

Development and Public Protection

Service Plan for the Health & Safety and Food Control Services 2018/2019



Gateshead Council

Service Plan for the Health & Safety and Food Control Services 2018/2019

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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 pieces of legislation covering the teams work are the Food Safety Act 1990 and the Health and Safety at Work etc. Act 1974. The team is also monitored by; and reports directly 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.

Regulating Our Future

The Food Standards Agency are currently looking at how we will enforce food safety legislation in the future. The review is wide ranging and far reaching and proposes some radical alternative ways of working. The approach they want to adopt has five principles: food businesses are responsible for producing food that is safe and what they say it is; food regulators decisions should be tailored proportionate and based on a clear picture of the food business; The regulator should take into account all available sources of information; Businesses doing the right thing for consumers should be recognised; and Businesses should meet the costs of Regulation. Gateshead are taking an active role in these discussions and have a member of staff attending one of several focus groups looking at aspects of the suggestions.

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 can 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.

1. Introduction

1.1 This plan sets out how the Council will deliver the food safety and health and safety enforcement functions in the financial year 2018/19. 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.

1.2 In 2017/18 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 to build stronger, healthier, prosperous and sustainable businesses, an increase of 200 on previous years.

1.3 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. In 2016/17 1.3 million workers suffered from work related ill health. 31.2 million working days were lost due to work related illness or injury, 137 workers were killed at work. Workplace ill health and injury cost society £14.9billion.

1.4 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.

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

1.6 Gateshead Council is responsible for the enforcement of food safety legislation in approximately 1700 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.

1.7 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.

1.8 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.

2. Service Aims & Objectives

2.1 Aims

2.1.1 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, self-assessment, and accident, incident and complaint investigations.

2.2 Objectives

2.2.1 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
- 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 notified accidents, incidents and cases of occupational ill-health in accordance with agreed protocols
- 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.

2.3 Links to the Making Gateshead a Place Where Everyone Thrives

2.3.1 **Thrive** The Environmental Health Team are actively involved in the Councils Thrive program and are looking at new ways of working and working with other teams to help all people in Gateshead thrive. All businesses and clients are treated equally and we work with businesses who wish to improve, so they become more successful.

2.4 Vision 2030

2.4.1 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**'.

2.4.2 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.

2.4.3 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 Food Hygiene Rating Scheme places food hygiene information into the public domain and encourages people to eat at better food businesses and food business operators to achieve higher hygiene ratings

3. Background

3.0.1 The service is a statutory function enforcing food safety and health and safety legislation across Gateshead. 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.

3.1 Profile of the Local Authority

3.1.1 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.

3.1.2 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.

3.1.3 The Council adopted a Hot Food Takeaway Planning Supplementary Planning Document 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 takeaways per 1 000 population.

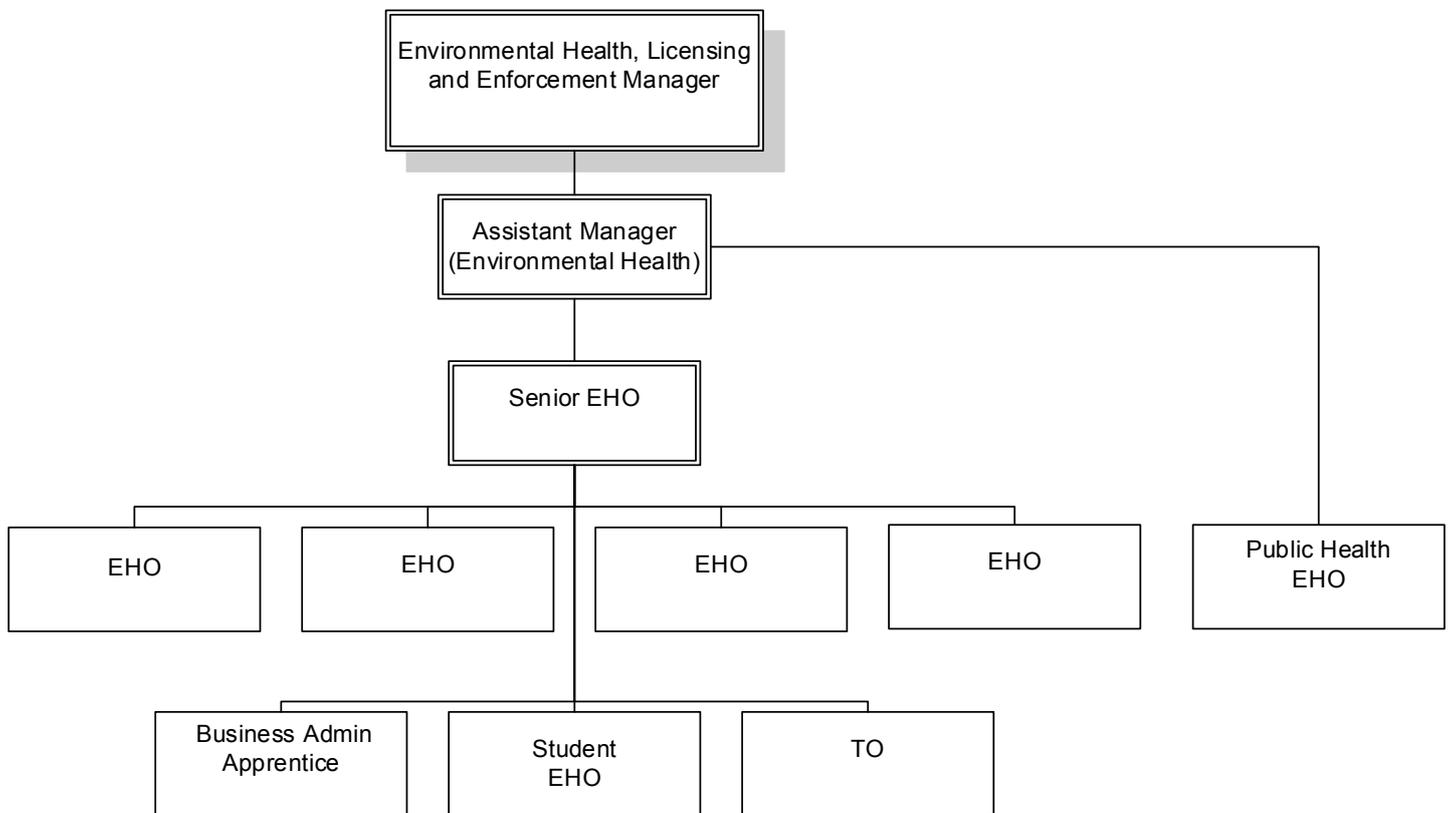
3.1.4 Gateshead also includes:

- 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

3.1.5 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.

3.1.6 The Council operates a 24 hour emergency response through Care Call, and Development, Transport & 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.

3.2 Organisational Structure



3.2.1 The team has recruited an extra EHO into the team. The team reports to the Environment & Transport Portfolio and Adult Social Care & Health and Wellbeing Portfolio. The Public Health EHO is a post funded by the Director of Public Health to deal with public health issues related to food safety and health and safety. The post also supports the Better Health at Work Award administered by the Public Health Team.

3.2.2 The team have been asked to report to the Councils Scrutiny Committee on the performance over the previous year.

3.2.3 The Food Standards Agency also carried out a desktop audit of the service and were concerned about the current level of staffing and the inability to meet targets.

3.3 Specialist Services

3.3.1 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
- Microbiology laboratory – Public Health England Food Water and Environment Laboratory York

3.4 Premises Profile

3.4.1 Health and Safety Premises

3.4.1.1 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. The last 12 months has seen an increase of 54 premises.

Local authority enforced business classifications	2017/18	2018/19	Change
Retail Shops	987	988	+1
Wholesale shops, warehouses and fuel storage	292	293	+1
Offices	529	528	-1
Catering, restaurants and bars	586	621	+35
Hotels, campsites and other short stay accommodation	35	35	0
Residential care homes	70	67	-3
Leisure and cultural services	116	120	+4
Consumer services and membership organisations	422	439	+17
Other premises	19	19	0
Total	3056	3110	+54

3.4.2 Food Premises

3.4.2.1 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, Dalziels, Beckleberrys and Its All Good.
- The Queen Elizabeth Hospital cook-chill production unit.
- Third country importers, including Traidcraft (specialising in fairly traded goods).
- Tsang Foods, Blackhall Mill Honey and Blaydon Honeybees are the 3 primary producers.
- Specific needs of various ethnic groups.

Type of Premises	2017/18	2018/19	Change
Primary Producer	1	3	+2
Manufacturers and Packers	57	33	-24
Importers/Exporters	4	4	0
Distributors and transporters	64	63	-1
Supermarket/Hypermarket	42	45	+3
Smaller retailers	299	324	+25
Retailers – Other	49	45	-4
Restaurants/café/canteen	270	302	+32
Hotel/Guest house	27	27	0
Pub/Club	202	204	+2
Takeaway	232	229	-3
Caring establishment	104	103	-1
School/College	91	91	0
Mobile food unit	82	107	+25
Restaurant and caterers - other	129	126	-3
Other	7	8	+1
TOTAL	1660	1714	+54

3.5 Client Profile

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

3.5.2 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.

3.5.3 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.

3.5.4 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.

3.5.5 Our customers include Government departments, regulatory bodies such as Health and Safety Executive (HSE), Fire Authority, Northumbria Police, other teams within Gateshead Council, other local authorities and agencies such as Public Health England (PHE), Local Government Association

(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 the wider determinants of health.

4. Review of 2017/18

4.0.1 Below is a review of the work completed in 2017/18. 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.

4.1 Health and Safety

Sector, premises type or specific cross sector activity	Planned activity or resource		Interventions Achieved	Comments
	Visits / contacts	Officer days		
Health and safety inspections	2	2	2	
Health and safety face to face interventions	183	26	47	Mainly included as joint food hygiene interventions and includes a number of take away premises
Health and safety none face to face interventions	1248	42	0	376 self assessment questionnaires were completed.
Accident investigations	32	38	48	
Health and safety service requests (Includes licensing Applications)	297	18	297	
Skin piercing applications	42	28	43	
Smokefree complaints	7	1	11	
Total	1811	155	448	

4.2 Food Safety

Activity	Planned	Officer Days	Achieved	Comments
Food Hygiene Interventions				
A	12	24	8	See paragraph 39 below.
B	33	33	33	
C	247	124	247	For most of the year the Technical Officer has been on long term sick leave.
D	487	66	70	
E	322	44	82	
Unrated	156	63	100	
Food Standards Interventions				
A	19	19	19	Standards interventions are normally undertaken at the same time as hygiene interventions.
B	604	245	103	

				However, where a sampling intervention is undertaken, the standards intervention is not carried out until the next inspection.
C	396	40	64	

4.2.1 A category food hygiene premises require 2 inspections per year, however, if at the first visit a premise is downgraded to a lower risk rating then it will not require the second inspection. This occurred in 4 premises during the year hence the fact that only 8 inspections were carried out.

4.2.2 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. The following table shows the amount of enforcement action taken throughout the year.

Activity	Projected	Actual	Comments
Written warnings	331	301	These figures reflect our commitment to improving conditions within the poorest performing premises.
Hygiene Improvement Notices	24	11	
Hygiene Emergency Prohibition Notices	0	0	
Prosecutions	3	3	
Voluntary Closure	2	2	
Simple caution	2	2	
Voluntary surrender	19	9	
Condemnation	0	0	

4.3 Comment

4.3.1 Overall the figures reflect the need for extra resources. The team continues to perform at a high level and targets the poorest performers and highest risk premises, but as can be seen the number of food hygiene interventions to D category premises is very low. This category includes a large number of take away premises and some residential care homes and schools. It is imperative that these are visited and have an intervention to ensure the safety of some of our most vulnerable residents.

5. Service Delivery

5.1 Proactive Work

5.1.1 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.

5.1.1 Health and Safety

5.1.1.1 HELA LAC 67/2 (rev 7) 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 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

5.1.1.2 The Health and Safety Executive no longer require a risk based rating system, however we find this useful for planning purposes and will continue to utilise the previous risk rating system. Premises will only receive a face to face intervention if there is a reason to do so and they are due an intervention based on the following categories. 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 considers the number of premises in these categories, the resources available for delivering the service plan and local/ historical knowledge of the premises database.

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

5.1.1.4 The types of interventions for all premises are directed by the [Code](#) and HELA circular [67/2](#). Broadly these fall into two groups, proactive and reactive. The two groups include several different options and include:

Proactive interventions:

- Partnership
- Motivating senior managers
- Targeting the 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

5.1.1.5 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 2018/19 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.

5.1.1.6 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.

5.1.1.7 All other businesses will receive a face to face intervention from one of the above categories. The Code provides for national industry wide initiatives to promote safety in high risk areas. In 2018/19 we will take part in the following initiatives where appropriate: ill health at visitor attractions with animals, interaction of vehicles and pedestrians in warehouses, falls from height, occupational deafness at steel stockholders, occupational asthma at in-store bakeries, musculoskeletal disorders in residential care homes, unstable loads, crowd management, carbon monoxide poisoning, violence at work and fires and explosions caused by fireworks.

HSE Category	Rating score	Intervention frequency (set by LAC 67/2 rev 3; or Gateshead)	Total on database	Due in 2018/19	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	1	1
B2	3 on any risk	Premises for intervention. Gateshead standard is an intervention not less than every 3 years	255	197	70
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	2561	1591	5
Unrated	Unknown	Gateshead standard is an intervention according to the perceived priority	290	290	44
Total			3110	2081	122

5.1.2 Food Safety

5.1.2.1 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.

5.1.2.2 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.

5.1.2.3 The tables below show how many premises the Service has in each risk category on 1 April 2018, together with the projected number of interventions required during the financial year:

SA Risk Category	Minimum intervention frequency	No. on database	Projected interventions due 2018/19	Bought forward from 2017/18	Time Required (Days)
A	6 months	2	4	0	8
B	12 months	32	32	0	32
C	18 months	306	129	0	60
D	24 months	664	158	422	100
E	36 months	526	89	253	20
UNRATED		184	184	0	180
Total		1714	596	675	400

5.1.2.4 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 2017/18 with 33 of them receiving an inspection. A total of 85 new businesses were inspected during the year.

5.1.3 Food Standards

5.1.3.1 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 2018/19	Bought forward from 2017/18	Time Required (Days)
A	12 months	19	19	0	25
B	24 months	734	142	501	80
C	5 years	778	157	373	40
UNRATED		186	186	0	81
Total		1717	504	874	226

5.1.4 Feed Safety

6.1.4.1 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.

5.2 Service Requests

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

5.2.2 We have an internal policy, based on HSE and FSA 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.

5.2.3 In 2017/18 we received the following number of requests for service:

Request Type	Number of Requests	Time Allocated 2018/19 (days)
Health and Safety	118	30
Licensing	115	21
Food Premises	72	60
Food Standards	98	100
Food Hygiene	91	42
Advice to Food Businesses	80	6
FHRS Rerating Request	5	5
Totals	499	264

5.3 Home Authority Principle and Primary Authority Principle

5.3.1 Gateshead Council fully supports the Home Authority Principle and the Primary Authority Partnership Scheme. The Home Authority Principle is where another Local Authority receives a complaint or has an issue with a producer in our area we will undertake the investigations at the producer on their behalf.

5.3.2 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.

5.3.3 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. The Service does not have any Primary Authority agreements in place.

5.4 Food sampling

5.4.1 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.

5.4.2 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.

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

Samples taken	2016/17	2017/18	Time Allocated 2018/19 (days)
Microbiological examination	327	94	87
Analysis (composition/labelling)	66	73	25
Total	393	167	112

5.4.4 In 2017/18 the PHE Cross Regional Studies examined cooked meat products, bakeries, farm shops and school kitchens. In 2018/19 the studies will involve touch screens, milkshakes, minced meat and meat preparations and tattoo ink and water.

5.5 Control and investigation of outbreaks and food related infectious disease

5.5.1 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.

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

Infectious disease	2015/16	2017/18	Time Allocated 2018/19 (days)
Investigated	146	99	25
Monitored	193	186	15
Outbreaks	2	2	45
Totals	341	287	85

5.6 Food safety incidents

5.6.1 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 Alerts for Action may require immediate action to remove the food hazard from the food chain. These Alerts can potentially have an impact on programmed interventions.

5.6.2 There are many product recalls received during the year, which officers need to be aware of. During the year 130 alerts were received including 1 alert for action. Alerts for information do not normally require any direct action, but officers need to be aware of the issues during inspections.

5.7 Statutory Notifications

5.7.1 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.

5.7.2 In 2017/18 we received 144 accident notifications and we investigated 48 of these. This was an increase on the previous year. That took a total of 40 officer days to carry out and a further 12 days to administer all notifications.

5.7.3 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.

5.7.4 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.

5.8 Registrations / Approvals

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

5.8.2 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 2017/18 we processed 43 applications for skin piercing, taking a total of 35 officer days. The team have commenced a scheme targeting tattooists, with the aim of improving hygiene conditions in tattooist parlours.

5.8.3 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.

5.8.4 Each of the premises that have received approved under food hygiene legislation, requires a visit and sampling intervention during the year to ensure they are still complying with their approval. We also receive a number of applications each year from businesses wishing to be approved. This year we received 2 new applications for approval.

5.9 Licensing Applications

6.9.1 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.

5.10 Business training and information

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

5.10.2 We encourage training courses for inspectors including those approved by the Chartered Institute of Environmental Health, FSA and the HSE.

5.10.3 We also help businesses assess their training needs and help them source appropriate training courses.

5.11 Liaison and Partnerships

5.11.1 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.

5.11.2 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.

5.11.3 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.

5.11.4 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.

5.11.5 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.

5.11.6 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.

5.11.7 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.

5.11.8 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.

5.12 Events Advice

5.12.1 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.

5.12.2 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.

5.12.3 In the coming year we are involved in the review of events forming part of the Great exhibition of the North. This includes advising organisers as to their statutory requirements and assessing the safety of events. We are coordinating our activities with colleagues in Newcastle City Council to ensure an open, transparent and consistent approach.

5.13 Prosecutions / Simple Cautions

5.13.1 Prosecutions

5.13.1.1 Following a complaint about rats in Bimbis Fish and Chip Shop, Birtley, officers visited and identified a large infestation within food preparation rooms and only inadequate measures had been taken to eradicate the rats. The food business operator admitted that he was aware of the infestation. There appeared to have been little or no cleaning carried out for a number of days. The business was immediately closed using a Hygiene Emergency Prohibition Notice, which was confirmed by the Magistrates Court with the service of a Hygiene Emergency Prohibition Order. The premises remained closed for over a month. The husband and wife food business operators were prosecuted for 3 offences each: failing to keep a food premise clean, failing to put in place adequate pest control procedures and failing to protect food from contamination. The court accepted that the couple were in financial difficulties and had closed the business. The fines were £250 and £346 respectively and both were ordered to pay £150 costs each and £30 victim surcharge each.

5.13.1.2 An unannounced inspection of Westview Chinese Takeaway revealed serious food safety contraventions. The premise had not been cleaned in a number of days, possibly weeks. Throughout the premises there were significant accumulations of dirt, grease and food debris on preparation surfaces, equipment and under fixtures throughout the premises. It was also apparent that practices relating to temperature control were poor. Staff showed a very limited understanding of the steps required to reduce the risks to the high-risk foods. The food business owner agreed to voluntarily close the premise. It took three days of intensive cleaning for the premise to be allowed to reopen. The food business operator was found guilty of failing to keep the premise clean and failing to keep equipment which comes into contact with food clean. He was fined £589 for each offence, a £58 victim surcharge and £400 costs.

5.13.2 Simple Cautions

5.13.2.1 Following several attempts to get the owner of Wendy's Beauty and Nails to register for ear piercing, it was decided that more formal action was required. The owner of the business admitted under caution that they were not registered and had been contacted on several occasions. Only when they were interviewed under caution did they finally register. The act of registration is a technical formality and it was decided that it would not be in the courts best interest to proceed with a full prosecution, particularly as they had now registered, however, it was felt that formal action was required, so a simple caution was issued.

5.13.2.2 An unannounced visit to Pizza Cottage revealed that there were serious issues with the structure and general surfaces within the premise and these prevented effective cleaning. The premise had previously been given a food hygiene rating score of 1 and it was decided that there was little prospect of improvement. The food business operator admitted at an early stage the offence and proved that his business was struggling financially and he was in dispute with his landlord. He also gave assurances that he would improve the condition of the premise. It was decided to issue a simple caution for failing to keep the food premise clean and in good repair.

5.13.2.3 A complaint was received concerning rats found in the kitchen of a residential care home within the Borough. Officers visited and found an active infestation affecting the kitchen, which staff were aware of. The owners of the care home immediately closed the kitchen and undertook major

works to eradicate the infestation and refurbish the kitchen. It was identified that the rats were able to access the kitchen area from the sewers. An investigation carried out by Environmental Health Officers identified poor lines of communication and management issues at a local level. There were also issues with the advice and service provided by the pest control company. A simple caution was issued to the owners of the residential care home.

5.13.3 Major Investigations

5.13.3.1 During the year officers were involved in a major investigation into the internet sale of DNP by Enhanced Athlete EU Ltd. the head office of which was in Gateshead. DNP is a chemical which typically has industrial applications including fertiliser. It is used by some bodybuilders to strip remaining bodyfat prior to completion. DNP causes the cells within the body to heat up and there have been a number of deaths associated with its use due to multiple organ failure. Gateshead Council officers initiated an investigation and secured evidence which identified the business had links to Cumbria and South Tyneside. The investigation subsequently led to a joint operation, supported by the National Food Crime Unit, The Medicines and Healthcare Products Regulatory Agency (MHRA) and local Police forces. The outcome of the investigation led to the seizing of thousands of pounds worth of DNP and associated equipment as well the closing of the company's website. The National Food Crime Unit also liaised with colleagues in the USA who subsequently initiated their own actions against the parent company.

6. Resources

6.1 Finance

6.1.1 Expenditure

6.1.1.1 An overall expenditure budget for 2018/19 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

6.1.1.2 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.

6.1.2 Income

6.1.2.1 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. This year we have generated approximately £6500 from skin piercing applications. We also intend to introduce a charge for varying a certificate, in line with other Local Authorities in the region.

6.1.2.2 A charging system has been introduced to allow for recouping the costs of non-statutory functions. In 2017/18 the team provided 6 export certificates for local businesses. A charge for these

certificates and other advisory work is £75 per hour, a total of £450. Other charges are for the non-statutory sampling of food items and APHA declarations. We have introduced a charge for carrying out of FHRS rescoring visits; the cost of these visits is set at £160 per visit and have carried out 5 such visits, generating £800.

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

6.2 Resources

6.2.0.1 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.

6.2.1 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

6.2.2 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
6	EHO	22	0	176	22
7	EHO - PH	22	22	66	22
8	Business Admin Apprentice	44	2	154	20
9	TO	0	0	198	22
10	Student EHO	44	2	140	20
	Total	215	34	1391	186

6.2.3 Competence

6.2.3.1 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.

6.2.4 Overall Resource Required

Activity	Visits / investigations	Total Time
Health and safety inspections	3	2
Health and safety face to face interventions	487	115
Health and safety none face to face interventions	1591	5
Accident investigations	48	52
Health and safety service requests (Includes licensing Applications)	233	51
Skin piercing applications	43	35
Food safety inspections	1271	400
Food standards inspections	1378	226
Food sampling interventions	300	112
Infectious disease investigations	287	85
Food service requests	261	202
Food Advice	80	6
Prosecutions	3	60
Simple cautions	2	30
Events Advice		60
Meetings		38
Training		25
ICT Maintenance		55
Miscellaneous		395
Total	5987	1954

	H&S	Food	ID	Other	Total
Time Available	249	1391	186	0	1826
Time Required	260	946	85	663	1954
Balance	-11	445	101	-663	-128

6.3 Staff Training and Development

6.3.1 Officers are required to maintain 10 hours CPD in food related training in order to maintain their basic food competence. Training is provided through the North East Public Protection Partnership and other online courses and seminars in both food safety and health and safety. The team hosted a Health and Safety Executive update day for officers from across the region in January.

6.3.2 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.

7. Quality Assessment

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

7.0.2 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.

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

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

7.0.5 In order to improve the estimates of time required for interventions the team are undertaking a time recording exercise. The time taken to undertake various parts of the intervention are being recorded and this is being used to more accurately predict how much time will be required to complete the intervention plan.

8. Service Improvements

8.1 Health & Safety

8.1.1 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.

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

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

8.2 Food

8.2.1 We will continue to be 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.

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

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

8.2.4 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.

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

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

8.3 Service Priorities

8.3.1 In 2018/19 the Development, Transport & 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.