



## 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:

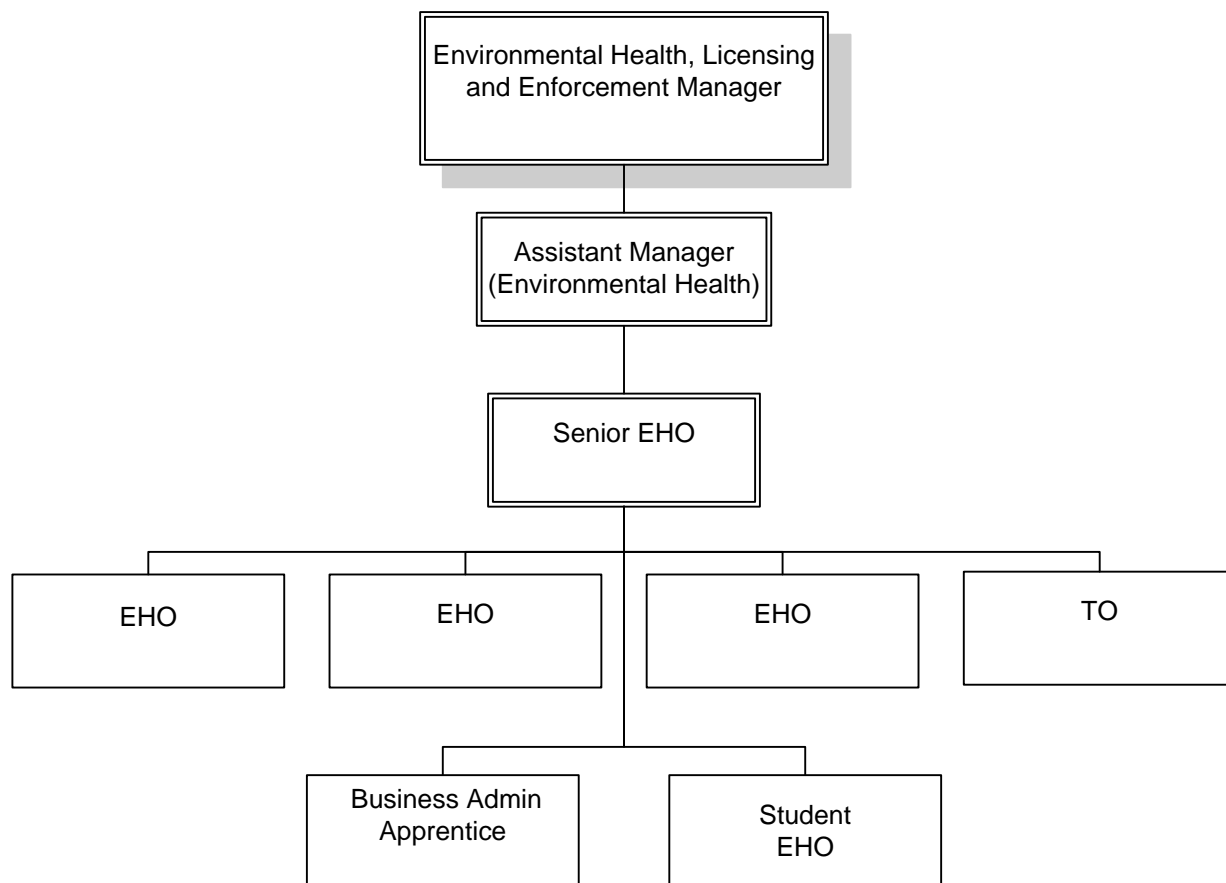
- The Metrocentre, one of Europe's largest indoor shopping and leisure complexes
- The Team Valley Trading Estate, home to over 650 companies and includes the Retail World shopping area
- Gateshead International Stadium
- Gateshead College

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.

<b>Local authority enforced business classifications</b>	<b>2016/17</b>	<b>2017/18</b>	<b>Change</b>
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
<b>Total</b>	<b>3159</b>	<b>3056</b>	<b>-103</b>

## 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.

<b>Type of Premises</b>	<b>2016/17</b>	<b>2017/18</b>	<b>Change</b>
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
<b>TOTAL</b>	<b>1642</b>	<b>1660</b>	<b>+15</b>

## **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:

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

### **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:

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

### **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.

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

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:

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

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
<b>Total</b>	<b>6053</b>	<b>1938</b>

	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	<b>-448</b>

#### 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	
<b>Total</b>	<b>854</b>	<b>257</b>	<b>915</b>	

## 6.2 Food Safety

Activity	Planned	Officer Days	Achieved	Comments
<b>Food Hygiene Interventions</b>				
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	
<b>Food Standards Interventions</b>				
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
<b>Sampling</b>				
Microbiology	500	338	327	
Compositional	219	148	45	
<b>Infectious Disease</b>				
Investigated	153	62	127	
Monitored	242	16	164	
Outbreaks	4	20	2	Fewer outbreaks were reported in the last 12 months.
<b>Service Requests</b>				
	185	75	194	
<b>Enforcement</b>				
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.