



# **North Tyneside Council**

## **North Tyneside Council Food and Feed Law Enforcement Service Plan**

<b>Section</b>	<b>Page</b>
<b>1 Overview</b>	<b>3</b>
<b>2. Service Aims &amp; Objectives</b>	<b>3</b>
<b>3. Authority Background</b>	<b>10</b>
<b>4. Service Delivery</b>	<b>16</b>
<b>5. Resources</b>	<b>29</b>
<b>6. Quality Assessment</b>	<b>30</b>
<b>7. Review</b>	<b>31</b>
<b>Appendix 1 - Revenue Budget 2018/19</b>	<b>33</b>
<b>Appendix 2 - Staffing Allocations 2018/19</b>	<b>33</b>
<b>Appendix 3 – Work Programmes</b>	<b>34</b>
<b>Appendix 4 – Sampling Plan 2018/19</b>	<b>36</b>
<b>Appendix 5 – Food and Feed Law Plan 2017/18 Review</b>	<b>38</b>

## 1. OVERVIEW

The Food Standards Agency Framework Agreement on Local Authority Law enforcement requires Authorities to develop and approve a food and animal feed service plan.

The structure of the plan set out below follows the guidance contained in the Framework Agreement.

The plan describes how food and feed safety and food standards in North Tyneside will be monitored and controlled. It also sets out how the service will contribute to the broader health improvement agenda through the promotion of healthy eating.

The service plan is set out as follows:

- Service aims and Objectives
- Authority Background
- Service Delivery
- Resources
- Quality Assessment
- Review / Performance Management

## 2. SERVICE AIMS AND OBJECTIVES

### 2.1 Aims and Objectives

A primary objective of the Environmental Health Service is to protect the health and wellbeing of the borough's resident and transient population. We will do this by ensuring the safety and quality of food produced, prepared, distributed and supplied in the Borough and also through safety within the food chain by ensuring that animal feed processed, distributed and sold meets regulatory requirements. This will be achieved through a combination of education, promotion and enforcement at food and feed premises operating in North Tyneside and where appropriate, through consumer information campaigns and initiatives.

In setting objectives and targets within the 2018-20 Food and Feed Law Plan, regard has been had to the strategies and plans for the 3 main government agencies with interests in developing food and feed safety and food quality policy:

#### ***Food Standards Agency (FSA):***

The FSA 5 year strategic delivery plan 2015-2020: working towards food we can trust is based around the following principles:

- Food is safe and what it says it is, and we have access to an affordable healthy diet, and can make informed choices about what we eat, now and in the future
- The FSA supports the growth of responsible businesses by protecting the reputation of UK food and clamping down on businesses which put

consumers at risk, and can therefore have an unfair cost advantage in the short term over responsible businesses

- It is a responsibility of consumers to manage the risks relating to food that they can affect. They have a right to be informed and supported in responding to those risks. The Food Standards Agency has a key role to play in making this happen.

### Regulating our Future

“Regulating our Future” sets out the Food Standard Agency’s (FSA) proposals for a new sustainable and effective regulatory system with the aim of ensuring that businesses across England, Wales and Northern Ireland meet their responsibilities in producing food that is safe, and is what it says it is. The FSA is in the process of building a modern risk based framework for all food businesses with a staged timeframe of implementation between 2019 & 2020.

The new regulatory framework considers the following items:

- An enhanced system of registration for businesses, which will mean securing better information on all businesses so that the FSA can better identify and manage risk across the food chain.
- Segmenting businesses in a better way using a range of risk indicators based on wider information about the business, including the information gathered at the point of registration and from other sources.
- Businesses with a good history of compliance will face a lower burden from regulation, and free up local authority resources to target the businesses that present the greatest risk to public health.
- Increased use of the primary authority scheme and enhanced national inspection strategies.
- Remaining committed to the Food Hygiene Rating Scheme and ensuring that the scheme is sustainable and display becomes mandatory in England as it is in Wales and Northern Ireland.
- Businesses should meet the costs of regulation, which should be no more than they need to be.

### **Public Health England:**

Public Health England has been pursuing the objectives laid out by the Government’s Childhood Obesity A plan for Action paper published 25 June 2018. The government plans to reduce England’s rate of childhood obesity within the next 10 years by encouraging:

- industry to cut the amount of sugar in food and drinks
- primary school children to eat more healthily and stay active

This publication outlines the actions the government will take towards its goal of halving childhood obesity and reducing the gap in obesity between children from the

most and least deprived areas by 2030. Part two of the governments plan for action is to significantly reduce childhood obesity by supporting healthier choices.

North Tyneside's environmental health team will explore opportunities to work with businesses in North Tyneside to increase the number of healthy food options available in out of home settings.

In addition we will explore opportunities within our own premises to develop calorie labelling to help individuals make more informed and healthy choices for themselves.

***Department of Farming and Rural Affairs (DEFRA):***

Defra produced a policy paper; UK food and Drink: International action plan 2016 - 2020. The document outlines how the government and industry will work to boost UK food and drink exports

There are four main strategic objectives:

- Raising ambition – encouraging companies to export for the first time and, for those who already do, to export more.
- Increasing capability – exporting can be challenging, and companies need to have the information, innovation, finance and skills to be successful. This is supported by wider efforts from Government and industry to raise the overall productivity and skills of the sector. UK Food and Drink - International Action Plan 2016-2020.
- Identifying opportunities – building volume and opening trade opportunities in key markets, as well as creating new demand in third countries.
- Britain needs to ensure a sustainable supply of food for the UK market and export. Supporting and developing British farming, and encouraging sustainable food production (including fisheries) will ensure a secure, environmentally sustainable and healthy supply of food with improved standards of animal welfare.

The outcomes and priorities set out by the three agencies, towards which the Authority can contribute with benefits to the health of consumers in North Tyneside are set out in the Food Safety Team objectives.

***Food Safety Team Objectives:***

- Ensure a risk based, proportionate and targeted approach to regulatory inspection and enforcement, whilst supporting business.

- Carry out a programme of inspections and other visits to food and feed premises to investigate compliance with hygiene, legislation and promote best practice to ensure food and feed safety.
- Carry out a programme of food standards inspections and visits, co-ordinating these with food safety visits whenever possible, to investigate compliance with compositional and labelling legislation.
- Continue the operation of the Food Hygiene Rating Scheme (FHRS) providing information to customers on the standards of food hygiene in the Borough's food establishments.
- Investigate food and feed related complaints and react promptly to any food or feed related emergencies and immediate threats to public health, including responding to food alerts issued routinely by the Food Standards Agency. Remove any food or feed not meeting food or feed safety requirements from sale.
- Alert suspected food crime activity that is deemed to be of a serious nature to the National Food Crime Unit (NFCU). Food crime involves dishonesty at any stage in the production or supply of food. It is often complex and likely to be seriously detrimental to consumers, businesses or the general public interest.
- Advise and educate consumers and businesses and other service users on food safety and food standards matters, in particular providing support to the business community to understand and comply with food law and adopt good food hygiene practice. Provide assistance with the export certification of food as required.
- Carry out a programme of food and feed sampling to check on the microbiological quality and compositional requirements of food and feed.
- Investigate reports of food and water borne disease and illness and institute appropriate controls to prevent further spread of infection.
- Promote healthy eating options for consumers when Food Safety Officers are working with businesses.
- Work together with colleagues in North Tyneside Council, other local authorities, professional bodies, central government and other interested parties to ensure a coordinated approach to food and feed related matters. To provide relevant reports and statistics as required regarding the operation of the food service.
- Maintain an up-to-date register of food and feed business establishments and determine any applications for approval of premises in accordance with EU Regulation 882/2004.

- Supporting international trade by responding promptly to requests from Food Business Operators for food export certification. The process for food exportation to the EU is subject to change pending on the UK Brexit deal. The FSA are considering all options including a no deal Brexit but have stated trade will continue between UK and EU after the 31<sup>st</sup> March 2019.
- Food Safety Team members are responsible for the discharge of a number of other statutory duties at food businesses, in addition to their food safety responsibilities. These include:
  - Health and Safety at Work;
  - Statutory Nuisance investigations;
  - Enforcement of Animal By-Product legislation;
  - Enforcement of the Local Government (Miscellaneous Provisions) Act 1982, as they apply to the provision of sanitary accommodation for customers at catering premises;
  - Monitoring of the safety and quality of drinking water at domestic and commercial premises.

## **2.2 Key Service Demands and Priorities in 2018/19**

Demands on the food and feed service are variable and arise from legislative requirements, national issues and needs of the community:

The UK is in the process of leaving the European Union and the outcome in terms of regulatory changes and enforcement is not clear until a deal has being agreed. The FSA are considering all options including a no deal Brexit but they have stated trade will continue between the UK and EU after the 31<sup>st</sup> March 2019. The areas of work that may have implications on the team include;

- Export of food from the UK to EU Countries as a number of businesses in the borough regularly export their food products to EU member states.
- Support and advice to business on changes e.g. impact of Brexit; removal of EC from ID numbers; new or adopted legislative changes adopt a like for like

The food safety duties carried out by the Food Safety Team must be discharged in accordance with the Food and Feed Law Codes of Practice (COP) and practice guidance, The Food and Feed Law COPs are statutory codes issued under Section 40 of the Food Safety Act 1990.

At present there are 1549 food business premises operating in North Tyneside, including 24 approved establishments that manufacture or process food in accordance with more stringent hygiene requirements in Regulation EC 853/2004. There are over 900 catering premises. In addition there are 52 registered premises handling, processing, distributing or selling animal feed.

The majority of businesses are small to medium enterprises (SME) employing 10 or less staff. Enforcement of food safety legal provisions at SME business can present challenges to food safety officers because of a range of factors, which include a lack of awareness of food safety hazards and skills, staff turnover, language difficulties in ethnic businesses, limited technical and expert support and access to training.

New food businesses are required by law to register their premises at least 28 days before commencing trading. Existing businesses must notify the authority of changes in ownership or any significant changes in their operations that have significance to food safety. The turnover in business ownership, particularly within the catering sector, keeping track of the opening and closure of food businesses, and the associated demands for initial advice from prospective food business operators presents a challenge to the service.

The Food Law Code of Practice establishes the concept of 'Broadly Compliant' food establishments. These are establishments that score 10 points or less for 3 of the components in the food safety risk rating system used by enforcement officers for assessment of food premises following an inspection. The three components are:

- Level of hygiene compliance;
- Level of structural compliance; and
- Level of confidence in management.

Local Authorities are required to report the percentage of 'Broadly Compliant' food establishments in their area to the FSA on an annual basis through the Local Authority Enforcement Monitoring System (LAEMS). The FSA use this outcome measure to monitor the effectiveness of a local authority's regulatory service.

As at the 31<sup>st</sup> March 2018, 92.2% of businesses in the borough were 'Broadly Compliant' with food safety requirements. The percentage can fluctuate through the year pending on business compliance and the negative impact from non-compliant and unrated premises.

We will continue to target our resources towards non-compliant and unrated businesses and aim to achieve a rate of 93% by the end of 2018/19.

**Priorities** have been established to ensure the best practical service and addressing demand:

- Emergencies and threats to public health (food alerts, outbreaks / incidents and infectious disease notifications, revisits, formal action to protect public health – hygiene emergency prohibition, remedial action notice, prohibition notice, high priority food & water complaints and monitoring, serious health and safety complaints).
- A risk based approach to programmed food and feed interventions\* applying the most appropriate intervention.



The COP allows local authorities further flexibility on the type of interventions that can be applied on programmed visits to food premises. This means some food hygiene interventions which are less time consuming can be carried out.

- Continue to promote agile working practices into the food team's day to day work.
- Prompt response to requests for food and feed hygiene and food standards start up advice. Recognising that correct advice at this stage will reduce cost of compliance to both business and local authority and help business to thrive and grow.
- Sampling of food for microbiological examination supporting public health emergencies, food and water borne disease investigations and interventions at food premises.
- Support in the form of advice and coaching to change behaviours and raise standards at non-compliant food businesses, resorting to formal enforcement action where this proves to be ineffective in securing the safe handling of food at food establishments.

The priorities set out above are intended to promote efficient and effective approaches to regulatory inspection and enforcement that will improve regulatory outcomes without imposing unnecessary burdens on businesses.

*\* The range of interventions that local authorities will apply when visiting food businesses is as follows:*

- *Inspections / Audit;*
- *Surveillance / Verification;*
- *Sampling;*
- *Education, advice and coaching provided at a food establishment;*
- *Information and intelligence gathering.*

*There are other activities and methods (which are not official controls) employed by the Team to monitor, promote and drive up compliance with food law in food establishments. These include the publication of information on hygiene standards at food premises on the National Food Hygiene Scheme, the use of 'Alternative Enforcement Strategies' for low risk establishments and education and advisory work with businesses away from the premises (seminars/training events).*

## **2.3 Links to Corporate Objectives and Plans**

The Food and Feed Law Plan will align itself to the North Tyneside Council Plan.

The Food and Feed Law Plan is part of this bigger picture. The Plan sets out the aims and objectives of the Food Safety Team. It identifies what the service needs to do to enforce food and feed hygiene and food standards across the borough and

provides information (in the form of an action plan) about how it will achieve this. This should drive through food and feed safety standards and therefore contribute to the improved health and well being of the Borough's population.

### 3. BACKGROUND

#### 3.1 North Tyneside Food and Feed Establishment Profile

##### 3.1a Food Establishments

There are currently 1549 food establishments in North Tyneside, all of which must be subject to intervention to ensure food safety and standards are being met. Businesses range in size and type from large food manufacturing establishments with national and international customers to small corner shops.

A number of businesses have vulnerable customers where extra care in the production of handling of food is essential e.g. care homes, nurseries and a hospital.

There are a significant number of fishery products processing premises in North Shields supporting one of the few remaining fishing ports on the east coast of England.

The premises profile is based upon the Food Standards Agency Intervention Statistics Model and is as follows:

By business type:

	<u>2018/2019</u>
Primary Processors	0
Manufacturers and Packers	52
Importers/Exporters	0
Distributors/Transporters	17
Retailers	335
Restaurant and Caterers	981
Unclassified (unrated)	164
<b>Total</b>	<b>1549</b>

By hygiene risk category:

	<u>2018/19</u>
<b>A</b>	2
<b>B</b>	44
<b>C</b>	242
<b>D</b>	575
<b>E</b>	522
<b>Unrated</b>	164
<b>Total</b>	<b>1549</b>

This profile is subject to fluctuation. Unrated businesses are new or changed food operations awaiting inspection.

Within the food manufacturing sector there is a frozen bakery product manufacturer with distribution to approximately 1700 stores nationally. Intermediate size businesses include the supermarket chains and a small number of manufacturing establishments, some of which are involved in export of goods within the EU and to third countries.

There is a wide range of manufacturing processes which require officers to have enhanced food safety technical knowledge. Processes include Vacuum packing of high risk foods, low temperature (Sous Vide) cooking, fishery products processing, tea blending and packing, ice cream manufacturing, manufacture of frozen meals and brewing.

Approved Premises handling products of Animal Origin

	<u>2018</u>
Meat Products	4
Minced Meat and Meat Preparations	3
Fishery Products	16
Cold Store	4

These are premises subject to more stringent hygiene provisions than those applied to registered food businesses and are allocated a unique Establishment Number on approval. These premises require more staff resource for inspection, supervision and advice on meeting these enhanced standards.

### 3.1b Animal Feed Establishments

There are currently 54 businesses in the Borough registered as feed premises that either import /export, process, manufacture, or distribute food on for feed purposes through retail activities. Feed premises are required to be inspected in line with those frequencies set out in the Food Standards Agency Feed Law Code of Practice.

The appropriate risk scoring profile for feed businesses scores them on a frequency of inspection basis from 1 to 5 years with a score of 1 being the highest risk and 5 being the lowest.

By business type:

	<u>2018/2019</u>
Arable Farm	6
Co-product Producer	6
Distributor	5
Importer	0
Livestock Farm	3
On-farm mixer	2
Manufacturer	0
Mobile mixer	0
Store	3

Supplier of surplus food	23
Transporter	4
Pet Food manufacturer	2
<b>Total</b>	<b>54</b>

By feed risk category:

	<u>2018/19</u>
1 'Poor Record of Compliance'	0
2 'Varying Record of Compliance'	6
3 'Satisfactory Record of Compliance'	29
4 'Broad or Better than Satisfactory'	16
5 'Approved Assured Premises'	0
Unrated awaiting inspection	3
<b>Total</b>	<b>54</b>

### 3.2 Regulatory Services Organisational Structure

A 'family' of specialist regulatory services is housed under the umbrella of the Public Protection Services. The 'family' of specialist services consists of:

- Environmental Health
- Licensing
- Trading Standards.

Environmental Health is in itself delivered through separate specialist teams as follows:

Food and Feed Safety and Infectious Disease Control: responsible for the inspection of all food and feed establishments, investigation of food and feed complaints, food and feed sampling (compositional and microbiological), food safety training and awareness and the investigation of all notifiable infectious diseases.

Health and Public Protection: responsible for the inspection of all allocated premises under the requirements of the Health and Safety at work Act 1974, investigation of all notifiable work place accidents, health and safety training, animal health and welfare.

Private Sector Housing: responsible for the investigation of all private sector rented tenant complaints, inspection of properties to determine fitness, inspection and licensing of Houses in Multiple Occupation and the administration of private sector renovation loans and disabled facilities grants.

Pollution Control: responsible for the investigation of all pollution complaints, primarily noise, but also including odour and watercourses.

### **3.3 The Food Safety Team**

The Food and Feed Safety Function is delivered by the Food Safety Team. The Senior Environmental Health Officer (Food Safety) is the nominated 'Lead Officer' who will be responsible for direct liaison with the Food Standards Agency on matters of food safety.

The Council has appointed all Environmental Health Officers as 'Authorised Officers' under the Food Safety Act 1990, The Feed (Hygiene and Enforcement) (England) Regulations 2005 and other food and feed related legislation.

### **3.4 Food Safety Team Structure**

#### **(i) Senior Environmental Health Officer (Food Safety)**

The Senior Environmental Health Officer (Food Safety) is responsible for the organisation and operational delivery of the following functions:

Food Hygiene  
Feed Hygiene;  
Food Standards;  
Food and Feed Complaints;  
Food and Feed Sampling (including water);  
Food Poisoning;  
Imported Food and Feed Control;  
Food Export Certification;  
Food and Feed premise approvals;  
Infectious Disease Control;  
Food Safety Training and Promotion;  
Promote Healthy Eating at food establishments.

The Senior Environmental Health Officer (Food Safety) is responsible for ensuring that all food safety issues are actioned in accordance with all relevant statutory requirements by means of:

1. Enforcement in accordance with the Council's Enforcement Policy.
2. Working with partners within the North East Food Liaison Group, Laboratory

Service, Local Authority Co-ordinating Body on Regulatory Services (LGR), North East Trading Standards Association, Public Health England (PH), Department of Farming and Rural Affairs (DEFRA), Department of Health and NHS Clinical Commissioning Groups (CCG), Care Quality Commission, OFSTED.

The Senior Environmental Health Officer (Food Safety) will:

1. Undertake the day-to-day allocation of work to Environmental Health Officers, Food Safety Officer, Food Technician.
2. Ensure consistent delivery of work in accordance with the requirements of the Food and Feed Service Plan.
3. Support the team through undertaking duties assigned to the Environmental Health Officers/Food Safety Officer as detailed below.

#### **(ii) Environmental Health Officers / Food Safety Officer**

To undertake monitoring and inspection of food and feed premises and processes, investigation of complaints and suspected food poisoning, taking relevant enforcement or advisory action in accordance with legislation and guidance.

#### **(iii) Food Technician**

To undertake sampling and maintain records associated with the food and feed sampling plan, carry out initial enquiries in respect of food complaints and assist in the monitoring of standards relating to hygiene in food premises.

### **3.5 Liaison with other Organisations**

The customer and stakeholder base of the Food Safety Team is varied; from consumers, traders and residents to farmers, café owners and major retailers. Indirectly, customers that influence how the Group delivers its services include a large array of central government departments and agencies; e.g. Food Standards Agency, Business Innovation and Skills, Department for Environment, Food and Rural Affairs, Veterinary Medicines Directorate, Animal Health and Veterinary Laboratories Agency, Better Regulation Delivery Office, Department for Communities and Local Government, Department of Health, Public Health England, Health & Safety Commission and the Trading Standards Institute. There is a high awareness within the group of the need to satisfy our various stakeholders in service delivery.

In respect of food and feed samples/complaints (non-microbiological), the Authority has Public Analyst Scientific Services currently appointed as its Public Analyst.

In respect of food microbiological issues, the Authority utilises the services of the Public Health England Laboratory Service located in York.

The Authority is one of seven participating authorities along with Northumberland Council, Durham Council, Newcastle City Council, Gateshead City Council, Sunderland City Council and South Tyneside who together form the North East Food Liaison Group.

The Council has appointed a Consultant in Health Protection within Public Health England as Proper Officer for Infectious Disease Control.

### **3.6 Service Provision**

The service is provided from the Council's offices at the Quadrant (East). The Office is open weekdays to the public between 8.30 a.m. – 5.00 p.m. (4.30 p.m. on a Friday).

There is a planned evening and weekend inspection programme.

Out-of-hours requests for response to emergency food safety incidents are routed through the Council's Emergency Response Service.

### **3.7 External Factors on Service Provision**

- 7 day trading;
- Food Alerts and associated request for action issued by the FSA  
e.g. Allergen incidents/ foreign body contamination.
- E-commerce;
- Regulating our Future; Demands of the National Food Hygiene Rating Scheme;
- Economic climate affecting turnover in ownership of food business premises.
- Brexit- exports;
- New draft FL COP – Potential reduction of food inspections due to national inspection programmes for certain types of businesses.

### **3.8 Enforcement Policy**

The Food Safety Service has full regard to the Council's corporate enforcement policy when applying legal sanctions. The policy is promoted during the inspection process, via the Council's web site and through the issue of advisory leaflets, when appropriate.

### **3.9 Equal Opportunities**

North Tyneside Council is working to achieve the equality aims of the 2010 Equality Act. These are to:

- Eliminate unlawful discrimination, victimisation and harassment;
- Advance equality of opportunity;
- Foster good relations.

The Council carries out Equality Impact Assessments as a clear way of assessing the potential impact of our work on people who have different protected characteristics.

In comparison to other areas of the country, North Tyneside has a relatively small ethnic minority population of 4.4%. About half of the BME population belongs to three main groups: Chinese, Indian and Bangladeshi.

The Food Safety Team has an important role to play in promoting race equality. A significant number of eating establishments are owned or managed by people from ethnic minority groups. This poses a challenge in terms of understanding the needs and aspirations of these groups and ensuring effective communication. An extensive range of food safety guidance and literature is available in a variety of formats and languages. The Food Standards Agency has a library of short on-line food safety videos including multilingual versions that cover food safety management. Where language difficulties occur, the service has access to interpretation and translation services.

The service will continue to work towards eliminating discrimination and achieving equality for all.

#### **4. SERVICE DELIVERY AND OBJECTIVES FOR 2018-2020**

##### **4.1 Food Premises Interventions**

###### Food Hygiene

Whilst the primary responsibility for identifying food hazards and controlling risks rests with food businesses, food hygiene interventions undertaken by the food safety team serve the following purposes:

- To establish whether food is being handled and produced hygienically;
- To establish whether food is, or will be, having regard to further processing, safe to eat;
- To identify foreseeable incidences of food poisoning or injury as a consequence of consumption of food.

Interventions that local authorities can make on visiting food businesses are:

- Inspection or Audit;
- Surveillance/Verification;
- Sampling;
- Education, advice and coaching provided at a food establishment;
- Information and intelligence gathering.



All food premises in the Borough are scored on inspection against a scoring system contained in the Food Law Code of Practice. The score reflects the potential food safety risk from the business and the frequency that the business premises should receive an intervention from the Local Authority. The scoring system takes account of management practices and past compliance with legislation in determining likely future risk.

The minimum frequency of intervention is:

- Category A, every 6 months;
- Category B, every 12 months;
- Category C, every 18 months;
- Category D, every 2 Years;
- Category E, every 3 Years.

The Food Safety Team is committed to achieving 100% of all due inspections of all A and B ('Highest Risk') premises will be subject to inspection, partial inspection or audit. All food premises in risk categories A, B, C and D that are not Broadly Compliant receive an inspection.

We will carry out interventions at these categories of premises within 28 days of their scheduled date.

Food premises rated C to D in the broadly compliant category will be visited and be subject to a broader range of interventions e.g. surveillance / verification visits; sampling visits; education, advice and coaching provided at a food establishment; Information and intelligence gathering.

Where appropriate, premises types in this category will have visits that are limited in nature and focus on specific food safety matters common to the group or indicator checks to verify that key food safety controls are in place e.g :

- Effectiveness of cleaning and disinfection using ATP and UV detector equipment;
- Sampling of foods and swabbing of food contact surfaces to verify that satisfactory bacteriological standards are being maintained and cross contamination risks are being controlled;
- Temperature checks at key stages in the storage and/or production of high risk foods

For broadly compliant and compliant D category premises an inspection/ partial inspection/ audit will be carried out and alternated with an alternative official control. This is unless the 'type of food and method of handling' as stated within section 5.6.1 of the Food Law Code of Practice is rated less than 30 then the intervention can be alternated between official and non-official controls.

School kitchens run by North Tyneside catering services currently fall into that category. It is proposed that a 10% sample of the kitchens scheduled for interventions in 2018/19 receive a spot check from the food safety team. The

findings of these checks will be reported at a meeting with the catering manager at which time the catering food safety management procedures will be reviewed.

Interventions at Low risk premises (Category E) will be restricted to a questionnaire-based Alternative Enforcement Strategy (AES). In accordance with the AES procedure, verification visits will be made to a percentage of premises returning questionnaires in addition to visits to businesses that do not return the information required.

Hygiene revisits will be carried out for all Category A premises and for Category B - D in the non-compliant category and/or where serious breaches have been identified and corrective actions have been specified either verbally, in writing, or by statutory Improvement Notice. Some premises in the above category will require more than one revisit to check compliance.

Revisits are also made to compliant premises for the purposes of re-rating businesses in the Food Hygiene Rating Scheme. These revisits are obligatory when the food business operator, following an inspection of his/her establishment, applies in writing for a rating reassessment. A charge of £160.00 was introduced for this service on the 1<sup>st</sup> July 2018.

Officers will carry out assessments with the food business operator of non-compliant businesses to establish the reasons for non-compliance. Information from these assessments will determine the most appropriate enforcement tools to be applied to achieve a minimum broadly compliant status for the business. It is anticipated that in most cases a supportive and educational approach will be adopted, targeted towards improving food safety management at the premises. However, formal enforcement action will be taken to secure compliance where necessary. From experience, it is anticipated that Hygiene Improvement notices will be served on 5% of non-compliant businesses.

An estimate of the food hygiene interventions due for 2018-2019 and 2019 -2020 is provided in Appendix 3.

### Food Standards

The purpose of a food standards intervention is to ensure that the food supplied is correctly labelled, meets compositional standards and is of the quality and description described.

All premises that sell, supply, or manufacture food are risk assessed using Annex 5 of the Food Safety Act Code of Practice and interventions are carried out on a programmed basis.

The frequency of intervention is:

- Category A, every 12 months;
- Category B, every 2 years;
- Category C, every 5 years.

The Food Safety Team is committed to achieving a 100% inspection rate of all category A (high risk) premises due for inspection. All food premises in risk category B that are not 'Broadly Compliant' will also be subject to inspection/ audit. We will carry out interventions at these categories of premises within 28 days of their due date.

Category A - C and unrated premises will be revisited where the Confidence in Management Score is 30 points, or where significant breaches have been identified and corrective actions have been specified either verbally, or in writing.

Food Standards Initiatives at relevant premises with due interventions:

- Food Fraud and Traceability – a check on the authenticity and origin of food ingredients will be carried out as a minimum at all premises, in every risk category with a due intervention. Where appropriate this may take the form, or be supplemented by, sampling. A particular focus will include enhanced surveillance of any food brokers and food importers operating in the Borough. Furthermore a joint initiative with TS colleagues will target rogue fish sellers.
- Illicit and Counterfeit Alcohol – multi agency operations involving Trading Standards and Licensing colleagues at licensed premises in the Borough to investigate the sale and distribution of illicit and counterfeit alcohol. Advice will be given to businesses in relation to responsible sale of alcohol and buying from legitimate traders. Appropriate enforcement action will be taken if any food is found which is untraceable or counterfeit.
- Food Information for Consumers – checks will continue to be made in connection with allergen signposting requirements as identified in the Food Information Regulations 2014.

An estimate of the food standards interventions due for 2018-2019 and 2019-2020 is provided in Appendix 3.

### Unrated Businesses

Unrated premises (new or changed businesses) inspection within 28 days of registration. New businesses operating without prior notification will be inspected within 28 days from the date of information being received.

### Feed Hygiene

Feed Hygiene interventions contribute to ensuring feed safety throughout the food chain, starting with primary production of feed up to and including the feeding of food producing animals.

Feed hygiene inspections are carried out at premises that handle, manufacture, process, store, distribute and sell animal feed. Businesses that supply surplus food or co- product intended for use or incorporation in animal feed e.g. food retailers, brewers, bakers are also subject to inspection.

Inspections at feed businesses will ensure that animal feed or material intended for incorporation into animal feed:

- Is safe and handled hygienically
- Is free from undesirable substances and protected from contamination
- Satisfies compositional and labelling standards
- Additives are controlled

Feed Hygiene interventions will be carried out as part of the National Trading Standards Feed Delivery Programme. The programme funded by the FSA is delivered on a regional basis and coordinated locally by the North East Trading Standards Association (NETSA). The programme of inspections of feed premises in North Tyneside for 2018-2019 and 2019-2020 can be seen in Appendix 3.

### Food and Feed Hygiene/Standards General

Interventions are unannounced and undertaken on a programmed day/evening basis in order to ensure that effective assessments are undertaken of structure, procedures and practices.

Closed businesses will be monitored for any indications of them re-opening.

Where possible, food hygiene and food standards inspections are undertaken at the same time to maximise officer efficiency.

Arrangements for ensuring compliance in the Council's own food establishments e.g. schools and residential care and nursery kitchens are documented and the Chief Executive advised of any serious problems found on inspection.

Supplemental sampling and educational visits may be made to all categories of food business.

Deviation from the intervention programme outlined above, may occur in response to major food or feed incidents e.g. food poisoning outbreaks, investigation of illegal meat trade; special projects referred from the FSA; new legislation etc.

Highest risk premises, non-compliant businesses and high risk unrated businesses should be completed within 28 days as required by the Food Law Code of Practice. All other interventions at food premises can be carried outside of the 28 days.

### Additional Intervention Visits

These visits are in addition to the programmed intervention workload and include:

- Visits undertaken to premises following adverse food/feed sample results;
- Investigating incidents of illegally imported food/feed and food fraud;
- Verification visits associated with the Alternative Enforcement Strategy for low risk businesses;
- Referrals from food enforcement agencies under the Home Authority principle;

- Other incidents having implications for food/feed safety/standards e.g. Foot and Mouth Disease, BSE control measures;
- Visits associated with food/feed exports;
- Official Controls at the North Shields Fish Market, ensuring the fitness of products placed on the market;
- Food/feed sampling in connection with microbiological and compositional sampling programmes.

The type of intervention carried out on these visits will vary depending on the matter being investigated and will range from Full or Partial Inspections to Verification and Surveillance visits.

**The estimated number of additional intervention visits for 2018-19 and 2019-20 can be seen in Appendix 3**

### **Food & Feed Hygiene Complaints**

The Food Safety Team ensures that all complaints regarding hygiene in food/feed businesses, food contamination, compositional and labelling issues or unfit food are investigated promptly.

The depth and scope of investigation of complaints is determined by the seriousness of the complaint and the risk posed to public/animal health. Investigation into complaints relating to food manufactured outside of the Borough may include liaison with other enforcement agencies. Complaints that have little or no public health significance or do not constitute a serious food fraud may be referred to the business for them to make a response direct to the complainant.

The majority of complaints will involve a visit to the business premises subject of the complaint.

Action will be taken to remove unfit or contaminated food/feed from sale voluntarily or using statutory powers.

Complaints are investigated in accordance with Local Government Regulation advice and guidance.

Service requests and complaints are dealt with in accordance with departmental response and resolution time scales.

**The estimated number of complaints expected for 2018-19 and 2019-20 can be seen in Appendix 3**

### **4.2 Primary Authority Scheme**

The Primary Authority Scheme under the provisions of the Regulatory Enforcement and Sanctions Act 2008 places a statutory obligation on the Council to provide a significantly expanded range of 'Home Authority' services to local businesses when requested by that business.

The service is committed to the LGR /Home Authority principle. We will respond positively to a request from any business within North Tyneside with a significant national trade and will invite any business in the borough to enter into formal agreements in respect of food matters. These agreements aim to strengthen existing 'Home Authority' arrangements by increasing the consistency and level of legal compliance by the participating businesses and promote best practice amongst all participating parties. It will seek to achieve this aim by way of regular, open disclosure and negotiation, utilising the expertise and resources available to both parties.

In addition, although we currently have no formal Home Authority agreements in place, we offer advice and support on a reactive basis to 17 businesses in the Borough with significant national trade.

### **4.3 Advice and Support to Business**

The Food Team will respond to all relevant requests for advice and guidance in order to support business by the following measures:

- Advice is freely available to food/feed businesses and is provided during visits and upon request. Site visits to prospective business premises are carried out where there are potential concerns over the handling of high risk foods or non-compliance with food hygiene legislation;
- Provide support to low performing businesses achieving a food hygiene rating of 2 or less after inspection through targeted themed coaching. This may include practical demonstrations of safe working techniques at the business premises, as well as support to improve food safety management within the business;
- Food Safety Management (FSM) Development Support including Safer Food Better Business (SFBB). It is estimated that 80% of all catering businesses are now using SFBB in their business operations. All businesses that utilise the SFBB system are provided with a window sticker to display to the public. Officers will continue to promote the SFBB system and provide support through advice and coaching to food business operators who wish to implement this system;
- Free provision of leaflets and advice sheets including versions in languages other than English;
- Targeted training as required which could be subject to a charge;
- Business information packs are provided for people considering setting up a food business and are available to relevant applicants for planning permission. The team has links with the Business Factory to enable contact with new food businesses from an early stage in their development;
- Specific advice and guidance is available to manufacturers and packers of food on legal requirements relating to the composition and labelling of food;

- Circular letters are issued as required to inform food business proprietors of food safety matters relevant to their operations e.g. changes in legislation, food alerts;
- Information for food businesses and consumers is available via the Environmental Health pages within the Council's website. The site provides information to consumers and food business proprietors on the services provided by the food safety team. It provides for on-line registration of food premises and for the submission of service requests.

**The estimated number of requests for advice from food business operators for 2018-19 and 2019-20 can be seen in Appendix 3**

#### **4.4 Food and Feed Sampling**

Food samples are taken from premises throughout the Borough as part of the annual food sampling programme and are submitted for bacteriological and/or chemical analysis. Food sampling is targeted, risk based, intelligence-led and primarily directed toward local manufacturers and producers. The sampling programme incorporates national and regional projects and studies formulated by LGR, PHE and the North East Food Liaison Group.

Sampling programmes are prepared in consultation with the Council's appointed Public Analyst (compositional samples) and Food Examiner (microbiological samples).

Feed sampling is funded by the FSA. Sampling programmes are delivered regionally and coordinated by NETSA.

Food/Feed samples are often taken prior to a planned hygiene inspection of a food or feed premises, but may also be taken on a reactive basis in response to food incidents such as alerts issued by the FSA, food poisoning outbreaks, or food/feed complaints.

Food/Feed samples are taken having regard to the sampling policy and in accordance with relevant legislation, statutory code of practice and national guidance.

Analysis of food and feed samples submitted to the public analyst is subject to charge. Currently there is no funding available for proactive food or feed standards sampling programmes and therefore any sampling in this category will be carried out only in circumstances where there is considered to be a risk to public health or safety.

Allergen project - The authority intends to proactively use on site allergen swab kits for officers to utilise during food inspections/ complaint investigations. The swab kits will initially be used for targeting businesses rated as a Cat D premise as part of the

alternative inspection programme and additionally businesses where there are allergy concerns or complaints.

Examination of samples submitted to the PHE laboratory for microbiological examination is free of charge, but the authority has a credit limit that determines the maximum number of samples that can be submitted to the laboratory each year.

Sampling plans are formulated in January of each year in preparation for the start of the financial year. Programme templates showing the breakdown of project areas and financial and credit allocations for 2017/2018 are shown at Appendix 4.

#### **4.5 Control of Food Related Infectious Disease**

Registered Medical Practitioners are required by statute to notify particular infectious diseases including food poisoning to the Proper Officer for the Local Authority (a Consultant in Health Protection).

The Food Safety Team investigates all notified cases of suspected or confirmed food poisoning. This is done primarily by investigating case histories to identify the cause of the illness. Action is taken as necessary to prevent the spread of infection and to require appropriate actions to prevent a recurrence. Investigations may result in the taking of swabs, food samples from implicated food businesses and faecal specimens from affected individuals.

A small number of notifications each year develop into generalised outbreaks that can require a significant resource input. The resources required will depend on the size and extent of any outbreak. If necessary, resources will be diverted away from programmed inspections.

There are agreed Infection Control Procedures with the Health Authority which requires liaison between the Environmental Health Officer, Director of Public Health, the Consultant in Health Protection and other related agencies.

When required, an Outbreak Control Team controls and oversees the investigations into major outbreaks following the procedures in the Joint Outbreak Control Plan.

Powers available to food safety officers to prevent and control risks to human health from infection or contamination include:

- Sanctions for controlling infectious disease and also to deal with incidents or emergencies where contamination could present a significant risk to human health;
- Requiring action to be taken to protect from or control health risks e.g. exclusion of children from school, disinfection/decontamination of articles and controls over the handling of corpses;
- Application to a Justice of the Peace for an order that imposes restrictions or requirements on persons, things, bodies or human remains or premises to protect the public health from infection or contamination e.g. abstaining from working or trading, undergoing medical examination, restrictions on movements, isolation and quarantine and health monitoring.



In the majority of cases however, controls can be achieved without resort to these formal powers.

**The estimated number of notifications of food poisoning during 2018-19 and 2019-20 can be seen in Appendix 3**

#### **4.6 Imported Food/Feed Control**

Approximately half of the food being sold from premises in the UK has been imported and will have been manufactured in premises and under conditions different to those in the EU.

The Food Safety Team inspect and sample imported food/feed, to determine whether the food/feed has been legally imported, has been subjected to appropriate import controls and that the food/feed is fit/wholesome/sound and appropriately labelled.

Officers carry out random visits to premises to specifically check for imported food/feed. This is in addition to checks carried out during the course of programmed visits and intelligence-led investigations.

Illegally imported food/feed is removed from the food chain.

The Food Standard Agency ask Local Authorities to ensure that at least 10% of food sampled as part of their annual sampling programme is from food imported from outside of the European Community.

Officers in the team monitor illegal import activity within the EU community using the Rapid Alert System for Food and Feed and the FSA National Intelligence Data base on Illegally Imported and Food Fraud activity.

#### **Food/Feed Safety Incidents and Food/Feed Alerts**

Food/Feed alerts are notified via the Food Standards Agency Food/Feed Alerts System. The warnings are received via EHC net (e-mail), which is accessed every weekday and via text messaging directly from the FSA to the Principal Environmental Health Officer (Food Safety).

There are three categories of Food/Feed Alert:

- 1) For action – requiring specific action or intervention by one or more Local Authorities, which may be in addition to action by business;
- 2) Information only – usually incidents involving warning notices to consumers by business and product recall;
- 3) Allergen Alerts (Food only)– usually failure to declare the presence on an allergen in a particular food resulting in a business publishing warning notices to consumers.

The Food Safety team respond immediately to an alert in accordance with the Code of Practice, take appropriate action to identify the risk to consumers and, remove any hazardous food/feed from premises known to, or suspected of selling, displaying, stocking or using such foodstuffs.

The actions and scope of investigations can vary considerably and can necessitate a full team mobilisation to deal with an alert effectively. If necessary, resources will be diverted away from programmed inspections.

In addition, the Food Safety Team will promptly notify the Incident Branch of the FSA and all other relevant agencies if any potentially serious incidents are identified locally via food/feed complaints, food sampling, notifications from GP's or manufacturers etc. in accordance with the Code of Practice.

**The estimated number of food alerts per annum (predominantly allergen related), during 2018-19 and 2019-20 can be seen in Appendix 3**

#### **4.8 Food Safety Promotion**

Food safety promotion whether by education, advice, training or other means is a key part of the food safety team's strategy in changing consumer and business attitudes to food safety. It is a means by which the team can increase compliance in food businesses and encourage operators to achieve the highest standards of food safety at their premises.

##### Food Hygiene Training

Businesses requiring Food Hygiene Training to Foundation and Intermediate level are directed to local providers which include training organisations and a number of other agencies including the Adult Learning Alliance, Voluntary and Charitable organisations.

Food Safety Officers will continue to promote food safety awareness and infection control in selected North Tyneside Schools as part of the school curriculum where assistance has been requested.

##### News and Updates for Business and Consumers

When necessary, publicity around food safety for consumers and business is generated through the Council's external communications team utilising a range of corporate publications.

##### Food Safety Events

National Food Safety Week is an annual event run in June/ July. The Food Safety team endeavours to provide some participation in the event subject to resources being available. The campaign makes extensive use of social media to spread the important messages and get consumers involved.

## Seasonal Advice

Seasonal food safety advice is provided for businesses and consumers on barbecue safety and Christmas catering. Messages within the guidance aim to reduce the risks of food poisoning and food borne illness.

## Communication

Local news media is used where relevant to convey important food safety information and messages to business and consumers.

Meetings with and delivery of talks to trade associations, business forums and other interest groups will be carried out as and when required.

### **4.9 National Food Hygiene Rating Scheme**

The Council participates in the National Food Hygiene Rating Scheme and makes information available to consumers on the hygiene standards of food businesses in the Borough.

Key features of the Scheme are:

- The scheme covers all businesses supplying food direct to consumers subject to certain exemptions and exclusions;
- There are six different ratings (0-5) that reflect the hygiene standards found on inspection;
- Ratings are published on a national website. In addition, businesses will be issued with a sticker that can be displayed at their premises;
- Safeguards to ensure that ratings are fair, which include a right of appeal, a right of reply and re-assessment of ratings when remedial action has been taken.

Activities in connection with the scheme in 2018-2019 will be:

- Continuing promotion of the scheme wherever and whenever possible to increase awareness and therefore usage by consumers;
- Maintenance of the scheme and updating/uploading of data;
- Addition of businesses inspected during the 2018-2019 intervention programme;
- Determination of rating appeals;
- Determination of rating re-assessment requests.

### **4.10 Healthy Eating Promotion**

Food Safety Officers provide a limited role in promoting healthy eating during the course of their day-to-day regulatory activities at food businesses. Officers on the food safety team have unique opportunities to communicate and influence healthy eating options and nutritional information with food manufacturers and catering

businesses in North Tyneside. The following actions will be carried out in 2018/19 and 2019/20:

1. 2018/19 – Set up a Healthy Eating Action Group with terms of reference to works to develop a healthy eating scheme where healthier options will be made available and easily recognisable to customers at Council operated food premises.
2. 2019/20 – Development of pilot scheme as appropriate from actions identified by Healthy Eating Action Group.

#### **4.11 Liaison with Other Organisations**

Arrangements in place to ensure a consistent approach to enforcement action are as follows:

##### **North East Environmental Health Group**

Through this group Environmental Health lead officers from North East and Teesside provide leadership and inspiration to ensure that Environmental Health services in the North East are relevant and appropriate to meet current and future needs and increase the efficiency, economy and effectiveness of those services.

##### **North East Food Liaison Group**

The group comprises representatives from the seven authorities, namely Northumberland Council, Durham Council, North Tyneside Council, Newcastle City Council, Gateshead Council, South Tyneside Council and Sunderland City Councils.

The group meets 6 times a year to discuss food policy and enforcement issues. The group has an important role in facilitating consistent enforcement, sharing best practice and examining ways to improve efficiency through joint working.

The Group has two sub-groups (see below), which are tasked with co-ordinating the compositional and microbiological sampling activities in the North East region.

New policies and amendments to existing policy are ratified by the North East Public Protection Partnership.

##### **North East Microbiological Sampling Sub Group**

The group comprises representatives from councils within Tyne and Wear, Durham and Northumberland and officers from the PHE Laboratory Service. The group meets 4-6 times a year and co-ordinates the national/regional/local microbiological food sampling programme.

##### **North East Compositional Sampling Sub-Group**

Representatives from the Tyne and Wear Authorities and Durham meet with Public Analyst Scientific Services 4-6 times a year to co-ordinate food standards intervention activities.

## **Licensing/Planning and Building Control/Estates**

Consultation networks are established within the Authority in respect of planning, building control, licensing applications and assignment of leases and tenancies for food businesses in council owned properties.

### **Area Health Protection Group**

The group comprises officers from the local authority food teams and representatives from the Public Health England's Communicable Disease Control Team. The group meets quarterly to review strategic and operational infectious disease matters.

### **North East Trading Standards Animal Health Liaison Group**

Trading Standards and Environmental Health staff who are charged with enforcement of Animal Feed legislation meet quarterly to discuss animal feed issues and to coordinate inspection and sampling activities.

## **5 RESOURCES**

### **5.1 Revenue Budget**

The Council's Food and Feed Law Plan is revenue funded. Future funding and resourcing of the service will need to reflect the requirements of the service to meet national statutory standards and continue to provide the residents and food businesses with an excellent service in relation to food and feed safety throughout North Tyneside.

### **5.2 Staff Allocations**

All Food and Feed Safety enforcement matters are undertaken by the Food Safety Team.

Staff allocation projections for the lifespan of the plan can be found at **Appendix 2**. Any staff allocation may be subject to future re-structuring of the service area.

### **5.3 Staff Development Plan**

The Council supports the requirements of the Food Safety Act 1990 Food Law Code of Practice and the Feed Law COP relating to the competency of Food Safety Officers.

All staff have regular performance appraisals during which training needs are identified and assessed in line with the officer's current abilities and responsibilities. A training plan is prepared for each officer which links to the team and service priorities.

Professional and technical competence is supported through staff development needs identified through the appraisal process. Training and development is

provided by a range of methods including: Post entry and short course training, in-house and cascade training, peer review and team meetings.

The North East Food Liaison Group, NETSA and local branch of the Chartered Institute of Environmental Health are also active in organising and presenting training sessions for food and feed safety colleagues including peer review exercises and inter-authority auditing to ensure effective and consistent working practices.

## 6 QUALITY ASSESSMENT

### 6.1 Performance Measurement

Performance will be measured against the proposed outcomes detailed in the Food and Feed Service Plan and the Planning, Building Control and Public Protection Service Plans.

Specific procedures for measuring performance are outlined below:

<b>Measure</b>	<b>Location</b>	<b>Officer Responsible</b>
Food Standards Agency Annual Performance Return (LAEMS)	IDOX Database	Public Protection Manager and Senior Environmental Health (Food)
Partnership Key Performance Indicators – quarterly reporting	Environmental Health Section of the Public Protection Service Improvement Plan	Public Protection Manager and Senior Environmental Health (Food)
Achievement of allocation of planned interventions	IDOX Database	Senior Environmental Health (Food)
Performance in line with operational procedures	Individual Officer Quality Monitoring records	Senior Environmental Health (Food)
Staff Training and Development	Training Plan File	Environmental Health Group Leader and Senior Environmental Health (Food)
Performance Review	FSA Monitoring and Audit Accountability Framework	Public Protection Manager and Environmental Health Group Leader

### 6.2 Procedure Control and Complaint Handling

The monitoring of the performance of officers is integral to the effective performance of the section and is also a requirement of the FSA Framework Agreement.

i) Interventions

The Senior Environmental Health Officer will monitor the performance of each officer undertaking interventions and dealing with food/feed-related complaints on a monthly basis, measured against the criteria as prescribed by operational procedure.

ii) Premise File Assessments

On a quarterly basis, the Senior Environmental Health Officer (Food) will monitor documents pertaining to two randomly selected premises inspected by each officer measured against criteria as laid down in operational procedure instructions.

iii) Corrective Actions

Where necessary the Senior Environmental Health Officer will discuss with the officer corrective actions to ensure compliance with operational procedure instructions and a written record will be kept in the Quality Monitoring File for 2 years.

iv) Targets

Officers are allocated targets against departmental key performance indicators.

On a monthly basis, the Senior Environmental Health Officer (Food) will monitor target compliance for each officer.

Officers who consider that they are unable to meet their target must as a matter of urgency discuss the matter with the Senior Environmental Health Officer (Food) and Environmental Health Group Leader.

Where necessary and practicable interventions will be reallocated.

v) Team Meetings

Meetings are held monthly to monitor and review progress, discuss changes in legislation, disseminate information and to discuss other relevant issues.

vi) Management Review

On a quarterly basis, the Public Protection Manager and Senior Environmental Health Officer will meet to review performance.

A performance report is given to the Public Protection Manager on a quarterly basis by the Senior Environmental Health Officer and an annual return is sent electronically to the FSA, in accordance with the framework agreement.

vii) Procedure Review

Internal procedures are reviewed annually and also when necessary to respond to changing circumstances e.g. new or revised legislation or guidance.

## **7. REVIEW**

A review of the plan will take place on an annual basis by the Senior Management Team in consultation with the Cabinet Member.

### **Review of plan for 2017/18**

An annual review of the service including any variation and areas for improvements, as well as highlighting achievements made by the team are summarised below. There is no significant variation from the 2017/18 service plan. The review is attached in appendix 4 to this report.



## APPENDIX 1

### Revenue Budget

The forecast revenue budget per annum for 2018/19 for the Food Safety Team will be reviewed in 2019/20.

## APPENDIX 2

### Staff Allocations

All Food and Feed Safety matters are undertaken by the Food Safety Team. Detailed below is the staffing complement for the proposed level of Food/Feed Safety activity.

	2018/19	2019/20
<b>Activity</b>		
Management	0.4	0.4
Food Hygiene/Standards Interventions Programme	2.55	2.55
Feed Hygiene Interventions Programme		
Compliance and Enforcement	0.3	0.3
Home / Primary Authority Principle	0.1	0.1
Food and Food Hygiene Complaints	0.3	0.3
Control of Food Related Infectious Disease	0.2	0.2
Advice to Business	0.2	0.2
Food Sampling	0.3	0.3
Food Safety Incidents and Alerts	0.05	0.05
Food Safety Promotion	0.1	0.1
Healthy Eating Promotion	0.1	0.1
	<b>4.6 FTE</b>	<b>4.6 FTE</b>
<b>Total Resource Requirement</b>		

<b>FTE resources are made up from:</b>	2018/19	2019/20
Management	0.4	0.4
Senior EHO	1.0	1.0
Environmental Health Officers	1.7	1.7
Food Safety Officer	0.9	0.9
Food Technician	0.6	0.6
	<b>4.6 FTE</b>	<b>4.6 FTE</b>
<b>Total Resource Available</b>		

### Appendix 3

#### Work Programmes:

#### Food Hygiene Inspection Programme

Risk Category	Inspection/Partial Inspection/Audit		Other Official Controls		Other Interventions		Alternative Enforcement		Total	
	18/19	*19/20	18/19	*19/20	18/19	*19/20	18/19	*19/20	18/19	*19/20
A	2	0	0	0	0	0	0	0	<b>2</b>	<b>0</b>
B	43	16	0	0	0	0	0	0	<b>43</b>	<b>16</b>
C	152	131	0	0	0	0	0	0	<b>152</b>	<b>131</b>
D	8	7	290	243	0	0	0	0	<b>298</b>	<b>250</b>
E	1	2	18	15	0	0	165	135	<b>184</b>	<b>152</b>
Unrated	164	50	0	0	0	0	0	0	<b>164</b>	<b>50</b>
Revisits	48	34	36	24	00	0	0	0	<b>84</b>	<b>58</b>

\*Food Hygiene inspection programme figures for 2019/20 subject to adjustment after completion of 2018/19 programme

#### Food Standards Inspection Programme

Risk Category	Programmed Inspection/Audit	Programmed Surveillance/Verification	Estimated No. of Revisits
A	2	0	2
B	34	0	4
C	67	0	7
Unrated	138	0	14
<b>Total</b>	<b>241</b>	<b>0</b>	<b>27</b>

\*Food Standards inspection programme figures for 2019/20 subject to adjustment after completion of 2018/19 programme

## Feed Hygiene Inspection Programme

Business Type	Inspections		Revisits	
	2018-19	2019-20	2018-19	2019-20
Arable Farm	0		0	
Co-product Producer	6		6	
Marketing compound feed	1		0	
Importer	0		0	
Livestock Farm	1		0	
On-farm mixer	1		0	
Manufacturer	0		0	
Mobile mixer	0		0	
Store	1		0	
Supplier of surplus food	4		1	
Transporter	1		0	
Pet Food manufacturer	1		1	
<b>Total</b>	<b>16</b>		<b>8</b>	

\*Feed Hygiene inspection programme figures for 2019/20 determined by funding availability.

### Other activities

Activity	2018-19	2019- 2020
Alerts	70	
Food Poisoning Investigations	420	
Business Support and Advice	100	
Complaints	270	
Additional Interventions/visits	260	

## APPENDIX 4

### Food Bacteriological Sampling Plan April 2018 – March 2019

Proposed sample allocation from HPA Newcastle Environmental Laboratory for 2018/19 apportioned for use by the Food Safety Team is 13747 Credits

Sampling will be targeted on the following basis:

Food Group/Premises	Uniform Code	Investigation	Samples/ Credit	Sampling Period	Credit Usage
<b>LACORS/HPA COORDINATED SAMPLING</b>					
RTE pastry based foods from catering and retail premises	STUDY 64	Enumeration of Aerobic colony count, Enterobacteriaceae, <i>Escherichia coli</i> , Coagulase positive staphylococci, <i>Bacillus Cereus</i> , <i>Listeria</i> species per gram and the presence/absence of <i>Listeria</i> species in 25g. <i>Clostridium perfringens</i> will also be tested on meat based products	X25	April 2018 to the end of October 2018	750
<b>TBA</b>	STUDY 65				
<b>CROSS REGIONAL STUDIES</b>					
Touch Screen and PIN Key Pads at Self-Service Tills April - September 2018	XR33	Hygiene indicators and will include <i>E. coli</i> , Enterobacteriaceae and Coagulase positive <i>Staphylococci</i>	X25	April to September 2018	1000
Premises preparing and serving milkshakes	XR34	Routine parameters based on food category or X25 type. Cat 4 & 6- ACC, Enterobacteriaceae, <i>E.coli</i> , <i>Listeria</i> per g and Coagulase positive Staphylococci Cat 12 <i>E.coli</i> , <i>Listeria</i> per g, Coagulase positive Staphylococci and Salmonella. Cat 13 Enterobacteriaceae, <i>E.coli</i> , <i>Listeria</i> per g and Coagulase positive Staphylococci Hygiene swabs and cloths) <b>Template swabs</b> – ACC, EC, Enterobacteriaceae, Coagulase positive	X25	June to October 2018	250

		Staphylococci per cm2. <b>Random swabs</b> - EC, Enterobacteriaceae, Coagulase positive Staphylococci per swab. <b>Cloth</b> – Enterobacteriaceae, EC, Coagulase positive Staphylococci and Listeria per cloth.			
Official Control sampling of Minced Meat and Meat Preparations to assess compliance with EC2073/2005	XR35	<i>E. coli</i> and <i>Salmonella</i> , <i>STEC</i>	X25	April 2018 to March 2019	1000
Touch Screen and PIN Key Pads at Self-Service Tills April - September 2018	XR33	Hygiene indicators and will include <i>E. coli</i> , Enterobacteriaceae and Coagulase positive <i>Staphylococci</i>	X25	April to September 2018	1000
<b>LOCAL AUTHORITY PROJECTS</b>					
Routine sampling and swabbing Cat D premises		Micro quality and hygiene indicators	400 x 25	April - March	10000
Nursing homes + Hosp high risk foods		screen	12 x 25	April - March	300

## APPENDIX 5

### Review of North Tyneside Food and Feed Plan Review Period 1<sup>st</sup> April 2017 to 31<sup>st</sup> March 2018

This review provides information on the activities of the food safety team and performance against objectives and targets set out in the plan for the relevant period.

Item	Target	Achieved	Comments												
Business Compliance & Food Hygiene Rating Scheme (FHRS)	93%	92.2% (incl. unrated premises)	<p>The total number of broadly compliant businesses at the 31<sup>st</sup> March 2018 was 92.2%. This percentage can fluctuate through the year depending on business compliance and the negative impact on the measure from the number of non-compliant and unrated premises. The Food Standards Agency (FSA) use broadly compliant data as a measure of the effectiveness of a food authority's enforcement activity.</p> <p>The category risk rating of businesses achieving food safety compliance with a FHRS score of 3 and above is identified below:</p> <table border="1"> <thead> <tr> <th><u>Risk Rating Category</u></th> <th><u>Total businesses achieving a rating of 3+</u></th> </tr> </thead> <tbody> <tr> <td>Premise Rating – A</td> <td>0</td> </tr> <tr> <td>Premise Rating – B</td> <td>19</td> </tr> <tr> <td>Premise Rating – C</td> <td>212</td> </tr> <tr> <td>Premise Rating – D</td> <td>562</td> </tr> <tr> <td>Premise Rating – E</td> <td>508</td> </tr> </tbody> </table> <p>These results are based on the total number of premise 1411 and the total number of 1301 businesses achieving food safety compliance. The number of non compliant businesses has shown a slight increase over the 12 months of enforcement activity.</p>	<u>Risk Rating Category</u>	<u>Total businesses achieving a rating of 3+</u>	Premise Rating – A	0	Premise Rating – B	19	Premise Rating – C	212	Premise Rating – D	562	Premise Rating – E	508
<u>Risk Rating Category</u>	<u>Total businesses achieving a rating of 3+</u>														
Premise Rating – A	0														
Premise Rating – B	19														
Premise Rating – C	212														
Premise Rating – D	562														
Premise Rating – E	508														
Interventions	100% (Inspections)	100%	A total of 34 high risk/ non-compliant businesses rated as A & B were subject to food hygiene inspection or audit.												

Item	Target	Achieved	Comments
	Cat A and B)		
	100% (Inspections Cat C)	92%	There were 156 businesses rated as C category premises subject to food hygiene inspection or audit.
	100% (Cat D&E)	75%	A further 446 visits, comprising of either inspections/ verification and sampling visits were made to D & E category premises to monitor compliance and offer advice and support to proprietors at these premises. This shows a slight increase in officer visits carried out compared with the previous years visits. The vast majority of businesses that fall within D & E rated premises are compliant.
	Unrated	100%	There were 165 new unrated businesses subject to food hygiene inspection or audit during the year.
	100% (Cat A & B Food Standards establishments)	31%	There were 11 establishments rated as higher risk (category A&B) that were subject to inspection or audit. This percentage figure has shown a decrease and is an area for improvement on the next inspection programme. One of the reasons for a decrease is due to officer competency as not all officers within the team are capable of carrying out food standards inspections. Officers lacking this discipline are working towards the additional competency requirements.
Food Hygiene/Standards Complaints	250	294	<p>All complaints were investigated in a timely manner and action taken where appropriate.</p> <p>There were a number of complaints investigated which were of particular interest:</p> <ul style="list-style-type: none"> <li>• Mobile fish sellers reported to police and environmental health as a result of using pushy sales techniques whilst cold calling at domestic properties within the North East. The issues include Inflating prices per pack, temperature control, removing</li> </ul>

Item	Target	Achieved	Comments
			<p>labels, and substituting inferior fish for more premium species. Intelligence shared between environmental health and trading standards are reported via the trading standards database 'Memex' including liaison with the police.</p> <ul style="list-style-type: none"> <li>Allergen investigations by officers in relation to a Chinese takeaway meal purchased by a consumer having been misinformed that it was gluten free. Allergen education still remains an important part of food safety inspections.</li> <li>Counterfeit alcohol sales remain an important part of our intelligence led combined visits by food safety and trading standards team. This type of activity is reactive pending shared intelligence and usually results in officer investigations around the period prior to Christmas.</li> </ul>
Food Sampling	N/A		<p>768 samples of food were submitted for microbiological examination during the year and a further 8 samples were sent to the public analyst for compositional analysis.</p> <p>The microbiological sampling programme for 2017/18, which included national, regional and local projects, was completed in full.</p> <p>Follow up visits were made to food premises to investigate samples that failed to achieve satisfactory microbiological and compositional standards.</p> <p>Issues of note brought to light through sampling included:</p> <ul style="list-style-type: none"> <li>Food and environmental swab sampling undertaken as part of alternative inspections continue to identify cleaning issues with food contact articles/ surfaces. Advice is given to majority of the cases in relation to hand washing, reusable food containers, cleaning and the use of anti bacterial washing up liquid. Pending on the result of the sampling and conditions observed during the alternative inspection the risk rating can either be carried over or the premise brought back in to the inspection programme.</li> <li>Food safety officers continue to educate businesses and in particular restaurants and takeaways in relation to allergen awareness. Previous sampling issues identified Indian takeaways were substituting almond powder with peanut and other</li> </ul>



Item	Target	Achieved	Comments
			<p>ground nuts in meals. Officers will highlight these issues on inspections and sampling visits.</p> <ul style="list-style-type: none"> <li>• Christmas budget drinks purchased from local suppliers were sampled for synthetic and natural food colourings. The results from the analysis showed there were no illegal colourings and the colourings that were present were within maximum permitted levels.</li> <li>• Bread sampled from three local bakers were examined for the maximum salt levels in order to see if they were maintaining or had reduced the salt target limits set by the FSA. Two out of the three bakers showed the levels were below the set limits and advice was given to the third supplier to reduce the sodium content during processing through good manufacturing practices.</li> <li>• Microbiological sampling of public water standpipes were carried out at five North Tyneside events including; Mouth of Tyne festival, Soundfest, Spanish City opening day etc. All the samples were microbiologically satisfactory.</li> </ul>
Infectious disease control	400	420	<p>A total of 420 cases of food poisoning and food borne illness were notified by medical practitioners in North Tyneside and investigated by officers during the financial year. This figure shows a slight decline in notifications compared to the 447 notifications in the previous financial year 2017/18 which resulted in additional officer investigations. Infections investigated throughout the year included Salmonella, Campylobacter, E Coli 0157, Dysentery, Cryptosporidiosis, Giardiasis, Hepatitis and Typhoid. The previous year peaked at 447 notifications when holiday claim companies were encouraging people to make a claim as a result of illness on holiday. The slight decline in notifications for this year could be due to holiday companies improving complaint procedures and implementing preventative measures for false claimants.</p>
Enforcement Action	N/A		<p>During the last year, the food team issued 466 warning letters to businesses for a broad range of food safety and food standards non-compliance issues. This figure is higher than the previous year and can partially be attributed to the slight increase in non-compliant businesses and the increased sampling interventions aimed at Cat D risk rated premises. The majority of Cat D businesses are compliant/ broadly compliant businesses but will still</p>

Item	Target	Achieved	Comments
			<p>receive a written warning letter if there is any outstanding action required.</p> <p>Other enforcement action includes one business voluntary closed as there was no suitable hot water supply in order for them to safely prepare food, wash hands, and carry out adequate cleaning and disinfection. Nine hygiene improvement notices were issued for a mixture of structural defects and failure to document food safety management systems at several premises. One detention/ surrender notice was issued for unhygienic meat products resulting in voluntary destruction.</p>
Home Authority	N/A		<p>Officers dealt with 10 home authority requests for advice and assistance from the food team. These were broadly split between enforcement agencies requiring information regarding North Tyneside food manufacturers and requests for advice and support to our businesses on regulatory matters.</p> <p>As yet no primary authority agreements have been made with businesses in the Borough.</p>
Advice to Business	N/A	119	<p>Officers have continued to offer advice and assistance to food business operators on food safety and food standards and food labelling matters. Support was provided to 119 businesses during the year, and approx. 80% of that advice was during the business set up stage.</p>
Imported Food	N/A		<p>The team aim to achieve 10% sampling quota of imported food required by the Food Standards Agency. This item will pose an issue for the 2018/19 sampling plan as FSA funding for compositional sampling has ceased as mentioned in the 2017/18 plan. Microbiological sampling around food safety will take priority in the 2018/19 sampling plan and this will include imported foods.</p>
Food Safety Alerts	70	118	<p>The FSA have issued 118 alerts during the year. The majority of these relate to allergen risk arising from mislabelling or inadvertent contamination of foods. Foods in this category are generally withdrawn and point of sale warning notices posted in shops having sold the products. Action ranges from checks at food outlets to ensure that recall procedures were being followed, to seizure of food in the case where unsafe food has been identified.</p>

Item	Target	Achieved	Comments
Promotional Activity	N/A		<p>The FSA focus for 2017/18 has been on Regulating our future campaign due to the impending changes to the Food Law COP expected in 2019. The campaigns within this period have been targeting consumers to look at the food hygiene rating scheme prior to booking a restaurant; Supply of fake alcohol; Barbequed meat preparation and handling; Christmas dinner tips for people preparing turkey at home.</p> <p>Other activities include – Food safety officers as in the previous year engaging with schools to promote food safety awareness and infection control as part of the school curriculum.</p>
Healthy Options in Hot Food Takeaways in North Tyneside	N/A		<p>This was a joint project with the Council's Public Health Team.</p> <p>The aim of this project was to explore the feasibility of opportunities to promote healthy options within hot food takeaways.</p> <p>An initial plan was developed with the overall aim of encouraging Hot Food Takeaways to include a healthy option(s) on their menu (such as smaller portion sizes, a designated healthy option, or possibly a calorie counted / slimmer's choice). It was initially agreed to identify several takeaways and focus on a small number (around six) identified by EHOs that may be supportive of the pilot. The pilot would include all businesses in a geographically defined area.</p> <p>It was agreed to focus on those premises that were open during lunchtimes and use proximity to middle or secondary schools as a geographical identifier, preferably identifying an area with a high prevalence of obesity.</p> <p>Based on the information obtained from work undertaken in Gateshead and the published literature, it was agreed that EHOs would implement a questionnaire to gauge the interest</p>

Item	Target	Achieved	Comments
			<p>of North Tyneside Hot Food Takeaway businesses in healthy options to inform further actions.</p> <p>The survey of North Tyneside Hot Food Takeaway businesses used a small sample and may not be representative of other businesses in the area. However, it provided an insight into the level of interest expressed by local businesses. This survey indicated that a number of businesses felt that they are already providing a healthy option. Importantly, only half of the sample responded that they were interested in receiving information about healthier cooking methods or modifying their current menu or identifying healthy options.</p> <p>There was a lack of convincing public health evidence to support initiatives to promote healthy options in Hot Food Takeaways. The Gateshead Council experience of promoting healthy options in Hot Food Takeaways and the discussions with national academic colleagues at the FUSE network meeting suggest that initiatives of this type are resource intensive, difficult to implement and sustain and likely to be of very limited public health benefit. In addition, North Tyneside Council already utilises the planning framework and works with schools around healthy eating. Consequently, at this time, there is insufficient evidence to recommend use of current local authority resources to undertake further work to encourage healthy options in hot food takeaways.</p>
Liaison arrangements	N/A		<p>Representatives from the food safety team have attended all meetings of the North East Food Liaison Group (NEFLG) and the two sampling sub groups.</p> <p>The Environmental Health Group Leader attended all meetings of the PHE Area Health Protection Group and with the Director of Public Health at the North Tyneside Health Protection meetings.</p>
Staff Development	N/A		<p>Food Safety Officer's have received the following training to enhance food safety and food standards competencies during the year:</p> <ul style="list-style-type: none"> <li>• Cured, Dried and Fermented Meats</li> <li>• Intelligence led approach and National Intelligence Model</li> <li>• Microbrewery Training</li> <li>• Local Food Partnerships</li> </ul>

Item	Target	Achieved	Comments
			<ul style="list-style-type: none"><li>• Feed Contaminants</li><li>• Better Business for all</li><li>• Regional NFHRS Consistency Exercise</li><li>• FSA NFHRS Consistency Exercise</li><li>• Regulating Our Future – FSA</li></ul>