and category B or C for food standards are not routinely inspected due to our resources.

Low risk premises rated E for food hygiene and C for food standards are not routinely inspected as permitted in the Code. They are contacted every 3 years to assess their food safety risk under our Alternative Enforcement Strategy (AES). This was last undertaken during 2013/14.

#### 3.1 Food Premises Interventions Contd.

The resultant backlog in inspections is the result of the gradual reduction in food safety officers and admin staff over recent years, a food safety officer being on maternity leave during the second half of the year and the four prosecutions undertaken during the year, two of which required detailed investigations to identify the Food Business Operators.

In total, there are 606 overdue food hygiene inspections, 1 food standards inspection and 99 unrated premises awaiting inspection. This, in addition to the 607 premises due for inspection in 2015/16 and the estimated 160 new premises likely to register during the year, gives a total inspection target for 2015/16 of around 1473 premises.

During 2015/16 we will prioritise the

- 360 overdue B & C food hygiene inspections,
- the 1 overdue food standards inspection,
- the 132, A & B food hygiene inspections
- the 5, A food standard inspection due;
- the 99 unrated premises which are not low risk; and
- the projected 160 new high-risk premises.

This gives a total of 757 food inspections due during the year and will require 4.3 FTE food safety officers based on our current inspection target, if no emergency or enforcement work is undertaken.

An additional 4.1 FTE food safety officers will be required if the 246 overdue D food hygiene inspections and the 416 C & 54 D inspections due this year are to be carried out during 2015/16.

Following a food hygiene inspection, food premises are rated in accordance with the Food Standards Agencies (FSA) Food Hygiene Rating Scheme (FHRS).

Premises rated 0 - 2 receive additional follow up visits and written letters to ensure compliance and improved standards. Formal action will be considered where informal action is not successful, in line with our Enforcement Policy.

Under the Food Hygiene Rating Scheme (FHRS), premises can request to have their business re-rated with a non- programmed inspection being carried out Under the Brand Standard for the scheme, which Bromley has agreed to follow. These rescore inspections must take place within 3 to 6 months of the request being made.

Approved premises are to be inspected on an annual basis and we aim to comply with this requirement.

	OBJECTIVES	PERFORMANCE MEASURES
	To carry out 757 food hygiene interventions, largely by inspection.	Number of hygiene interventions carried out and % of those due.
	To carry out 300 food standards interventions, largely by inspection.	Number of food standards interventions and % of those due.
	To send up to 600 schedules of improvement / warning letters to improve standards following interventions.	Number of schedules of improvements / warning letters sent.
	To maintain the percentage of premises broadly compliant for food hygiene at the time of inspection to 70%.	Number of Premises broadly compliant as a %
	To carry out up to 200 follow-up visits, focusing on zero - 2 star premises.	Number of follow-up visits carried out.
	To improve 5 rated zero premises (This is a key performance indicator)	Number of zero premises which have improved their rating
3.2	Food Complaints /Service Requests  The team will respond to complaints about food and food premises within the Borough where a breach of food safety legislation is suspected. The speed of response and level of investigation will depend on the severity of the complaint. This will be decided by the investigating officer with advice from the Lead Officer for food and/or the team manager as required and in accordance with our internal procedures. Urgent complaints will be responded to within 24 hours and non-urgent ones within 5 working days.	
OBJECTIVES PERFORMANCE MEASURES		PERFORMANCE MEASURES
	To respond to up to 300 complaints/enquiries about food and food premises.	Number of complaints/service enquiries responded to.
3.3	Home Authority Principle/ Primary Authority Partnerships	
	The authority respects both the Primary and Home Authority schemes. We currently have no Primary Authority partnerships and 2 Informal Home Authority agreements which will be terminated during 2015-2016. We will follow the Home Authority principles who dealing with requests about or from premises based in our Borough, even where no formal agreement exists.	
	To use Primary Authority Inspections forms where appropriate and refer to the Primary Authority to resolve issues found during inspection.	No performance measure
	To refer to Primary Authorities when dealing with food complaints about food manufactured outside the Borough.	No performance measure

3.4	Advice to Food Businesses		
	The provision of advice and guidance to secure compliance with food law is an integral part of the work carried out by the service. Advice to existing food businesses will mostly be offered during inspections and revisits. Businesses seeking advice which is not directly related to a current food safety inspection will be directed to our website were food safety advice is available on a self-serve basis. Businesses will be given advice on the new Food Information Regulations 2014 during inspections.  Advice to new and proposed food business and to consumers is given via our website only on a self-serve basis. Advisory visits to proposed food or refurbished premises are not made.		
	<ul> <li>To continue to focus on improving the star rating of food premises in the Borough with 0 stars by 100%.</li> </ul>	<ul> <li>% of zero star premises that have a higher rating at the end of March 2016.</li> </ul>	
3.5	Food Inspection and Sampling		
	Food sampling is an essential part of our enforcement service and is carried out in line with our sampling policy and programme. Our food sampling is intelligence led, focusing on existing and emerging issues, especially for food manufactured in the Borough or imported from third countries. Where possible, food sampling will be combined with food inspections or revisits.		
	OBJECTIVES	PERFORMANCE MEASURES	
	<ul> <li>To participate in South East London Food Liaison Group, London Food Coordinating Group(FLCG), Food Standards Agency (FSA) and Public Health England (PHE) and EU sampling programmes for both analysis and examination.</li> <li>To carry out intelligence-led local sampling projects as a result of inspections, complaints or other information.</li> </ul>	Number of food samples analysed or examined.	
3.6			
	The Public Health (Control of Disease) Act 1984 as amended and the Public Health (Infectious Disease) Regulations 1988 require certain communicable diseases to be notified to the Proper Officer within a Local Authority. Food Team officers investigate food borne diseases and food poisoning to establish the source of infection and prevent further spread. Outbreaks are investigated along with the South East London Health Protection Team who provide infection control advice along with statistical analysis.		
	<ul> <li>To investigate cases of food poisoning or suspected food poisoning connected with premises within the Bromley, in line with South East London Health Protection Team guidelines</li> </ul>	Number of cases investigated.	
	To investigate outbreaks of food poisoning/suspected food poisoning/viral gastroenteritis.	Number of outbreaks investigated.	
3.7	Food Safety Incidents		
	Food Alerts are received from the Food Standards Agency by email to our Food Safety Team email inbox. This is monitored regularly by the team admin. Alerts are sent to the Food Team Lead Practitioner or team manager to determine the action required.		

	assist. There is an out of office hours emergency arrangement whe	ere urgent action is required when the office is closed.	
	To respond to all food alerts and other food safety incidents	Number of food alerts/incidents responded to.	
	issued by the FSA, as appropriate.		
3.8	Liaison with Other Organisations		
	The Team is a member of the South East London Food Liaison Gr		
	Group and has designated members to attend. The team will also I		
	Standards Agency and Department for Environment, Food and Rural Affairs etc., other Environmental Health Departments and		
	professional organisations such as The Association of London Env	Y	
	To ensure the food service liaises with and participates in joint initiatives with other Council Departments, organisations	No performance measures.	
	and Borough as required.		
	<ul> <li>To send representatives to the South East London Food</li> </ul>		
	Liaison Group, Environmental Health Working Group and		
	Public Health Group.		
	To have a nominated OFSTED liaison officer		
	To have a nominated schools liaison officer		
3.9 Food Safety and Standards Promotion			
	The promotion of food safety issues is an important means to secure food safety compliance in food businesses. The website a press releases are used to highlight key issues such as food safety week. The team participates in the FSA Food Hygiene Rati Scheme and encourages business to display the score received.		
	To update the food service's website.	Evaluated by the Website Coordinator.	
	To publicise food hygiene myths during Food Safety Week	No performance measure	
	To continue to participate in the FSAs FHRS	No performance measure	
	To issue Press Releases	No performance measure	
	OBJECTIVES	PERFORMANCE MEASURES	
3.10	Health and Safety in Food Premises		
	Food team officers carry out health and safety hazard spotting while visiting food premises. Significant offences will be reported		
	the Public Protection Health and Safety team for action.	N	
	To carry out up to health and safety "hazard spotting" in food     promises where significant effences are noted.	Number of health and safety "hazard spotting" inspections     arrived out.	
	premises where significant offences are noted.	carried out.	
	To liaise with the Health and Safety Team where formal action in food premises is required		
	action in 1000 premises is reduired		

4.1	Financial Allocation		
	The overall cost of the food service for 2014/15 was		
	£301,606 (salaries inc national insurance and pension)		
	The budget set aside for 2015/16 is ££214.506		
	The budget set aside for food sampling & analysis is £6,000		
4.2	Staffing Allocation		
	See Table 1	No performance measure.	
4.3	Staff Development		
	Staff training and development needs are met via a mixture	No performance measure.	
	on in-house and external training.	No performance measure.	
	PADs reviews are carried out by the team manager		
5.0	Quality Assessment		
5.1	To carry out internal monitoring to verify conformance with legal obligations, the Code and internal procedures.	Internal monitoring.	
	To track the outcomes of zero rated inspections, with the aim	Internal monitoring.	
	of improving their star ratings.		
	To participate in Inter authority auditing as required.	No performance measure	
6.0	.0 Review		
6.1	The Service Plan will be reviewed at 6 monthly intervals and	Internal Monitoring	
	progress reported to the Head of Food, Safety and Licensing		
	along with service developments.		

TABLE 1 - SUMMARY OF STAFF RESOURCES REQUIRED FOR FOOD SERVICE

SERVICE DELIVERY	FULL TIME EQUIVALENT OFFICERS - BELOW MANAGER LEVEL REQUIRED TO UNDERTAKE 2015/16 WORK PLAN IF NO ENFORCEMENT WORK IS UNDERTAKEN (1)	FULL TIME EQUIVALENT OFFICERS - BELOW MANAGER LEVEL TO CARRY OUT ALL OVERDUE INSPECTIONS (2)
Food Premises Inspections	• 4.3 *FSO/LO	• 8.4 *FSO/LO
Food Complaints	• 0.4 FSO/LO	• 0.4 FSO/LO
Home Authority Advice	0.0 (No longer offered)	0.0 (No longer offered)
Advice to Businesses	0.0 (No longer offered)	0.0 (No longer offered)
Advice to Consumers	0.0 (No longer offered)	0.0 (No longer offered)
Food Sampling	• 0.10 FSO/LO	• 0.10 FSO/LO
Control and Investigation of Outbreaks and Food Related Infectious Disease	• 0.25 FSO/LO	• 0.25 FSO/LO
Food Safety Incidents	• 0.03 FSO/LO	• 0.03 FSO/LO
Liaison - with the South East London Sector food liaison & Environmental Health Working Groups	• 0.02 LO	• 0.02 FSO/LO
Food Safety and Standards Promotion	• 0.01 FSO/LO	• 0.01 FSO/LO
Health and Safety in Food Premises	• 0.25 FSO/LO	• 0.25 FSO/LO
Staff Training and Development	• 0.10 FSO/LO	• 0.10 FSO/LO
Quality Assessment	• 0.20 LO	• 0.10 LO
Technical Support	• 0,50 LO	• 0.50 LO
Administration	• 0.50	• 0.50
TOTAL STAFF RESOURCE REQUIRED	• 6.66	• 10.76
TOTAL RESOURCE PROVIDED	• 4.66	• 4.66

\*FSO = Food Safety Officer LO = Lead Officer

- (1)- Staff required to carry out 2015/16 work plan ( if no enforcement work is undertaken)
- (2)- Staff required to carry out all due and overdue inspections in 2015/16 (if no enforcement work is undertaken)

Table 2

Environmental and Community Services Department
Departmental Structure

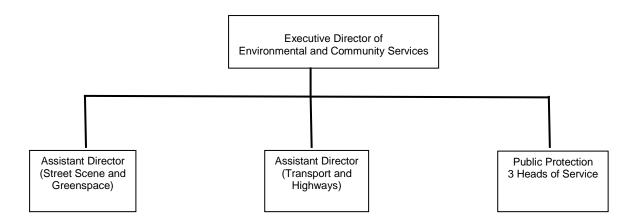
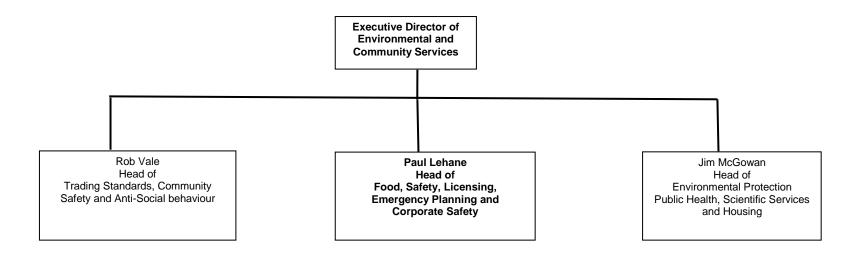


Table 3

### Environmental Services Department Public Protection Structure



#### **PERFORMANCE REVIEW 2014-15**

3.0	2014/15		
3.1	OBJECTIVES	PERFORMANCE REVIEW	
3.1	Food Premises Interventions		
	To carry out 1100 food hygiene interventions, largely by inspection.	612 food hygiene interventions were carried out. This is 69 % of those due.	
	To carry out 110 food standards interventions, largely by inspection.	262 food standards interventions were carried out.	
	To send up to 700 schedules of improvement / warning letters to improve standards following interventions.	610 schedules of improvements / warning letters sent.	
	To improve the percentage of premises broadly compliant for food hygiene at the time of inspection to 70%.	76% of premises were broadly compliant.	
	To carry out up to 15 inspections of mobile food businesses at one-off events/ visiting markets.	This target was not monitored.	
	To carry out up to 500 follow-up visits, focusing on zero - 2 star premises.	176 follow-up visits were carried out.	
	To improve 95% of premises rated zero	100% zero premises which have improved their rating	
3.2	Food Complaints /Service Requests		
	To respond to up to 70 complaints/enquiries about food and food premises.	289 complaints/service enquiries were responded to.	
	OBJECTIVES	PERFORMANCE MEASURES	
3.3	Home Authority Principle/ Primary Authority Partnerships		
	To respond to requests for advice about food standards matters from Home Authority businesses.	3 requests for advice responded to.	
3.4	Advice to Food Businesses		
	To provide advice to up to 200 existing & proposed food businesses.	263 existing and proposed food businesses to whom advice was given.	
	To support local food businesses by training at least 60 proprietors/managers regarding the introduction of Safer Food Better Business (SFBB) hazard analysis system.	61 people from local businesses were trained.	
	To continue to focus on improving the star rating of food premises in the borough with 0 stars by 60%.	100% of zero star premises that have a higher rating at the end of March 2014.	

3.5	Food Inspection and Sampling	
	To participate in South East London Food Liaison Group, LACORS, Food Standards Agency (FSA) and EU sampling programmes for both analysis and examination.  To participate in South East London Food Liaison Group,	55 samples were analysed or examined.
	<ul> <li>To carry out intelligence-led local sampling projects as a result of inspections, complaints or other information.</li> </ul>	
	OBJECTIVES	PERFORMANCE MEASURES
3.6	Control and Investigations of Outbreaks and Food Related Infectious Disease	
	To investigate cases of food poisoning or suspected food poisoning brought to the Authority's attention via GP's notifications and laboratory reports, in line with South East London health protection team guidelines	0 cases were investigated.
	<ul> <li>To investigate outbreaks of food poisoning/suspected food poisoning/viral gastroenteritis.</li> </ul>	7 outbreaks were investigated.
	<ul> <li>To continue to develop a paperless infectious disease notification and investigation system.</li> </ul>	Completed.
3.7	Food Safety Incidents	
	<ul> <li>To respond to all food alerts and other food safety incidents issued by the FSA, as appropriate.</li> </ul>	3 food alerts/incidents responded to.
3.8	Liaison with Other Organisations	
	To ensure the food service liaises with and participates in joint initiatives with other, Council Departments, organisations and Borough as required.	No performance measures.
	<ul> <li>To send representatives to the South East London Food Liaison Group and the Environmental Health Working Group.</li> </ul>	
	<ul> <li>To have a nominated OFSTED liaison officer</li> <li>To have a nominated schools liaison officer</li> </ul>	
3.9	Food Safety and Standards Promotion	
	To update the food service's website.	Ongoing
	To publicise food hygiene myths during Food Safety Week	No performance measure
	To continue to participate in the FSAs FHRS	No performance measure

	OBJECTIVES	PERFORMANCE MEASURES
3.11	Health and Safety in Food Premises	
	To carry out up to health and safety "hazard spotting"	51 health and safety "hazard spotting" inspections carried
	inspections in food premises where significant offences are	out.
	noted.	2 health & safety prohibition notices were served. This work
	To carry out enforcement in line with the Enforcement Policy.	is now mostly undertaken by the health & safety team.
4.0	RESOURCES	
4.1	Financial Allocation	
	The overall cost of the food service for 2013/14 was	
	£326,997.36 (salaries inc national insurance and pension)	
	The budget set aside for 2014/15 is £301,606	
	The budget set aside for food sampling & analysis is £6,000	
4.2	Staffing Allocation	
	See Table 1	No performance measure.
4.3	Staff Development	
	Staff training and development needs are met via a mixture	No performance measure.
	on in-house and external training.	No performance measure.
	PADs reviews are carried out by the team manager	
5.0	Quality Assessment	
5.1	<ul> <li>To carry out internal monitoring to verify conformance with</li> </ul>	Internal monitoring.
	legal obligations, Codes of Practice and internal procedures.	
	To track the outcomes of zero rated inspections, with the aim	Internal monitoring.
	of improving the star ratings.	
	To participate in Inter authority auditing as required.	No performance measure
6.0	Review	
6.1	The Service plan will be reviewed at 6 monthly intervals and	Internal Monitoring
	progress reported to the Head of Food, Safety and Licensing	
	along with service developments.	