

Public Document Pack



All Members of the Council

My Ref: LCS-DLDS-DS-C-022
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Contact Rosalyn Patterson
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Date: Wednesday, 19 April
2017

NOTICE OF COUNCIL MEETING

You are summoned to attend a meeting of Gateshead Metropolitan Borough Council to be held in the Council Chamber - Civic Centre, at **2.30 pm** on **Thursday, 27 April 2017** to transact the following business:-

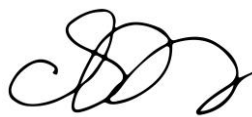
- 1 To confirm the Minutes of the meeting held 16 March 2017** (Pages 3 - 6)
- 2 Official Announcements**
(announcements may be made by the Mayor, Leader of the Council or the Chief Executive)
- 3 Defibrillators in Schools - Presentation**
- 4 Petitions**
(to receive petitions submitted under Council Procedure Rule 10)
- 5 Questions from Members of the Public**
(to consider any questions submitted under Council Procedure Rule 7)

RECOMMENDATIONS FROM CABINET

- 6 **Interim Senior Management Arrangements - Care, Wellbeing and Learning**
(Pages 7 - 12)
- 7 **2017 - 2018 Statutory Intervention Plan for the Food Control and Health & Safety services** (Pages 13 - 44)
- 8 **Report from the Cabinet** (Pages 45 - 48)

MOTIONS AND QUESTIONS

- 9 **Notice of Motion**
(to consider any notices of motion submitted in accordance with Council Procedure Rule 9.1)
- 9a Notice of Motion - Workers' Memorial Day (Pages 49 - 50)
- 9b Notice of Motion - Legal Aid (Pages 51 - 52)
- 10 **Questions**
(to deal with any questions submitted in accordance with Council Procedure Rule 8.1)



Sheena Ramsey
Chief Executive

GATESHEAD METROPOLITAN BOROUGH COUNCIL

COUNCIL MEETING

Thursday, 16 March 2017

PRESENT: THE MAYOR COUNCILLOR A THOMPSON (CHAIR)

Councillors: P Dillon, J Adams, R Beadle, D Bradford, C Bradley, M Brain, L Caffrey, B Clelland, D Davidson, W Dick, S Dickie, C Donovan, A Douglas, John Eagle, K Ferdinand, M Foy, P Foy, M Gannon, A Geddes, B Goldsworthy, M Goldsworthy, J Graham, M Graham, L Green, S Green, G Haley, M Hall, M Hood, H Haran, L Kirton, J Lee, K McCartney, J McClurey, J McElroy, C McHugh, E McMaster, M McNestry, P Mole, R Mullen, B Oliphant, M Ord, I Patterson, S Ronchetti, C Simcox, J Simpson, J Turnbull, L Twist, J Wallace and A Wheeler

APOLOGIES: Councillors: M Charlton, P Craig, S Craig, K Dodds, D Duggan, T Graham, J Green, M Henry, J Kielty, C McHatton, C Ord and N Weatherley

CL105 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 2 FEBRUARY, 23 FEBRUARY AND 8 MARCH 2017

COUNCIL RESOLVED - That the minutes of the meetings held on 2 February, 23 February and 8 March 2017 be approved.

CL106 OFFICIAL ANNOUNCEMENTS

(A) LGC Awards 2017

The Mayor announced that the Council had been successful in being shortlisted in three categories at the recent Local Government Chronicle Awards. The three categories were; Business Transformation, Housing Initiative and Public Health.

The Council won the Public Health Category for its Hot Food Takeaway Supplementary Planning Document, and also received Highly Commended for the Housing Initiative award for its 'Taster Flats' scheme.

In recognition of this achievement the Mayor presented representatives from Public Health and Communities and Environment with the award for the Hot Food Takeaway Supplementary Planning Document.

CL107 PETITIONS

There were no petitions submitted.

CL108 QUESTIONS FROM MEMBERS OF THE PUBLIC

There were no questions submitted by members of the public

CL109 CHARGING AND FINANCIAL ASSESSMENT FOR ADULT CARE AND SUPPORT SERVICES

Consideration was given to a report seeking approval of a policy on Charging and Financial Assessment for Adult Care and Support Services.

COUNCIL RESOLVED - That the policy for Charging and Financial Assessment for Adult Care and Support Services be approved.

CL110 TREASURY POLICY STATEMENT AND TREASURY STRATEGY 2017/18 TO 2019/20

Consideration was given to a report seeking approval of the Treasury Policy Statement and Treasury Strategy for 2017/18 to 2019/20.

COUNCIL RESOLVED - That the Treasury Policy Statement and the Treasury Strategy be approved.

CL111 DISCRETIONARY RATE RELIEF POLICY

Consideration was given to a report seeking approval of a revised Discretionary Rate Relief policy.

COUNCIL RESOLVED - (i) That the proposed policy be approved.
(ii) That powers be delegated to the Strategic Director, Corporate Resources, to administer this policy.

CL112 REVISED APPRAISAL & DEVELOPMENT FRAMEWORK

Consideration was given to a report seeking approval of a revised Appraisal and Development (A&D) Framework.

COUNCIL RESOLVED - (i) That the revised Appraisal and Development Framework be approved.
(ii) That the framework becomes operational from April 2017.

CL113 LOCALISM ACT 2011 - PAY ACCOUNTABILITY PAY POLICY STATEMENT

Consideration was given to a report seeking approval for a revised pay policy statement.

COUNCIL RESOLVED - That the draft policy be approved.

CL114 REPORT FROM THE CABINET

The Leader of the Council reported on a number of key issues currently affecting the Council.

COUNCIL RESOLVED - That the information be noted

CL115 NOTICE OF MOTION - RMT

Councillor G Haley moved the following motion:

“Gateshead Council welcomes that Gateshead passengers are currently guaranteed a safety critical Train Guard on board every Northern Rail train to assist in protecting the safety of the train and passengers, provide advice and assistance and to allow disabled passengers to embark and disembark at unstaffed stations.

Council is concerned however at proposals for Northern Rail franchise led by the Department for Transport and jointly managed with Rail North that could end the guarantee of a guard on every train by introducing Driver Only Operation on over fifty per cent of services.

Council believed Northern Rail should reach a similar agreement to those recently reached by Transpennine Express and Scotrail which have retained Guards whilst also introducing new modern rolling stock.

Council agrees to make representations to Northern Rail to reach an agreement with RMT that retains the guarantee of a safety critical guard on every train and demand from Government appropriate changes to the franchise agreement if that should prove necessary”.

In accordance with Council procedure rule 20.2, ten Councillors stood at the meeting and requested a recorded vote.

Councillors for the Recommendation:- J Adams, D Bradford, C Bradley, M Brain, L Caffrey, B Clelland, D Davidson, W Dick, S Dickie, P Dillon, C Donovan, A Douglas, J Eagle, K Ferdinand, M Foy, P Foy, M Gannon, A Geddes, B Goldsworthy, M Goldsworthy, J Graham, M Graham, S Green, L Green, G Haley, M Hall, M Hood, H Haran, L Kirton, J Lee, K McCartney, J McElroy, C McHugh, E McMaster, M McNestry, P Mole, R Mullen, B Oliphant, S Ronchetti, C Simcox, J Simpson, J Turnbull, A Thompson, L Twist and A Wheeler.

Councillors Against the Recommendation:- R Beadle, J McClurey, M Ord, I Patterson and J Wallace.

Councillors Abstained:- Nil

On the motion being put it was declared to be carried.

CL116 SUSPENSION OF PROCEDURE RULE 9.1

Councillor Gannon moved that Council suspend the 6 days notice in Procedure Rule 9.1 to allow a motion to be dealt with urgently due to its importance and impact on many residents in the Borough.

COUNCIL RESOLVED - That Procedure Rule 9.1 be suspended.

CL117 NOTICE OF MOTION - SCHOOLS BUDGETS

Councillor C McHugh moved the following motion:

“This Council notes with grave concern the recent Budget statement which confirms that the Government intends to continue with their proposed cuts to Gateshead Schools budgets, despite providing funding for new Grammar Schools which are an unwanted irrelevance for Gateshead. Education Trade Unions estimate that this could mean a cut of £6,990,424 to Gateshead schools by 2019 – an average cut of £301 per pupil or the equivalent loss of 187 teachers.

Council applauds the decision of Gateshead Head Teachers to write to parents informing them of the impact of budget cuts in their schools, and resolves to ensure that the wider community is also informed regarding this.

Council further resolves to ask the Chief Executive to write to the Chancellor of the Exchequer calling on him to:

- Ensure that the national funding formula includes an increase in funding for schools in poorly funded areas of England without cutting funding for other schools:
- Fund schools for the higher national insurance and employers pension contributions which are costing almost £1bn a year
- Protect funding per pupil in real-terms for the remainder of this Parliament.
- Take action to ensure fair funding for SEN/high needs and early years pupils and restore post-16 funding to previous levels”.

On the motion being put it was declared to be carried.

CL118 QUESTIONS

There were no questions submitted.

Mayor.....



COUNCIL MEETING

27 April 2017

INTERIM SENIOR MANAGEMENT ARRANGEMENTS – CARE, WELLBEING AND LEARNING

Sheena Ramsey, Chief Executive

EXECUTIVE SUMMARY

1. The purpose of this report is to seek approval of the interim arrangements to cover the role of Strategic Director, Care, Wellbeing and Learning (including the statutory roles of director of children's services and director of adult social services) pending a permanent appointment to this role.
2. Under the provisions of the Children Act 2004 and Local Authority Social Services Act 1970, local authorities must appoint a Director of Children's Services (DCS) and a Director of Adult Social Services (DASS), respectively. In Gateshead Council both of these roles are carried out by the Strategic Director, Care Wellbeing and Learning.
3. Since the retirement of the Strategic Director, Care, Wellbeing and Learning in January 2016, the Strategic Director role has been undertaken on an interim basis by two different post holders.
4. Following the departure of the most recent interim post holder the Council is currently engaged in a competitive recruitment exercise to appoint a permanent successor to the role of Strategic Director, Care, Wellbeing and Learning.
5. It has been proposed by the Chief Executive that she will fulfil the duties of the Strategic Director pending a permanent appointment being made. It is hoped this will provide stability and continuity within the service.
6. The Cabinet has considered the facts and issues arising from the report including alternative options and took all relevant advice before formulating their recommendation.

RECOMMENDATION

7. It is recommended that Council approve that the Chief Executive be appointed on a short-term basis to the post of Strategic Director, Care, Wellbeing and Learning, pending a permanent appointment being made.

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TITLE OF REPORT: Interim Senior Management Arrangements – Care, Wellbeing and Learning

REPORT OF: Mike Barker, Strategic Director, Corporate Services and Governance

Purpose of the Report

1. To seek Cabinet agreement to recommend to Council interim arrangements to cover the role of Strategic Director, Care, Wellbeing & Learning (including the statutory roles of director of children’s services and director of adult social services) pending a permanent appointment to this role.

Background

2. The Council continues to face a number of major challenges in managing significant budgetary pressures, whilst meeting increasing demand as a consequence of demographic changes and a rapidly changing policy context.
3. It is the responsibility of the Chief Executive to ensure the Council is able to meet these challenges, and deliver the Council’s priorities and objectives, by having the right skills and capacity in the right places across the organisation.
4. Under the provisions of the Children Act 2004 and Local Authority Social Services Act 1970 local authorities must appoint a Director of Children’s Services (DCS) and a Director of Adult Social Services (DASS), respectively.
5. In Gateshead Council both of these roles are carried out by the Strategic Director, Care, Wellbeing & Learning. This follows the merger of the majority of services within the Learning & Children and Community Based Services service groups into a single group in 2014.
6. Since the retirement of the Strategic Director, Care, Wellbeing and Learning in January 2016, the Strategic Director role has been undertaken on an interim basis by two different post holders. Following the departure of the most recent interim post holder the Council must now make an appointment to the Strategic Director role in order to fulfil its statutory duties.
7. The Council is currently engaged in a competitive recruitment exercise to appoint a permanent successor to the role of Strategic Director, Care, Wellbeing and Learning. It is anticipated that a recommendation will be made by Special Appointments Committee on a suitable candidate to undertake the role, in May 2017.

8. Whilst the recruitment is underway, the Council must ensure that it fulfils its statutory obligation to have a director of children's services and director of adult social services.

Proposal

9. Pending a permanent appointment being made, it has been proposed by the Chief Executive that she will fulfil the duties of the Strategic Director, including the statutory roles of the Council's director of children's services and director of adult social services.
10. The exercising of duties by the Chief Executive is considered to be the best option available to the Council at this time. In arriving at this recommendation it is hoped that whilst it is short-term in nature, this decision will provide stability and continuity within the Care, Wellbeing and Learning group, rather than introduce further interim or temporary capacity into the group.
11. The Chief Executive in taking on these duties will work closely, day-to-day, with the group's management team to ensure that there is continuity across the delivery of services. In exercising these duties, she will also work closely with the Leader of the Council and relevant portfolio holders.
12. Whilst the Chief Executive does not have a career background in social care, she has previously temporarily fulfilled the statutory roles of DCS and DASS in her role as Chief Executive at Knowsley Metropolitan Borough Council.

Recommendations

13. That Cabinet recommends to Council that the Chief Executive be appointed on a short-term basis to the post of Strategic Director, Care, Wellbeing & Learning, pending a permanent appointment being made.

For the following reason:

To ensure that the Council is fulfilling its statutory obligations, and is exercising the co-ordination of Council functions, the organisation of its staff, and to enable Council services to be delivered in the most effective way.

Policy Context

1. The proposals will assist in the delivery of Vision 2030 and in the implementation of the Council's Corporate Priorities as set out in the Council Plan 2015-2020 and its policy framework through the efficient use of resources.

Background

2. Under the provisions of the Children Act 2004 and Local Authority Social Services Act 1970 local authorities must appoint a Director of Children's Services and a Director of Adult Social Services, respectively. In Gateshead Council, both of these roles have been carried by the Strategic Director, Care, Wellbeing & Learning since the post was established in October 2014. With this position current vacant following retirement of the substantive post holder in January 2016 and the interim post holders' departure, the Council must make a new appointment to this post. While arrangements are underway to recruit on a permanent basis, this is unlikely to be finalised until late spring at the earliest; therefore it is necessary for the Council to make an interim appointment.
3. Whilst the Chief Executive does not have a career background in social care, she has experience from previously temporarily fulfilling the statutory roles of DCS and DASS in her role as Chief Executive of Knowsley Metropolitan Borough Council.

Consultation

4. Cabinet members have been consulted on the proposals and are supportive of the recommendations.

Alternative Options

5. The Council must make an appointment to the statutory roles of DCS and DASS: there are no suitable alternative options available to the Council. In view of the ongoing appointments process it is not considered appropriate to have an interim internal appointment or a further temporary recruitment.

Implications of Recommended Option

6. Resources

- a) **Financial Implications** –The Strategic Director, Corporate Resources confirms temporary appointment of the Chief Executive will achieve savings as there will be no further expenditure on interim agency cover.
- b) **Human Resources Implications** - There are no specific human resources implications arising from this proposal and report.
- c) **Property Implications** - There are no property implications arising directly from this report.

7. **Risk Management Implications** – There are no risk management implications arising directly from this report.
8. **Equality and Diversity Implications** - There are no equality and diversity implications arising directly from this report.
9. **Crime and Disorder Implications** – There are no crime and disorder implications arising directly from this report.
10. **Health Implications** – There are no health implications arising directly from this report.
11. **Sustainability Implications** – There are no sustainability implications arising directly from this report.
12. **Human Rights Implications** - There are no human rights implications arising from this report.
13. **Area and Ward Implications** - There are no area and ward implications arising from this report.



COUNCIL MEETING

27 April 2017

2017 – 2018 STATUTORY INTERVENTION PLAN FOR THE FOOD CONTROL AND HEALTH & SAFETY SERVICES

Sheena Ramsey, Chief Executive

EXECUTIVE SUMMARY

1. The purpose of this report is to seek approval for the Intervention Plan for the Food Control and Health & Safety services for 2017 – 2018.
2. It is a statutory requirement that the Intervention Plans for these services are considered and approved on an annual basis.
3. It is proposed that the Intervention Plan for the period 1 April 2017 to 31 March 2018 be agreed in order to deliver the mandatory duties placed on the Council as the enforcing authority for the regulation of businesses.
4. The Cabinet has considered the facts and issues arising from the report including alternative options and took all relevant advice before formulating their recommendation.

RECOMMENDATION

5. It is recommended that Council agree the Intervention Plan for 2017 – 2018 as set out at Appendix 2 of the attached report.

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TITLE OF REPORT: 2017 - 2018 Statutory Intervention Plan for the Food Control and Health & Safety services

REPORT OF: Paul Dowling, Strategic Director, Communities and Environment

Purpose of the Report

1. The report asks Cabinet to consider and recommend the Council to approve the Intervention Plan for the Food Control and Health & Safety services for 2017 - 2018.

Background

2. It is a statutory requirement that the Intervention Plans for these services are considered and approved at an appropriate level on an annual basis.
3. The information required in the Health and Safety Service Intervention Plan is directed by the 'Section 18 Standard on Enforcement' of the Health and Safety at Work etc Act 1974.
4. The information required in the Food Control Service Intervention Plan is directed by the requirements of the Food Standards Agency (FSA) Framework Agreement on Feed and Food Controls by Local Authorities.

Proposal

5. It is proposed that the Intervention Plan for the period 1 April 2017 to 31 March 2018 be agreed. A summary of the Plan is attached at Appendix 2.

Recommendations

6. Cabinet is asked to recommend the Council to agree the Intervention Plan for 2017 – 2018.

For the following reason:

To consider that effective and appropriate enforcement strategies and resources are allocated to deliver the mandatory duties placed on the Council as the enforcing authority for the regulation of businesses.

CONTACT: Elaine Rudman 3911

APPENDIX 1

Policy Context

1. The work of the Health and Safety Service is directly linked to 'Vision 2030' in particular through the Active and Healthy theme by promoting and maintaining good standards of occupational health, safety and welfare within the workplace environment.
2. The work of the Food Control Service is directly linked to 'Vision 2030' in particular through the Active and Healthy theme by ensuring the safety, hygiene and standards of food produced, supplied and consumed in Gateshead and by controlling food and water-borne illness. The service also provides help and advice to small business leading to sustainable economic growth of small business.

Background

3. Gateshead Council is an Enforcing Authority under both food safety and health & safety law and has mandatory, statutory responsibilities to enforce the relevant legislation.
4. The Government's National Priorities (as identified in the Rogers Review 2007) include:
 - 'Improving health in the workplace' because of 'the high risks posed to individuals, their families, business and the costs to the economy'
 - 'The hygiene of businesses selling, distributing and manufacturing food and the safety and fitness of food in the premises' because of the high impact in terms of numbers of deaths and ill health caused by unhygienic food businesses and the high costs to the economy
5. Development, Transport and Public Protection considers the Government's Better Regulation agenda when planning and delivering its services

Consultation

6. The Cabinet Members for Environment & Transport, Adult Social Care and Health & Wellbeing have been consulted.

Alternative Options

7. The Plan is based on delivery of the minimum interventions required to meet the statutory responsibilities placed on the Council using the resources currently allocated to the services.
8. Failure to deliver the minimum interventions is not an option.
9. Delivery of a more comprehensive Intervention Plan would require additional resources.

Implications of Recommended Option

10. Resources

- a. **Financial Implications** – The Strategic Director, Corporate Resources, confirms that there are no additional financial implications arising from this report.
- b. **Human Resources Implications** - There are no human resource implications arising directly from this report.
- c. **Property Implications** - There are no property implications arising directly from this report

11. **Risk Management Implications** – Failure to deliver statutory responsibilities may result in government intervention.

12. **Equality and Diversity Implications** – An Equality Impact and Needs Assessment of these plans has indicated a neutral impact.

13. **Crime and Disorder Implications** – There are no crime and disorder implications arising directly from this report.

14. **Health Implications** - These statutory services have an important role in preventing ill health and harm and reducing health inequalities.

- The food service protects public health through the control of the spread of acute and chronic illness and by ensuring a safe, healthy and sustainable food chain.
- Enforcement of health and safety aims to prevent harm and ill health in the workplace. Tackling injuries and ill health at work benefits workers, businesses and society as a whole.

15. **Sustainability Implications** – There are no sustainability implications arising directly from this report.

16. **Human Rights Implications** – There are no human resource implications arising directly from this report.

17. **Area and Ward Implications** - This report affects all wards equally

Background material

- Section 18 'Standard on Enforcement', Health and Safety at Work etc Act 1974.
- Framework Agreement on Feed and Food Controls by Local Authorities, Food Standards Agency

EXECUTIVE SUMMARY

Despite reduced resources the Environmental Health Team of the Council still responds to over 800 accidents, food poisonings and complaints and undertakes over 1500 interventions in a wide range of premises in order to build stronger, healthier, prosperous and sustainable businesses.

The Food Standards Agency (FSA) as part of its national food safety framework agreement requires all Local Authorities to prepare a service plan which sets out how the official controls will be delivered.

The Health and Safety Code (The Code) requires Local Authorities to be transparent in their enforcement role. In order to achieve this we need to publish our intervention plan and report on our performance against that plan.

This plan sets out the overall aims of the Environmental Health Team and how the Council will deliver the food safety and health and safety enforcement functions in the financial year 2017/2018.

The plan describes the profile of businesses in the borough and the way in which this determines how the intervention programmes are planned.

It also describes the nature of service requests received and how they are managed and responded to within the service.

The resources allocated to deliver the service are set out for 2017/2018 and the ways in which business and customer satisfaction are monitored and maintained.

The plan includes a review of the work of the Environmental Health Team in 2016/2017 and the priorities and plans for the coming year.

Development and Public Protection

**Service Plan for the Health & Safety and Food Control Services
2017/2018**



Gateshead Council

Service Plan for the Health & Safety and Food Control Services 2017/2018

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Foreword

The work of the Environmental Health Team is governed by various Acts of Parliament, Official Government Guidance and reports. The main legislation covering the teams work is the Food Safety Act 1990 and the Health and Safety at Work etc. Act 1974. The team is also monitored by and reports to the Food Standards Agency and the Health and Safety Executive. The following are some of the most recent reports that directly impact on the work of the team.

The Code

The National Local Authority Enforcement Code (The Code) relates to the health and safety service and was published in 2013 by the HSE. It has been developed in response to a recommendation by Professor Löfstedt, for the HSE to be given a stronger role in directing local enforcement of health and safety. It is also an outcome of the Red Tape Challenge on Health and Safety. It is designed to ensure that local authority (LA) health and safety regulators take a more consistent and proportionate approach to enforcement. Whilst the primary responsibility for managing health and safety risks lies with the business who creates the risk, LA health & safety regulators have an important role in ensuring the effective and proportionate management of risks, supporting business, protecting their communities and contributing to a wider public health agenda. The Code requires that LAs use the full range of regulatory interventions available to influence behaviours and the management of risk with proactive inspection utilised only for premises with higher risks or where intelligence suggests that risks are not being effectively managed. The Code provides direction to LAs on meeting these requirements, and reporting on compliance. The Code is mandatory for LAs to follow and provides suggestions for activities and sectors that are suitable for proactive inspection.

Lord Young Common Sense, Common Safety Report 2010

This report includes issues which have implications for local authorities and particularly the regulatory functions of health and safety and food safety. It recommends reducing bureaucracy associated with unnecessary health and safety and insurance requirements and tackles the compensation culture. It advocated the introduction of a register for competent health and safety consultants and hopes to reverse the risk averse approach that is seen to hamper children's development. The report reinforces the move towards risk based inspection, recommending the removal of many burdens on low risk premises, the voluntary sector and the self employed along with improved, accessible and tailored advice and guidance. It supports the ethos of earned recognition, advocating Primary Authority and recommending an enhanced HSE role for large multi-site retailers. It recommends the combination of health and safety and food inspectors in local authorities and supports the opening up of the inspection regime to accredited certified bodies.

Elliott Review

Following the horse meat scandal early in 2013, the Government tasked Professor Elliott to review the various information, reviews and some of the evidence relating to the scandal. The report was published in September 2014 and impacts on how the service operates in the future. The report raises a number of recommendations that the Government are looking at implementing. The report recommends that consumers are put first and there is a zero tolerance approach to food fraud. Intelligence about food fraud should be more widely shared. The report makes recommendations about the laboratory services and the value of sampling regimes. Independent auditing of the food industry is seen as valuable and should be encouraged, providing the audit has measures to identify and eliminate food fraud. The Government must support a co-ordinated approach to food law enforcement and look to creating a new food law crime unit. The Government must also have in place procedures for dealing with a serious food safety or food crime incident.

Food Law Code of Practice

The Food Law Code of Practice directs our activities within food safety enforcement. It sets out the levels of competence required to enforce food safety legislation and how we will risk rate food premises. The Food Law Code of Practice requires that we have a Lead Food Officer, who is able to advise everyone concerned with food safety enforcement. This includes advising management, Councillors and officers on the requirements of the legislation and the Food Law Code of Practice. The competencies necessary to perform this role are laid out within the Food Law Code of Practice. This role is given to the Senior Environmental Health Officer within the team.

Introduction

This plan sets out how the Council will deliver the food safety and health and safety enforcement functions in the financial year 2017/18. The details concerning the time required for each element is in officer days. Each full time officer has 220 days available for carrying out their duties.

In 206/17 the Environmental Health Team of the Council responded to over 800 accidents, food poisonings and service requests down on last year's figure of 900. However, we undertook over 1500 interventions in a wide range of premises in order to build stronger, healthier, prosperous and sustainable businesses, an increase of 200 on previous years.

Nationally there are over a million cases of food poisoning each year, 20,000 hospitalisations and 500 deaths. This costs the economy £1.5 billion each year. 30.4 million working days were lost in 2015/16 due to work related illness or injury, 144 workers were killed at work. Workplace ill health and injury cost society £14.1 billion in 2015/16.

The Food Standards Agency (FSA) as part of its national food safety framework agreement requires all Local Authorities to prepare a service plan which sets out how the official controls will be delivered.

The Health and Safety Code (The Code) requires Local Authorities to be transparent in their enforcement role. In order to achieve this we need to publish our intervention plan and report on our performance against that plan.

Gateshead Council is responsible for the enforcement of food safety legislation in approximately 1600 premises and health and safety law in approximately 3000 premises. Our food premises range from food manufacturers to retailers and restaurants, whilst health and safety covers the service industries including warehouses, retail premises, hotels and leisure facilities.

To ensure local transparency and accountability, to show the service's contribution to Vision 2030 and to meet the requirements of the FSA Framework Agreement this plan is approved by Members on behalf of Gateshead Council.

The plan highlights that the team does not have the necessary resources to complete all of the required works. The team will therefore prioritise work on a risk basis. Inspections will be targeted at high risk and poor performing businesses. For low risk businesses a system of alternative interventions will be used, including questionnaires, sampling visits, monitoring checks and checks by other teams during their visits. New food businesses will be asked to complete a questionnaire so that their initial visit can be prioritised. We will also examine the possibility of using contractors to undertake a number of food hygiene inspections.

1. Service Aims & Objectives

1.1 Aims

We aim to:

- Ensure that food produced, sold or consumed in the borough is safe to eat and that businesses comply with food law;
- Protect the safety, health and welfare of people at work in Gateshead and to safeguard others who may be exposed to risks from the way that work is carried out; and
- Improve working conditions in the Borough through a programme of workplace inspections and self assessment, and accident, incident and complaint investigation.

1.2 Objectives

To achieve these aims we have the following objectives:

- Deliver the official controls on food law as set out in the FSA Framework Agreement
- Ensure food is safe, fit to eat and free of contaminants
- Protect consumers from food fraud
- Improve compliance in food businesses using advice, guidance and when necessary enforcement
- Maintain an accurate database of food establishments
- Carry out a programme of food safety interventions at a frequency appropriate to risk
- Respond effectively to complaints relating to food and water
- Ensure that readily accessible advice and assistance is available to businesses and the public
- Carry out the annual sampling programmes for microbiological examination and compositional analysis, including participation in regional and national surveys
- Regularly survey imported food to prevent unsafe or illegal food from entering the market
- Approve establishments for handling products of animal origin as required
- Carry out surveillance of suspected and confirmed illness that has the potential to be food or water borne and implement control measures to prevent further illness
- Enforce a wide range of relevant health and safety legislation.
- Establish and maintain a planned inspection programme based on a risk-based priority planning system to select premises for inspection.
- Develop a range of campaigns and intervention programmes aimed at both specific business sectors and specific business risks to improve health and safety.
- Investigate complaints from the public about health and safety issues
- Investigate notified accidents, incidents and cases of occupational ill-health
- Advise, educate and assist businesses to comply with legal obligations and promote self-regulation using self-assessment tools.
- Administer and regulate statutory permission and registration regimes for specific work activities linked to health risks, such as
 - The Control of Asbestos at Work Regulations 2006
 - Gateshead Byelaws for the registration of practitioners and premises carrying on the practice of Acupuncture and the business of Tattooing, Semi-Permanent Skin-Colouring, Cosmetic Piercing and Electrolysis.

- Promote issues in the Government White Paper, 'Choosing Health' by improving working conditions to reduce the causes of ill-health related to work, promote the work environment as a source of better health and support 'Smoke Free Gateshead'
- Work closely with businesses including Workplace Health and Safety Representatives and Trade Union Representatives
- Support the principles of the Primary Authority Scheme to improve regulatory consistency and reduce burdens on business.

1.3 Links to the Council Plan

The Council Plan 2015-2020 sets out how the Council will achieve its aims and objectives. The Environmental Health team contributes in many areas of delivery, in particular:

- **Prosperous Gateshead** The team have a major role to play in ensuring a prosperous Gateshead. By ensuring that businesses comply with the law and by promoting best practice we can ensure that our businesses are best placed in a competitive world. We assist a number of businesses that are trading internationally, by providing a fast responsive service that is open to the needs of business. We help businesses grow and develop and improve the service they provide by offering help and advice, this in turn provides more jobs and reduces financial exclusion and child poverty. The voluntary sector also receives help and advice from the team and helps develop.
- **Live Love Gateshead** By helping to create healthy and safe places to eat and visit within Gateshead we are encouraging visitors and residents alike to enjoy the facilities and attractions here and to enjoy safe events across the Borough. The team has an active role in the Virtual Rural Economic Strategy Team, providing advice and guidance on businesses and improving the rural economy. The team inspects the mobile and permanent traders that operate in our parks and open spaces, improving the facilities available to visitors.
- **Live Well Gateshead** The team are working hard to reduce the risks of injury and ill health at work, meaning that people have a longer and happier life. The team manages and assesses the better health at work award on behalf of the Council, promoting healthier work places. We are also providing safe places to eat, reducing the incidence of food poisoning and ill health from the food we eat. We have also become more involved in providing advice to event organisers to ensure that events are safe for all.

1.4 Vision 2030

The work of the Food Service is directly linked to 'Vision 2030', Gateshead's Sustainable Community Strategy and the heart of an ambitious long term plan developed by Gateshead Strategic Partnership following extensive consultation. The most relevant of the 'Six Big Ideas' within Vision 2030 to the team is '**Active and Healthy Gateshead**'

What we eat can make a big difference to our health and the Food Service plays a key role in diet and nutrition by checking the accuracy of food composition and labelling through the sampling programme. This helps people to make healthy choices based on accurate product information. We can also help raise Gateshead's profile - for example, by making sure that restaurants and hotels meet the legal standards and produce safe food for visitors and residents.

Good health is fundamental to well-being and long life and the annual inspection programme helps to ensure that food safety standards are met and workplaces are safe and healthy.

The web based initiative known as the Food Hygiene Rating Scheme places food hygiene information into the public domain and encourages food business operators to achieve higher hygiene ratings

2. Background

The service is a statutory function enforcing food safety and health and safety legislation across Gateshead. By using a variety of interventions and techniques we are seeing a sustained improvement in food safety levels, indicated by the increasing numbers of food businesses rated as 5 in the Food Hygiene Rating System. With over 800 accidents, food poisonings and complaints per year to respond to and over 1500 interventions we are constantly looking for ways to improve our service and be more efficient.

2.1 Profile of the Local Authority

Gateshead Council is one of five historical Tyne and Wear borough councils. It has the largest area of 55 square miles and the 22 wards cover a mix of urban and rural environment with a population of approximately 200 000, with 64% being of employable age. The borough stretches for 13 miles along the south bank of the River Tyne.

Gateshead is an area with exciting new developments including progress toward a modern, vibrant town centre with the Trinity Square Development and further schemes include the redevelopment of Blaydon Centre, and new or replacement food stores at Birtley, Felling, Coatsworth Road and Ravensworth Road centres. Businesses in Gateshead currently provide approximately 100 000 jobs.

The Council adopted a Hot Food Takeaway Planning SPD in June 2015. The SPD sets out the Council's priorities and objectives in relation to planning control of hot food takeaways. It elaborates upon existing and emerging policy in relation to health and wellbeing. Gateshead has a rate of 0.96 hot food take aways per 1 000 population.

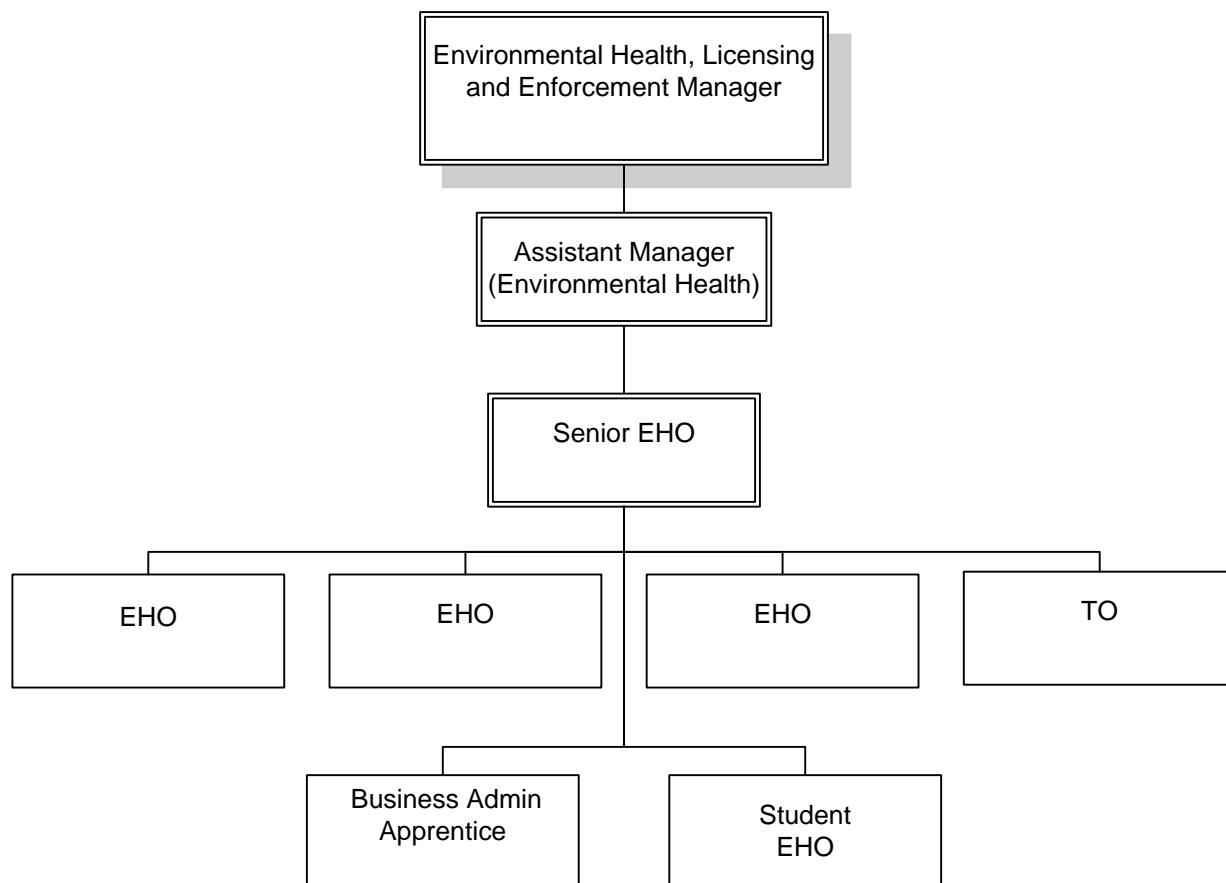
Gateshead also includes:

- The Metrocentre, one of Europe's largest indoor shopping and leisure complexes
- The Team Valley Trading Estate, home to over 650 companies and includes the Retail World shopping area
- Gateshead International Stadium
- Gateshead College

The Team is based at the Civic Centre in Gateshead with office hours being from 0830 to 1700 hours. Members of the Team voluntarily provide an unofficial out-of-hours service to carry out interventions and investigations that cannot be achieved during office hours.

The Council operates a 24 hour emergency response through Care Call, and Development & Public Protection has arrangements in place for Care Call to be able to contact a relevant officer in case of emergency outside normal office hours.

2.2 Organisational Structure



There are no planned structural changes to the team in 2017/18; however the student post is currently vacant. The Team sends regular reports to the Environment & Transport Portfolio and Adult Social Care & Health and Wellbeing Portfolio.

2.3 Specialist Services

The Environmental Health Team works closely with the following specialist services:

- Public Analysts - Alan Richards, Public Analyst Scientific Services Ltd and Nigel Payne
- Infectious Disease Control – Public Health England (Proper Officer: Dr Roberta Marshall)
- Microbiology laboratory – Public Health England Food Water and Environment Laboratory York

2.4 Premises Profile

2.4.1 Health and Safety Premises

The Health and Safety (Enforcing Authority) Regulations allocates enforcement responsibilities between Local Authorities and the HSE. Premises profiles fluctuate throughout the year due to businesses opening / closing and changes in use. The service database is updated with any changes as they become evident.

Local authority enforced business classifications	2016/17	2017/18	Change
Retail Shops	1020	987	-33
Wholesale shops, warehouses and fuel storage	301	292	-9
Offices	609	529	-80
Catering, restaurants and bars	560	586	+26
Hotels, campsites and other short stay accommodation	34	35	+1
Residential care homes	70	70	0
Leisure and cultural services	119	116	-3
Consumer services and membership organisations	426	422	-4
Other premises	20	19	-1
Total	3159	3056	-103

2.4.2 Food Premises

Particular local requirements include:

- 7 companies currently have approval for handling products of animal origin and Sprouting Seeds.
- Major retail, wholesaling, and warehousing complexes, including the Metrocentre and the Team Valley Trading Estate.
- Several large food producers including Kavli, Northumbrian Fine Foods, Paradise Foods, Dalziels, Beckleberys and Its All Good.
- The Queen Elizabeth Hospital cook-chill production unit.
- Third country importers, including Traidcraft (specialising in fairly traded goods).
- Specific needs of various ethnic groups.

Type of Premises	2016/17	2017/18	Change
Primary Producer	1	1	0
Manufacturers and Packers	55	57	+2
Importers/Exporters	3	4	+1
Distributors and transporters	59	64	+5
Supermarket/Hypermarket	36	42	+6
Smaller retailers	309	299	-10
Retailers – Other	43	49	+6
Restaurants/café/canteen	252	270	+18
Hotel/Guest house	29	27	-2
Pub/Club	205	202	-3
Takeaway	228	232	+4
Caring establishment	104	104	0
School/College	91	91	0
Mobile food unit	75	82	+7
Restaurant and caterers - other	142	129	-13
Other	10	7	-3
TOTAL	1642	1660	+15

2.5 Client Profile

The client profile for the service is wide-ranging and varied, being based around all Local Authority enforced businesses and all food businesses.

Our clients include those who make a request for service (complaints or advice) about these, or proposed businesses. This will include owners, employees, managers, trade union/employee representatives, customers, residents and visitors. We appreciate the various and diverse needs of these people will affect how we work with them – issues such as language, experience, education, disability, age, time available can all make a difference.

Our database allows us to identify information about businesses that enables specifically targeted work. For example, we can group them by businesses classification/type, geographical area and business name.

We also respond to specific health and safety queries. For example, providing health and safety information and advice to students and other local authorities and investigate smoking complaints in ALL businesses and vehicles.

Our customers include Government departments, regulatory bodies such as Health and Safety Executive (HSE), Fire Authority, Police Authority, other teams within Gateshead Council, other local authorities and agencies such as Public Health England (PHE), Local Government Regulation (LGA) and Chartered Institute of Environmental Health (CIEH). Some of these are also our partners. We also assist the Director of Public Health in achieving some of her targets with respect to infectious disease, smoking and workplace health.

3. Service Delivery

3.1 Proactive Work

The intervention programme is continually monitored and reviewed by Lead Officers in the Team with the following factors being assessed:

- Most appropriate intervention for risks associated with a business
- Qualifications, experience and competency of the officer carrying out an intervention
- Additional intelligence that may be gathered during the year (food fraud, illegally imported food, accidents)
- Use of unscheduled interventions for increased risks or newly identified hazards
- New businesses added to the programme.

3.1.1 Health and Safety

HELA LAC 67/2 (rev 6) provides guidance for priority planning of inspections through a risk based system. The LAC no longer requires a risk assessment of premises to be carried out, however in order to assist in prioritising interventions Gateshead Council will continue to use the previous system of risk rating where officers score premises based on four risk elements and assign a rating value to each of these elements:

- Confidence in management
- Health performance
- Safety performance
- Welfare standards

The system then categorizes the risk the premises pose as high (A), medium (B1/B2) or low (C). We will undertake an inspection of A rated premises at least once per year and B1 rated premises will receive an intervention every 2 years. We have decided an intervention frequency not less than 3 yearly for B2 and 5 yearly for C category premises. This takes into account the number of premises in these categories, the resources available for delivering the service plan and local/ historical knowledge of the premises database. Premises will only receive a face to face intervention if there is a reason to do so.

All intervention visits contain an element of smokefree enforcement and officers will check for compliance with the legislation.

The types of interventions for all premises are directed by the Code. Broadly these fall into two groups, proactive and reactive. The two groups include a number of different options and include:

Proactive interventions:

- Partnership
- Motivating senior managers
- Supply chain
- Design and supply
- Sector and industry wide initiatives
- Working with those at risk
- Education and awareness
- Inspection
- Intermediaries
- Best practice
- Recognising good performance

Reactive interventions:

- Incident and ill-health investigation
- Dealing with issues of concern that are raised and complaints

A traditional inspection is reserved for only a very small number of premises, so the majority of interventions will come from the other options. In 2017/18 we have 2 A rated premises. These are small premises that had serious deficiencies at the last inspection. They will receive an inspection and their rating is expected to be lowered.

Low risk businesses are unlikely to be visited, but will receive a self assessment questionnaire and written advice on how to improve their health and safety performance. These businesses will then be able to request an advisory visit if they so wish.

All other businesses will receive a face to face intervention from one of the above categories. The Code provides for a number of industry wide initiatives to promote safety in high risk areas. In 2017/18 these initiatives include fragile roofs and falls from height, duty to manage asbestos, Ill health at visitor attractions with animals, beverage gases in the hospitality industry and gas safety in commercial premises.

HSE Category	Rating score	Intervention frequency (set by LAC 67/2 rev 3; or Gateshead)	Total on database	Due in 2017/18	Time Required (Days)
A	5 or 6 on any risk	Inspect not less than once per year	2	2	2
B1	4 on any risk	Premises for intervention. Premises without an intervention within 18 months to be reviewed	2	2	2
B2	3 on any risk	Premises for intervention. Gateshead standard is an intervention not less than every 3 years	239	181	24
C	No score greater than 2	Assess premises, but suitable for non-inspection intervention methods\ techniques. Gateshead standard is an intervention not less than every 5 years	2555	1248	42
Unrated	Unknown	Gateshead standard is an intervention according to the perceived priority	258	257	34
Total			3056	1690	146

3.1.2 Food Safety

The Food Service uses the FSA's intervention rating scheme to determine the frequency that food premises should receive an intervention. This ensures that all premises are visited at an appropriate minimum interval determined by their risk rating.

Interventions are defined as activities that are designed to monitor, support and increase food law compliance within a food establishment. They include, but are not restricted to:

- Inspections (full and/or partial) and audits
- Monitoring
- Verification and surveillance
- Sampling where the analysis/examination is carried out by an Official Laboratory.

The tables below show how many premises the Service has in each risk category on 1 April 2017, together with the projected number of interventions required during the financial year:

FSA Risk Category	Minimum intervention frequency	No. on database	Projected interventions due 2017/18	Bought forward from 2016/17	Time Required (Days)
A	6 months	6	12	0	24
B	12 months	33	33	0	33
C	18 months	325	140	107	124
D	24 months	620	301	186	66
E	36 months	520	254	68	44
UNRATED		156	156	0	63
Total		1660	896	361	354

Unrated businesses are those that have not yet been inspected and therefore do not have a rating. New businesses are continually added to the programme throughout the year. 138 were added during 2016/17 with 33 of them receiving an inspection, taking approximately 16 days of EHO time. A total of 85 new businesses were inspected during the year.

3.1.3 Food Standards

The table below shows the number of premises that the Council has on its database and the number of interventions required during the year.

FSA Risk Category	Minimum intervention frequency	No. on database	Projected interventions due 2017/18	Bought forward from 2016/17	Time Required (Days)
A	12 months	19	19	0	20
B	24 months	705	98	505	247
C	5 years	778	120	276	54
UNRATED		161	161	0	65
Total		1663	382	797	386

3.1.4 Feed Safety

As part of our ongoing commitment to reducing burdens on business, we have agreed with Trading Standards to undertake feed safety interventions at the same time we undertake food safety interventions. This should have limited impact on the work of the team, but will remove the need for a second officer to visit the premises to undertake a separate feed visit. The time for these has been factored in to food hygiene interventions.

3.2 Service Requests

3.2.1 Health and Safety

The Council investigates requests for service from a wide customer base about health and safety issues in the workplace. We endeavour to provide comprehensive information and advice on health and safety when requested.

We have an internal policy, based on HSE guidance to determine whether requests for service will / may / will not be responded to. Our target is to respond to 100% of those requests for service that meet our selection criteria within two working days.

In 2016/17 we received the following number of requests for service:

Complaint Type	Number of Requests	Time Allocated 2017/18 (days)
Health and Safety	68	18
Accidents (none RIDDOR)	2	1
Licensing	210	28
Public Health	10	4
Smoking	7	1
Total	297	52

3.2.2 Food Safety

The Food Service receives complaints about food and food businesses. These are investigated in accordance with the selection criteria. Numbers of complaints received in 2016/17 are shown in the table below:

Nature of request	Number of Requests	Time Allocated 2017/18 (days)
Premises	56	22
Standards	65	34
Hygiene	70	19
Rerating Request	3	3
Totals	194	78

3.3 Home Authority Principle and Primary Authority Principle

Gateshead Council fully supports the Home Authority Principle and the Primary Authority Partnership Scheme.

The Food Service is Home Authority for a number of producers and as such provides advice and investigates incidents on behalf of other Local Authorities. The Service does not have any Primary Authority arrangements in place, but is currently looking to enter into a partnership agreement with a local business.

Gateshead must abide by the relevant principles and guidance when it deals with any business that has a Primary Authority agreement. The Better Regulation Delivery Office website is regularly monitored to identify new primary authority partnerships and the premises database updated with relevant information.

3.4 Advice to business

The Food Service not only provides advice on compliance and business improvement during each visit, but also responds to requests for advice from local businesses and members of the public. The total numbers of requests received in 2016/17 is 104, this level is the same as last year. These requests were dealt with by way of signposting clients to online advice. Where a client requires bespoke advice then we charge £75 per hour.

The advice provided varies from forwarding website links or information packs to visiting a business to provide detailed advice on compliance and controlling hazards.

3.5 Food sampling

Food sampling is carried out in accordance with our procedures. The food and businesses sampled are determined by our intervention and sampling programmes and additional information received such as allegations of food poisoning, complaints, newly identified businesses, processes or hazards.

Annual sampling programmes are developed following consultation with the North East Food Sampling Group, the Public Analysts and Public Health England. The programmes support national food surveys (identified by FSA and Local Government Regulation) as well as regional and local priorities.

The time required includes the time taken for resamples and investigations of failed samples.

Samples taken	2015/16	2016/17	Time Allocated 2017/18 (days)
Microbiological examination	500	327	279
Analysis (composition/labelling)	219	66	96
Total	719	393	375

In 2016/17 we contributed to the PHE Cross Regional Studies on unpasteurised fruit and vegetable smoothies, hygiene during the production and handling of Ice, re-usable bottles for antibacterial sprays/sanitiser and cooked crustaceans and other cooked shellfish. In 2017/18 the studies will involve cooked meat products, bakeries, farm shops and school kitchens.

The FSA studies have been agreed, following a change to the way that the sampling is funded there are significant consequences for the compositional sampling programme, with the number of samples allocated to Gateshead being vastly reduced.

3.6 Control and investigation of outbreaks and food related infectious disease

The Food Service aims to safeguard the public through surveillance and investigation of food and water related infectious disease. The Service works closely with Public Health England and follows agreed disease specific procedures and when relevant, Outbreak Control Plans.

Numbers of incidents notified to the Service in previous years are shown in the table below:

Infectious disease	2015/16	2016/17	Time Allocated 2017/18 (days)
Investigated	153	146	101
Monitored	242	193	15
Outbreaks	4	2	45
Totals	399	341	102

We now only record outbreaks that we respond to and have estimated the time allocation based on 5 officers responding.

The number of Giardia cases reported to the team has increased from 16 in 2015/16 to 44 in 2016/17. There does not appear to be any underlying reason for the increase, but it may be due to

better detection techniques. These are investigated cases, so they have a significant impact on the service.

During the year there have been improvements in the use of DNA analysis of food poisoning organisms. This has meant that during a *Cryptosporidium* outbreak linked to 2 swimming pools we were able to identify a very rare strain of the protozoan. This enabled us to confirm links and the source of the outbreak.

3.7 Food safety incidents

The Service regularly receives reports of food incidents from the FSA via e-mail and text. Action depends on the nature of the incident and will be dealt with in accordance with the FSA Code of Practice. The majority are for information only but Food Incident warnings and Food Alerts for Action may require immediate action to remove the food hazard from the food chain. These Alerts/Incidents can potentially have an impact on programmed interventions.

There are a large number of product recalls received during the year, which officers need to be aware of. During the year 6 alerts for action were received and 145 alerts for information. Alerts for information do not normally require any direct action, but officers need to be aware of the issues during inspections.

3.8 Statutory Notifications

A significant part of the health and safety workload is taken up with accident investigation. Certain injuries, dangerous occurrences and occupational diseases are reportable by businesses to the enforcing authority using RIDDOR. Incidents are selected for investigation in accordance with HSE Guidance, local and national priorities.

In 2016/17 we received 132 accident notifications and we investigated 32 of these. This was an increase on the previous year. That took a total of 32 officer days to carry out and a further 2 days to administer all notifications.

We will respond to notifications of defective lifting equipment within two working days or more promptly where appropriate, to ensure the risk of injury is minimised or eliminated.

The Council must be notified by licensed asbestos contractors about any asbestos stripping operation taking place in Council enforced premises. We will respond to all notifications in an appropriate timescale and liaise with the contractor to ensure that all work takes place according to legislative guidelines to minimise risk.

3.9 Registrations / Approvals

Byelaws require the registration of people and premises carrying out acupuncture, tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis.

The Council is required to maintain a register under the Local Government (Miscellaneous Provisions) Act 1982 and charges are made for registration of persons and premises used for each activity. In 2016/17 we processed 42 applications for skin piercing, taking a total of 28 officer days. The team have commenced a scheme targeting tattooists, with the aim of improving hygiene conditions in tattooist parlours. The Tattoo Hygiene Rating Scheme gives tattoo parlours a rating similar to the Food Hygiene Ratings. The aim is to encourage customers who wish to get a tattoo, to only go to premises with a good rating. We currently have 3 premises taking part in the scheme.

We also maintain a public register of installations under the Notification of Cooling Towers and Evaporative Condensers Regulations 1992. This can be used as a source of information in the investigation of a suspected legionella outbreak or for planning initiatives to control Legionella.

Each of the premises approved under food hygiene legislation requires a visit and sampling intervention during the year. We also receive a number of applications each year. This year we received 2 new applications for approval.

3.10 Licensing Applications

The service is a statutory consultee under the Licensing Act 2003 and the Gambling Act 2005. The number of applications received is given in the table within section 3.2.1 showing the number of health and safety service requests received. The service responds to both premises licence applications and Temporary Event Notifications. We are also a consultee for street trading and market consents.

3.11 Business training and information

We will raise awareness with relevant businesses of legislative changes as they occur.

We encourage training courses for both inspectors and for businesses (over and above the statutory minimum) including those approved by the Chartered Institute of Environmental Health, FSA and the HSE.

3.12 Liaison and Partnerships

The health and safety service has close and regular contact with the HSE via the North East Occupational Health and Safety Group. This results in shared priorities, and action plans with delivery through partnership working across the region. The HSE LA Partnership Officer attends and provides access to specialist services and shared resources. The group exists to promote uniformity, consistency and a sharing of knowledge. It fully supports the development of the partnership between HSE and Local Authorities working together and represents the Tyne and Wear, Durham and Northumberland authorities. Opportunities for joint working on both a national and regional level are explored and developed. There is a sub group which looks at skin piercing activities and promotes consistency in enforcement across the region.

Wider liaison with other environmental health professionals is supported via links with the CIEH (initially through the North East Regional Management Board) and the Knowledge Hub website.

The Food Service works very closely with neighbouring councils through the North East Food Liaison Group. Representatives meet quarterly to promote uniformity and consistency on issues such as enforcement, competency and training. It provides a forum for the sharing of knowledge and experiences to improve good practice and consistency. There are 2 sub-groups, one for microbiological sampling and one for food standards. The microbiological group is chaired by the Services Assistant Manager. An EHO from Gateshead represents the wider region on the National Food Standards Focus Group.

The Service has close links with the Public Health England (PHE), Food, Water and Environment (FWE) Laboratory, now based in York. The PHE laboratory provides expert advice on microbiological issues associated with food poisoning, sampling and complaint investigation. Meetings are held regularly between the north east local authorities and key laboratory personnel to discuss practices, training and current issues.

The Service has formally appointed Public Analysts and has established close working links associated with sampling, chemical analysis and labelling. The North East Food Sampling Groups meet quarterly to discuss compositional and microbiological issues, and to arrange coordinated regional sampling targeting wider and emerging food safety issues.

We work in partnership with the NE Health Protection Unit of PHE concerning notification of infectious diseases, reporting and investigation of food or water borne illness and infection control.

There is regular contact with the FSA and this includes reporting food safety and fraud issues for the national database to assist in investigations by other organisations and the annual Local Authority Enforcement Management Scheme (LAEMS) return of data. Over the coming months the new Food Crime Unit will also become an important point of contact and we will be sharing information and intelligence with it.

Wider liaison with other environmental health professionals is supported via links with the CIEH and the Knowledge Hub website. The service also works closely with other services and groups within the council.

3.13 Events Advice

The team has taken responsibility for coordinating advice across Development, Transport and Public Protection with regards to planned events within the Borough. This includes attendance at Safety Advisory Groups and commenting on event plans. An Events review panel has also been set up chaired by the teams Assistant Manager to look at how the Service responds to events. The panel also reviews recent events and coordinates the services responses to forthcoming events. The panel is also helping the Events Team to provide simple advice via the Councils website to help event organisers plan safer events.

Linked into this work is the requirement for the Sage Gateshead to obtain permission from the team for performances that use certain effects, such as pyrotechnic devices and lasers.

3.14 Prosecutions / Simple Cautions

3.14.1 Prosecutions

A manager of a local take away premises was prosecuted as the food business operator for hygiene failings at the premises. The manager pleaded guilty and was fined £1200 for 2 offences, with a £120 victim surcharge and £200 costs. A total of £1520.

A joint prosecution was taken with Trading Standards for the sale of counterfeit vodka and the sale of alcohol below the unit price detailed in the Councils Licensing Policy. The Food Business Operator entered a not guilty plea. The Food Business Operator was found guilty of 11 charges and fined £3451 for the counterfeit vodka and £1200 for licensing offence.

Following a joint operation with Northumbria Police relating to modern day slavery officers identified that a take away was using ground peanuts instead of ground almonds as stated on their menu. Further investigations showed they were also selling mutton instead of lamb. The food business operator pleaded to two offences and was fined £2000 with £200 costs.

3.14.2 Simple Cautions

A general dealer accepted a simple caution for selling cans of pop 2 years beyond their best before date and failing to provide information required by the investigating officer.

A food business operator of a take away premises accepted a simple caution for using mixed nuts instead of ground almonds. The food business was in the process of changing menus to show they used mixed nuts. The food business operator was able to prove they had ordered ground almonds, but mixed nuts had been delivered instead.

4. Resources

4.1 Finance

4.1.1 Expenditure

An overall expenditure budget for 2017/18 has been set that covers:

- Salaries, national insurance and superannuation
- Vehicles
- Sampling
- Analytical fees
- Incineration and waste disposal
- Control of infectious diseases
- Consumable materials and technical equipment

A 'credit' system is operated by the FWE laboratory for microbiological samples taken for the protection of public health. Each Authority is allocated an annual number of credits to 'spend' on the various tests. There is no charge to the authorities for samples taken within the credit allocation.

The Service has and will continue to take advantage of free and highly subsidised training provided by the FSA and PHE.

4.1.2 Income

Charges apply for the registration of skin piercing premises and practitioners. These are one-off charges that provide a small amount of income to the team. The fees are £240 for a premises registration and £120 for a personal registration. We also intend to introduce a charge for varying a certificate, in line with other Local Authorities in the region

A charging system has been introduced to allow for recouping the costs of non-statutory functions. In 2016/17 the team provided 4 export certificates for local businesses. Charges for these certificates and other advisory work is £75 per hour. Other charges are for the non-statutory sampling of food items and APHA declarations. We intend to introduce a charge for carrying out of FHRS rescoring visits, this is expected to be at £160 per visit.

We also assist other teams, by sharing information, including changes of business owners and opening times.

4.2 Resources

The following tables show how much time in days officers have allocated to the various parts of the service. These are projected figures based on the estimated times allocated during 2015/16 as shown in the previous tables. In calculating the resources required the management figures are excluded as they are not included in the time calculations shown above.

4.2.1 Management

Officer	H & S	Smokefree	Food	ID
Environmental Health, Licensing and Enforcement Manager	11	4	55	6
Assistant Manager	33	8	124	8
Senior EHO	6	5	88	11

4.2.2 Operational

Post	Officer	H & S	Smokefree	Food	ID
1	Assistant Manager	11	3	41	3
2	Senior EHO	6	5	88	11
3	EHO	22	0	176	22
4	EHO	22	0	176	22
5	EHO	22	0	176	22
7	Business Admin Apprentice	44	2	154	20
8	TO	0	0	198	22
9	Student EHO	Currently Vacant			
	Total	171	12	1163	142

4.2.3 Competence

Each officer has a level of competence and specialism that directs what type of work they are able to undertake. The Senior EHO undertakes assessment of each officer on a regular basis. Regular A&D's identify any training issues and how best to provide the training. The team also undertakes a number of exercises to test competence and help improve knowledge and confidence. The team took part in the national consistency exercise run by the FSA earlier in the year.

4.2.4 Overall Resource Required

Activity	Visits / investigations	Total Time
Health and safety inspections	4	6
Health and safety face to face interventions	434	59
Health and safety none face to face interventions	1248	42
Accident investigations	32	34
Health and safety service requests (Includes licensing Applications)	290	52
Skin piercing applications	20	20
Smokefree complaints	7	1
Food safety inspections	1101	290
Food standards inspections	1025	320
New Businesses	317	129
Food premises approvals	9	16
Food sampling interventions	719	376
Infectious disease investigations	399	161
Food service requests	188	75
Food Safety Notices	151	26
Food Advice	104	14
Prosecutions	3	60
Simple cautions	2	30
Events Advice		48
Meetings		79
Training		80
ICT Maintenance		20
Total	6053	1938

	H&S	Smokefree	Food	ID	Other	Total
Time Available	193	21	1142	132	0	1488
Time Required	212	1	1334	161	227	1639
Balance	-20	21	-193	-28	-227	-448

4.3 Staff Training and Development

Food training is provided free of charge by the FSA and is available both regionally and nationally. Officers are required to maintain 10 hours CPD in food related training in order to maintain their basic food competence. The FSA are consulting on a proposal to require all officers involved in food enforcement to maintain 20 hours CPD. The impact of this will be evaluated and comments made to the FSA.

Further training is provided through the North East Public Protection Partnership. Environmental Health Officers must maintain a minimum of 20 hours CPD to maintain competence and 30 hours if chartered Environmental Health Professionals. Environmental Health Officers are also career graded and must take on extra responsibility to progress within the career grade.

5. Quality Assessment

The Team is fully committed to the principles of continuous improvement and will strive to maintain high standards of performance.

Officer workload, enforcement decisions and data recording will be monitored by the Senior EHO to ensure consistency and accuracy. Health and Safety enforcement decisions are confirmed by using the Enforcement Management Model.

Officers undertake joint visits to ensure consistency and share knowledge and best practice.

The Intervention Plan and Sampling Programme are monitored on a monthly basis and progress is reported to the Head of Service.

Business and consumer satisfaction is monitored through the use of postal surveys. The survey in 2015/16 showed that respondents strongly agreed that overall they were satisfied with the inspection service they received. Full results can be found in the Customer Satisfaction Survey End of year Report.

6. Review

Below is a review of the work completed in 2015/16. Due to changes in working practices and coding of premises that occurred during the year it is not always possible to directly link the planned work with what has been carried out. Also many of the visits included visits to previously unrated premises. Many food premises now receive a joint intervention that includes both food and health and safety.

6.1 Health and Safety

Sector, premises type or specific cross sector activity	Planned activity or resource		Achieved	Comments
	Visits / contacts	Officer days		
Health and safety inspections	2	2	2	
Health and safety face to face interventions	251	102	48	Mainly included as joint food hygiene interventions and includes a number of take away premises
Health and safety none face to face interventions	386	52	683	376 self assessment questionnaires were completed.
Accident investigations	38	38	31	
Health and safety service requests (Includes licensing Applications)	139	34	102	
Skin piercing applications	28	28	42	
Smokefree complaints	10	1	7	
Total	854	257	915	

6.2 Food Safety

Activity	Planned	Officer Days	Achieved	Comments
Food Hygiene Interventions				
A	8	16	8	A number of new high risk establishments have been identified during the year.
B	31	31	31	Those not inspected were due in March 2016.
C	314	157	169	Premises that are broadly compliant and low risk have not been visited in preference to higher risk establishments and taking enforcement actions where low compliance
D	297	40	89	
E	173	23	77	
Unrated	151	61	72	
Food Standards Interventions				
A	19	19	19	
B	604	245	193	Standards interventions are normally undertaken at the same time as hygiene interventions. However, where a sampling intervention is undertaken, the standards intervention is not carried out until the next inspection.
C	297	40	14	

It should be noted that during the year the sampling officer has been on long term sick leave and this has reduced the number of interventions that we were able to undertake. In the following table, planned activity is taken from the activity reported in last years' service plan. The level of activity is dependent upon the number of reports and what formal action is taken throughout the year.

Activity	Projected	Officer Days	Achieved	Comments
Sampling				
Microbiology	500	338	327	
Compositional	219	148	45	
Infectious Disease				
Investigated	153	62	127	
Monitored	242	16	164	
Outbreaks	4	20	2	Fewer outbreaks were reported in the last 12 months.
Service Requests				
	185	75	194	
Enforcement				
Written warnings	215		331	These figures reflect our commitment to improving conditions within the poorest performing premises.
Hygiene Improvement Notices	16		24	
Hygiene Emergency Prohibition Notices	0		1	
Prosecutions	2		3	
Voluntary Closure			2	
Simple caution	0		2	
Voluntary surrender	6		19	
Condemnation	0		0	

7. Service Improvements

7.1 Health & Safety

We will continue to expand the number of joint visits that are carried out to reduce burdens on business and work in a more efficient way. This is particularly true in take away premises where an intervention can only be undertaken in the evening.

We will continue the use of mailshots to lower risk businesses and provide guidance combined with self-assessment questionnaires.

We will examine the use of alternative means of contacting businesses.

7.2 Food

We will become more risk based in our approach to inspections. Lower risk businesses will receive self-assessment questionnaires, whilst compliant businesses at last inspection will receive an alternative intervention.

The highest risk premises and poor performing businesses will still receive an inspection.

If necessary we will utilise consultants to undertake inspections of medium risk businesses where we are unable to achieve our programmed targets.

We will examine the use of alternative ways of working and where colleagues are visiting premises ask them to obtain some basic information to assist us.

We will target new businesses, in order to reduce the number of outstanding inspections..

We will encourage more use of online information sources for businesses, applications and reporting of problems.

7.3 Service Priorities

In 2017/18 the Development & Public Protection Service Priorities we will contribute to will be:

- Improving Health and Wellbeing
 - Ensuring safe food.
 - Ensuring compositional standards are met and that labels are accurate, including nutrition information and claims.
 - Prevent food fraud.
 - Ensuring workplaces are safe.
 - Investigating workplace accidents to prevent them recurring.
 - Work with the Adult Safeguarding Team to ensure the safety of elderly residents in care homes.

- Improving Customer Service
 - Expanding our customer satisfaction surveys to other areas of the service.
 - Review standard letters and notices to ensure they are written in plain English and can be produced quickly and efficiently.
 - Ongoing review of the procedures manual.

- Supporting Businesses
 - Providing advice to businesses.
 - Participation in the national FHRS scheme to promote business improvement.
 - Continuing to support the Metrocentre, through our joint aim of having all food businesses rated as 4 or 5.
 - Supporting the Rural Economic Strategy.
- Creating a High Quality and Sustainable Environment
 - Supporting businesses to improve their environment and going green.
- Maximising Efficiency and Value for Money
 - Examining alternative ways of working.
 - Carrying out more combined food and health and safety visits.
 - Being the eyes and ears for other teams during our visits and checking compliance with indicator items.
 - Ensuring our officers maintain and increase competence.
- A highly respected service which meets all service user needs ensuring they are well informed
 - Expand our use of customer satisfaction surveys.
 - Examine suggestions and respond to poor performance.
 - Ensure that all compliments and complaints are entered onto the corporate system.



COUNCIL MEETING

27 April 2017

GATESHEAD COUNCIL

REPORT FROM THE CABINET

1. PURPOSE OF THE REPORT

This is the report from the Cabinet. Its purpose is to report on issues for the period March to April 2017.

PROGRESS ON KEY ISSUES

2. PEOPLE

Health

Quality Assessment Framework

A new Quality Assessment Framework for monitoring the quality of commissioned adult social care services in Gateshead has been introduced. The new tool will look at five different outcomes that include:

- Outcome 1: People Benefit from Person Centred Care & Support
- Outcome 2: People are Safeguarded from Abuse
- Outcome 3: People are Supported by Excellent Staff
- Outcome 4: Organisational & Management Systems ensure excellent quality services
- Outcome 5: People benefit from excellent Security, Health & Safety

A workshop was held for all providers on 30 March 2017 to explain the new quality tool and how to use it. The new quality tool will be used from this month and services including Residential, Independent Supported Living and Home Care will all be assessed across the five outcomes.

Children and Young People

Key Stage 2 Results

Eight schools in Gateshead have received a congratulatory letter from the Minister of State for Schools, Nick Gibb MP, for their performance at Key Stage 2 level. The new progress measure introduced in 2016 shows the progress of each child compared with all others nationally who joined key stage 2 at the same level of attainment. In schools with the highest progress scores, children are generally making progress than similar ability children nationally.

The schools in Gateshead that are in the top 10% of average progress scores in reading, writing and mathematics are Bede Community Primary School, Brandling Primary School, Brighton Avenue Primary School, Carr Hill Community Primary School, Clover Hill Community Primary School, Fellside Community Primary School, St Aidan's Church of England Primary School and St Augustine's Roman Catholic Voluntary Aided Primary School.

Family Intervention Service

The Council has been successful in attracting £50,000 of additional funding to support couple and co-parents to improve the quality of family relationships. The Local Family Offer is a national Department of Work and Pensions programme to test new approaches to increasing family stability through practitioners being able to identify and respond to relationship distress using timely, evidence-based interventions. Over 75 frontline practitioners were trained in the 'Think Couple' approach in 2016 and new couple therapy and group (Parents as Partners) pathways created, as well as a new directory of relationship services.

Ofsted Interim Inspection

Following the full inspection of Grove House in November 2016 which reconfirmed their Outstanding rating, Ofsted carried out an interim inspection on 22 March 2017 and found that the home has "Improved Effectiveness".

During the visit, the Inspectors observed one young person who had come for a tea visit, at which his birthday was celebrated with a party at the home. It was noted that the environment and staffs' attention to detail provides children with an experience that is tailored to their individual needs.

It was also noted that monitoring systems in the staff office had been reviewed, reorganised and colour-coded to improve upon accessibility and that risk assessment documentation was more robust due to improvements made since the last inspection.

There were no requirements or recommendations made at this inspection.

At the interim inspection, Ofsted make a judgement on whether the home has improved in effectiveness, sustained effectiveness or declined in effectiveness since the previous full inspection.

Adult Social Care

Special Olympics Gateshead Tyne & Wear

Kevin Keegan visited Marquisway Resource Centre on 3 March 2017 where he re-recorded the 'This Time' 1982 World Cup song with Special Olympics Gateshead Tyne and Wear athletes. The song will be played when 38 Gateshead Tyne & Wear athletes walk out on to Sheffield United's Bramall Lane football pitch as part of the Special Olympics GB National Games on 8 August 2017.

Celebrate Winlaton

Winlaton Community Base worked in partnership with Digital Voice and a range of Winlaton community groups to produce a 'Celebrate Winlaton' exhibition on Saturday 18th March 2017. The event involved service users from Winlaton Base producing films which showcased Winlaton's industrial heritage.

Award Winners

At the Great Britain Care awards held on 31 March 2017 in Birmingham, Guidepost, won the 'Putting People First Personalisation' award. The judges praised Guidepost for the choice, control and personal growth that they provide to adults with learning disabilities to remain independent and influential in their own community.

Congratulations also go to Angling 4 All sporting club who won the 'Outstanding Sports Club of the Year' award at the North East Disability Sports Awards at Slaley Hall on 23 March 2017. Richard Young (Special Olympics Gateshead Tyne and Wear athlete) was also a winner of the 'Participant of the year' award.

Special Olympics Gateshead Tyne and Wear were also winners of the 'Sports Club of the Year' award at the Gateshead Awards with one of the club's athletes, Daniel Boyles, winning the 'Sports Achiever of the Year' award.

3. PLACE AND ECONOMY

Environment and Transport

National Productivity Investment Fund – Gateshead Allocations

The Council expects to receive £772,000 pounds in 2017/18 from the Government's National Productivity Investment fund for investment in the local transport network. This is required to be spent on highway and other local transport improvements which aim to reduce congestion at key locations, upgrade or improve the maintenance of local highway assets, to improve access to employment and housing, to develop economic and job creation opportunities.

It is proposed to use this funding as part of an overall highways infrastructure investment programme in the following ways:

- Making major repairs to embankments on the main A184 route between the A1 and central Tyneside;
- Improving access to the central Tyneside area which will include minor works to main routes into the area as well as supporting the Tyne and Wear UTMC system, which helps manage traffic within it;
- Support for development, especially helping smaller developers meet some of the transport costs associated with them;
- Highway maintenance schemes on main roads of strategic importance to future economic needs and growth.

Individual project allocations will be confirmed in a report to the Cabinet alongside the Council's other planned investment in highways infrastructure.

4. COMMUNITIES

Communities and Volunteering

Police and Crime Commissioner Victims Fund

The Council and its partners have been successful in a number of recent funding applications designed to address a range of Community Safety activities within the Borough. Funding has been received from:

- Department of Communities and Local Government – to enhance and strengthen provision of and access to specialist accommodation to support victims of domestic abuse across Northumbria;
- Building a Stronger Britain Together Fund – to provide a targeted service to support young people who are expressing extreme and racist ideas and attitudes and who are vulnerable to radicalisation. Funding will also be used to develop a set of online

- resources that will enable community based workers and volunteers to be able to confidently challenge extreme language, behaviour and attitudes;
- Police and Crime Commissioner – to increase domestic violence provision and support within Accident and Emergency as well as providing additional resources to address violence committed by an adolescent against a parent/carer.

Culture, Sport and Leisure

Library Service Update

Work with children and young people remain a key priority for the library service. There has been a range of innovative initiative recently. Gateshead College hosted the second 'Gamerama' event, an event for video gamers, artists and filmmakers at Gateshead College's Baltic campus.

The Library Service helped host and organise the event and developed the 'Gamemaker' video game design competition for talented young designers.

The Library Service has also been working in partnership with Shipley Art Gallery to encourage families to visit the Gallery and the Central Library and to take part in 'Busy Bairsns', a range of creative activities aimed at encouraging parent/child interaction around art, stories and books. The project targeted families, identified by Children's Centre staff and Health visitors.

'Hello Baby' is a pre-natal project. The Library Service has secured a small amount of funding from ASCEL (Association of Senior Children's & Education Librarians) to test a pilot project aimed at encouraging expectant parents to read/sing/share songs, stories and rhymes before their babies are born. Research shows that babies recognise and respond to the sounds and rhythms of their parents voices whilst in the womb. This work will contribute to research into the Children's Library Journey from pre-birth to 18 years.

5. CONCLUSION

The Council is asked to note this report.



COUNCIL MEETING

27 April 2017

GATESHEAD METROPOLITAN BOROUGH COUNCIL

NOTICE OF MOTION

Councillor P Foy will move the following motion:

Gateshead Council supports Workers' Memorial Day, on 28 April, as an internationally recognised day when workers and trade unionists remember those who have died as a result of their work and at the same time campaign to ensure that such tragedies are not repeated.

The theme for the day in 2017 is **Good health and safety for all workers whoever they are** and focuses on inequalities in occupational health and the role unions play in narrowing the inequalities gap.

The Council will:

- Promote Workers' Memorial Day through Council media channels
- Fly official flags at half-mast
- Organise a minutes silence in Council workplaces
- Continue to support the annual Workers' Memorial Day event in Saltwell Park

Proposed by: Councillor P Foy

Seconded by: Councillor J Adams

Supported by: Councillor N Weatherley
Councillor L Caffrey

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COUNCIL MEETING

27 April 2017

GATESHEAD METROPOLITAN BOROUGH COUNCIL

NOTICE OF MOTION

Councillor L Caffrey will move the following motion:

Due to a change to rules for obtaining Legal Aid, Domestic abuse victims applying for legal aid to have their case heard in court must first prove that they are victims of such abuse. One of the accepted forms of evidence is a letter from a GP, a letter that some GPs charge up to £75 to provide.

Many victims flee abuse with very little and often only have the clothes that they are wearing and very few personal items; many have limited access to funds. Without legal aid some victims simply cannot afford court proceedings against their perpetrator.

Last year Baroness Thornton tabled an amendment to the Children and Social Work Bill, which would force the Government to stop GPs charging for a legal aid letter when domestic violence is taking place in a family which includes children, but this was defeated.

Gateshead Local Medical Committee (LMC) have asked their GP members not to charge victims of domestic abuse when providing evidence to support a Legal Aid application, but in other areas this may not be enough to stop charges being made.

A campaign to 'Scrap the fee' has been initiated by Manchester Councillors and some MPs including Tom Watson and the LMC have offered their backing for this campaign alongside Gateshead Council.

Council agrees to:

Support the Scrap the Fee campaign

Write to the Government urging them to scrap this fee and emphasising the support from Gateshead LMC for such a measure.

Proposed by: Councillor L Caffrey

Seconded by: Councillor J Adams

Supported by: Councillor N Weatherley

Councillor K McCartney

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