

*Environmental Health  
& Housing Services*

# **Food & Safety Team Service Plan 2012 – 2016**

**Gibson Building, Gibson Drive  
Kings Hill, West Malling  
Kent ME19 4LZ**

**John Batty BA MSocSc CMCIEH MCMl  
Director of Health & Housing**

# FOOD & SAFETY TEAM SERVICE PLAN 2012-16

## INDEX

		<b>PAGE</b>
1.	INTRODUCTION	1
2.	SERVICE AIMS AND OBJECTIVES	2-4
3.	BACKGROUND INFORMATION	5-10
4.	SERVICE DELIVERY	11-21
5.	RESOURCES	22-26
6.	QUALITY ASSESSMENT	26-28
7.	REVIEW	28

## LIST OF APPENDICES

Appendix 1	Food & Safety Team's Performance Plan 2012/13
Appendix 2	Structure of the Food & Safety Team
Appendix 3	Food & Safety Team – Officer Roles
Appendix 4	Details of Budget Costs relating to Food Safety Function 2012/13
Appendix 5	Review of Food and Safety Team's Performance 2011/12

# FOOD & SAFETY TEAM SERVICE PLAN 2012-2016

## 1. Introduction

- 1.1 This Service Plan sets out how the Council intends to provide an effective food and safety service that meets the requirements of the Food Standards Agency (FSA) Framework Agreement and Section 18 of the Health and Safety at Work etc Act 1974. It covers the functions carried out by authorised officers of the Food & Safety Team under the provisions of the Food Safety Act 1990, the Food Hygiene (England) Regulations 2006, EC Regulations and Health and Safety at Work etc Act 1974 and associated regulations.
- 1.2 This Service Plan describes how Tonbridge & Malling Council intends to achieve the aims of the FSA and Health and Safety Executive (HSE), within its statutory remit and in support of corporate aims, objectives and local needs.
- 1.3 This Service Plan is subject to Member approval and will run for a four year period. It will be reviewed annually. It includes information on the following:
- service aims and objectives;
  - background information about Tonbridge & Malling Borough Council;
  - information on service delivery;
  - resourcing the food and safety function;
  - performance targets and how they will be achieved;
  - quality assurance procedures; and
  - review

## **2. Service Aims and Objectives**

### **2.1 Service Aims**

2.1.1 The overall aim of the Council's Food & Safety Team is to ensure the health and wellbeing of residents, employees and visitors in Tonbridge and Malling. This is achieved by working with businesses and consumers to ensure safe food, a safe working environment and deliver initiatives to target ill-health prevention.

2.1.2 The objectives of the Council are to:

- fulfil the statutory duty imposed on the Council as "The Food Authority" and as a regulator for health and safety to ensure the effective implementation of Government strategy on food and safety issues, having regard to the official Code of Practice issued by the FSA, Local Authority Circulars issued by the HSE and guidance issued by Local Government Regulation (LGR) and the Better Regulation Delivery Office (BRDO);
- protect the public by delivering a complementary programme of education and enforcement which endeavours to ensure that businesses are conversant with the law, understand the principles of hygiene and/or sensible health and safety management and are operated and maintained at a standard that complies with relevant legislation in accordance with the Service's Enforcement Policy;
- provide the resources, governance, performance management and reporting systems required to deliver an effective service and to comply with its statutory duties;
- operate systems to train, appoint, authorise, monitor, and maintain competent officers;

- work alone and in partnership with other local authorities, other regulators and stakeholders to make best use of available resources and to maximise their impact on local, regional and national priorities; and
- contribute to liaison, policy and governance arrangements at a local, regional and national level.

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

2.2.1 The Council's Corporate Performance Plan for 2012/15 has a key priority of "Healthy living opportunities and community well-being". Particular mention is made in this Plan of the importance the Council places on its food hygiene and health and safety duties in respect of both enforcement and educational initiatives.

2.2.2 The Council's food and safety function is placed in the Food & Safety Team of Environmental Health & Housing Service. The Food & Safety Team's Performance Plan for 2012/13, **Appendix 1**, identifies the key tasks, aims and objectives, standards and targets to be achieved and proposed improvement actions. The plan is reviewed annually and progress is monitored by the Service Management Team. Progress against the Performance Plan is reported to Members of the Local Environmental Management Advisory Board (LEMAB) regularly.

## **2.3 External Influences**

2.3.1 The regulatory framework for food safety enforcement changed significantly in 2006, through the transposition of EC Directives into UK law. This was succeeded by the publication of a revised Food Law Code of Practice and Guidance in April 2012 by the FSA. The FSA is embarking on an official review of food safety controls and will be publishing, in due course, a Compliance and Enforcement Strategy setting out the future for local authority regulation and inspection.

2.3.2 The Health and Safety Executive and Local Authorities Enforcement Liaison Committee (HELA) produced a revised circular 'Targeting Interventions' LAC 67/2(rev 3) in November 2011. This document provides local authorities with guidance to target their interventions on higher risk areas and on dealing with serious breaches of health and safety regulation.

2.3.3 The "Local Authority Enforcement Monitoring System" (LAEMS) is an annual return of our food safety activity including numbers of interventions carried out, enforcement actions taken, food sampling and complaint numbers. Similarly the HSE collect data annually in the form of an LAE1 return, which reports on the number of interventions carried out, notices served and accidents investigated.

2.3.4 The establishment of the Better Regulation Delivery Office (BRDO) to take forward the principles of "Better Regulation", the introduction of the Primary Authority Scheme and the conclusions of the Lofstedt Review of health and safety will continue to have an impact on all work of a regulatory nature carried out by the Team as its findings are translated into new legislation and guidance.

### **3. Background Information**

#### **3.1 Profile of Tonbridge & Malling Borough Council**

3.1.1 Tonbridge & Malling stretches from Snodland and Wouldham in the north to Tonbridge in the south, from Walderslade and Aylesford in the east to Borough Green and Ightham in the west. The Borough covers an area of 92 square miles and has a population of **120,805**. The Borough is mainly of a rural nature with the major areas of population being found at Tonbridge and in the conurbation surrounding the A20 in the Malling area.

3.1.2 The main Council offices are situated centrally at the Gibson Building, Kings Hill, West Malling where Environmental Health & Housing Services are based. Service users may contact the office in one of the following ways:

- by telephone or in person between 08.30 and 17.00 hours Monday to Friday (telephone number 01732 876299);
- by email on [foodandsafety@tmbc.gov.uk](mailto:foodandsafety@tmbc.gov.uk);
- by fax on 01732 841421;
- for out-of-hours emergencies, a telephone service is available for contact with a duty officer (telephone number 01732 844522).

#### **3.2 Organisational Structure**

3.2.1 Environmental Health & Housing Services have a wide range of duties and functions covering the spectrum of public health, environmental and housing functions. Through the Council's constitution and delegated functions the team has delegated responsibility for food and safety enforcement. The Director of Health & Housing has the authority to authorise legal proceedings in consultation with the Chief Solicitor. The day to day management of the Team is the responsibility of the Food & Safety Team Manager under the management of the Chief Environmental Health Officer.

3.2.2 The Team is responsible for a number of functions detailed in the Team's Performance Plan. These functions are:

- Food Safety;
- Workplace health & safety;
- the Council's corporate Health & Safety Service;
- the investigation and control of infectious disease; and
- Public health and wellbeing.

3.2.3 Officers are required to work across all of the team's work areas at a level appropriate to their competence and qualifications. The structure of the Food & Safety Team is detailed in **Appendix 2** and brief information on the roles played by officers working in the Food & Safety Team is provided in the table at **Appendix 3**.

3.2.4 The Environmental Health & Housing Services operate an emergency out-of-hours service. The service is undertaken by Environmental Health Officers who are supported by Service Managers. Specialist staff are available via an informal cascade system should the need arise.

3.2.5 Kent Scientific Services, the Kent Health Protection Agency and the Food, Water and Environmental Microbiology Laboratory Service of the Health Protection Agency support the work of the Food & Safety Team through the provision of analytical and microbiological services and infectious disease investigation.



### 3.3 Scope of the Food & Safety Service

The Team is responsible for undertaking the following work activities:

- programmed food hygiene inspection and revisits;
- health and safety interventions and re-visits;
- food sampling as required by the annual programme prepared by the Kent Environmental Health Managers Food Sampling Group and local needs;
- investigation of complaints;
- operation of the National Food Hygiene Ratings Scheme;
- investigation of cases of food poisoning and any associated outbreak control;
- investigation of workplace accidents and cases of ill health, adverse insurance reports;
- responding to Food Standard Agency Food Alerts;
- provision of export food certificates;
- inspection of food;
- approval of certain food premises;
- registration and inspection of premises offering special treatments such as tattooing and piercing;
- facilitation of advisory and training services for businesses;
- developing educational campaigns;
- health promotion initiatives with partners such as K College and local businesses;
- smokefree enforcement; and
- licensing and planning consultations.

3.3.2 While engaged in the above activities the Team uses a variety of means to ensure that individuals and organisations meet their legal responsibilities including education, negotiation, advice, guidance, warning letters, formal notices and prosecution. The Council believes in firm but fair regulation consistent with the Better Regulation Principles. Overall the Team seeks to work in collaboration with businesses while avoiding bureaucracy in the way it works.

3.3.3 The Environmental Health & Housing Enforcement Policy adopts the Regulators Compliance Code's five principles of good regulation, namely transparency, accountability, proportionality, consistency and targeting. This means that a graduated approach to food safety enforcement is adopted in all but the most serious of cases. The Enforcement Policy is published on the Council's website. [http://www.tmbc.gov.uk/media/tmbc/pdf/environment/enforcementplans/EHHS Enforcement Policy 2011.pdf](http://www.tmbc.gov.uk/media/tmbc/pdf/environment/enforcementplans/EHHS_Enforcement_Policy_2011.pdf)

3.3.4 The Environmental Health & Housing Service is committed to the promotion of equal opportunities in all of our activities in accordance with the Council's Equal Opportunities Policy. Every effort is made to ensure that we treat everyone equitably and fairly. The Food and Safety Service underwent an Equalities Impact Assessment in March 2011 and was reviewed in May 2012.

### **3.4. Demands on the Food Enforcement Service**

3.4.1 As of 1 April 2012 a total of 1045 food premises are recorded on the Uniform database in Tonbridge and Malling. The number and type of food premises are detailed in the table below.

### Number and type of food premises in the Borough

TYPE OF PREMISES	No.
Distributors/Transporters	34
Retailers	211
Manufacturers/Packers/Processors	15
Primary Producers	5
Importers/exporters	0
Restaurants and caterers	780
<b>TOTAL</b>	<b>1045</b>

3.4.2 Included in the above table are premises manufacturing or processing products of animal origin, these are designated approved premises under EC Regulations and include two egg packers; one dairy products producer, one meat products and one fishery premises.

3.4.3 All food premises are rated according to their level of risk, as defined by the FSA Code of Practice. The risk rating determines the frequency and nature of the interventions. The table below provides a summary:

Risk Category	Intervention Type	Frequency
A and B (High risk)	Inspection/partial inspection or audit	A - 6 months B - 12 months
C not broadly compliant (High risk)	Inspection/partial inspection or audit	C - 18 months
C broadly compliant (Medium risk)	Alternate between inspections/partial inspections or audit and other official controls	C - 18 months
D (Low risk)	Alternate between official controls and non-official controls	D - 24 months
E (Low risk)	Alternate enforcement strategy	E - 36 months

Category E premises (low risk) are assessed either via an inspection or using self audit questionnaires. If a response is not received within 14 days then a follow up letter is sent. If after a further 10 days no response is received, the premises will be scheduled for an inspection.

3.4.4 The number of commercial premises within the Borough for which the Council has a duty to under health and safety legislation is 1324. This is made up of shops, offices, warehouses, caterers, residential care homes and leisure activities.

Each business is allocated a category A, B (B1 or B2) or C which relates to the risks to health and safety. The category determines the type of intervention carried out:-

A (high risk) – Suitable for proactive (programmed) inspection;

B (B1 and B2) – Not suitable for proactive inspection but assess the risk and consider how it will be addressed using other types of intervention, which includes accident investigations, focussed project work or educational visits; and

C – use reactive interventions only

Classification of premises is in accordance with HELA LAC 67/2 (rev3). The numbers of premises due for intervention during 2012/13 is shown below:

<b>Risk Rating</b>	<b>Number</b>
<b>A</b>	<b>2</b>
<b>B1</b>	<b>23</b>
<b>B2</b>	<b>61</b>
<b>C</b>	<b>128</b>
<b>Total</b>	<b>214</b>

## 4. Service Delivery

### 4.1 Delivery mechanisms

To deliver the service as identified in section 2 of this plan we have adopted a balance of techniques and approaches, which can be summarised by considering the four main elements of our “enforcement mix”:

- **Intervention driven** – to carry out official controls and/or interventions at all commercial premises in the borough at a frequency and intervention type determined by their risk rating. To carry out appropriate corrective action, including where necessary a range of enforcement options, such as the service of notices, simple cautions or prosecutions in line with our Enforcement Policy.
- **Demand driven** – to respond to all complaints relating to food and food premises, workplace safety and investigate them thoroughly; investigate cases of food related illness, food alerts, reported accidents and cases of ill health, adverse insurance reports and any other relevant matters in response to requests from stakeholders and the public.
- **Intelligence driven** – to gather appropriate information and intelligence, to address any threats to the health of members of the public/employees and target resources to areas of highest risk and where they can be most effective.
- **Education driven** – to provide advice and education to businesses and consumers within the Borough, to promote voluntary compliance and assist business operators develop an understanding of their responsibilities. This is achieved by providing access to food hygiene training, delivering low cost seminars and providing advice and coaching during visits. It is believed that supporting legal compliance in this way is as important as detecting non-compliance.

### 4.2 Interventions

4.2.1 Interventions for food premises and/or health and safety premises are outlined below:

## FOOD SAFETY

The intervention programme of food premises forms the core activity of the Food Safety function. The programme of interventions is based on the requirements of the Food Law Code of Practice, Chapter 4, including E.Coli guidance implementation. In addition to the programmed inspections, other visits may be made to food premises following complaints from the public or requests from businesses for information and guidance.

The range of interventions includes:

- inspections;
- monitoring;
- surveillance;
- verification;
- audit; and
- sampling where the analysis/examination is to be carried out by an official laboratory, e.g. the HPA laboratory at Collindale.

Other interventions which are not official controls include advice, education, coaching and/or information and intelligence gathering.

4.2.2 The work activity in respect of food safety inspections over the last year and an estimate of the inspections required to be undertaken during 2012/13 are shown below:

<b>Premises Risk Rating &amp; Frequency</b>	<b>No of interventions completed 2011/12</b>	<b>No of interventions planned for 2012/13</b>
A – 6 mths	0	0
B – 1 year	32	30
C – 18 mths	237	215
D – 2 years	85	68
E – 3 years	184	107
<b>TOTAL</b>	<b>538</b>	<b>420</b>

4.2.3 Details of formal action taken by the Food & Safety Team are given below:

Type of formal action taken	2010/11	2011/12
Improvement Notices	30	11
Simple Cautions	1	0
Prosecutions under Food Hygiene (England) Regulations 2006	1	1
Food seizure and condemnation	1	1

### 4.3 Complaints

4.3.1 Investigations by officers following a complaint about a food or safety issue is an important function of the Team's work. Authorised officers assess all complaints upon receipt. In circumstances where a need has been identified, investigations will commence within 5 days to determine the cause of the complaint.

Officers' investigations identify whether an offence under relevant legislation has been committed and if there is a need for formal action. Consultation with the Primary Authority takes place when appropriate. Where appropriate, food complaints are referred to the originating authority – that is the local authority in whose area the food was manufactured - for further investigation.

4.3.2 Ninety three service requests were received during 2011/12, relating to food hygiene, food complaints and workplace safety. All complaints were investigated and appropriate action taken.

### 4.4 Primary Authority Principle

4.4.1 Effective support for businesses on food safety matters depends on reliable and accessible advice from local authorities. Businesses trading across a number of local authority areas should be confident that advice is consistent. The Primary Authority

scheme established under the provision of the BRDO aims to support national progress towards this outcome.

4.4.2 Businesses will be able to form a statutory partnership with a single local authority.

The guidance and advice the local authority provides must be taken into consideration by officers carrying out inspections and dealing with instances of non-compliance.

4.4.3 The requirements of the Primary Authority Scheme are that officers:

- consult the Primary Authority website for details of Primary Authority partnerships and inspection plans;
- follow guidance issued by BRDO;
- adopt any inspections plans established between a Primary Authority and a business, and
- review requests for local partnerships as a case by case basis and adopt a Primary Authority status if directed to by the BRDO.

To date there have not been any requests from local businesses for a Primary Authority partnership.

## **4.5 Advice to Businesses and the Public**

4.5.1 The Service is committed to ensuring that advice and support is available to all businesses in the Borough when requested. An important element of the work of the Team is to plan for providing this support, by:

- continuing the training partnership with K College, and other West Kent local authorities to provide a full range of Chartered Institute of Environmental Health food and health and safety training courses;
- offering food safety update forums for food businesses and food hygiene trainers;



- distributing of literature to businesses giving guidance on specific and topical subjects;
- responding to requests from businesses for site visits to solve problems;
- providing of advice and coaching to businesses during inspections; and
- making information available to the public via the Council's website and information at key public buildings.
- Delivering a bi-annual 'Wise Up' publication giving topical food and health and safety information to businesses.

## **4.6 Food Inspection and Sampling**

4.6.1 Food sampling to ensure the safety of food is an important public health function. Each year a food sampling programme is produced which outlines the Council's sampling strategy and approach to specific local and national demands. Compliance with all legislation and statutory Codes of Practice is ensured when undertaking sampling of food.

4.6.2 The Kent Food Sampling Group co-ordinate the county sampling programme. Each year a plan is developed by the Group incorporating priorities identified by LGR and the Food Standards Agency. Microbiological examinations are undertaken by the Health Protection Agency – Food, Water and Environmental laboratory at Collindale. In 2011/12 the Food & Safety Team took 177 food samples, 19 borderline and 21 unsatisfactory results were found. The appropriate feedback was given to businesses and follow up action taken.

4.6.3 During 2012/13 food sampling and microbiological activities will include the following activities:

- routine sampling of food and those forming part of national campaigns;

- sampling following receipt of a food complaint;
- routine sampling of manufacturers and processors;
- environmental swabbing of food premises;
- investigations undertaken following a food poisoning; and
- sampling following food hygiene inspections where problems were noted.

**Formal samples** are taken in line with the Food Law Code of Practice Chapter 6 and current guidance issued by HPA, LGR or the Kent Food Sampling Sub Group.

**Informal samples** reflect the numbers of reactive samples taken as a result of complaints or where officers take samples from food businesses as part of routine surveillance activity.

#### **4.7 Imported Foods**

4.7.1 The Service is committed to ensuring that any illegally imported food found during a food inspection is sampled where necessary and dealt with properly. This will normally involve detention and seizure of foods.

#### **4.8 Control and Investigation of Food Poisoning Outbreaks and Food Related Infectious Disease**

4.8.1 Officers investigate food related infectious disease notifications in accordance with documented procedures. The primary objective of every investigation is to identify the cause of infection and prevent any further spread. Response times are based on a risk assessment approach and will vary from within 24 hours for high risk infections such as E.coli O157 to 48 hours for other medium to low risk infections. Officers will liaise with the Consultants in Communicable Disease Control (CCDC), which the Council has appointed as Proper Officers under the provisions of the Public Health (Control of Diseases) Act 1984 (as amended) and Section 47 of the National Assistance Act 1948.

The CCDC's are employed by the Kent Health Protection Agency. These arrangements enhance the linkage between organisations dealing with this aspect of infectious disease control.

Key policies in respect of food related infectious diseases are that:

- outbreaks will be responded to in accordance with the approved "Outbreak Control Plan" and in full liaison with CCDC who will lead the "Outbreak Control Team";
- serious infectious disease notifications e.g. VTEC or Clostridium botulinum, will be dealt with in consultation with the CCDC and Food Standards Agency; and
- other infectious disease investigations will be undertaken in consultation with the CCDC, and in accordance with Team Procedures.

4.8.2 The incidence of confirmed cases of food-borne disease in the Borough over the last year is detailed in the table below. Typically there are only one or two outbreaks a year involving small numbers of cases.

**Incidence of food related infectious diseases 2011-2012**

<b>Communicable Disease</b>	<b>Number of reported cases</b>
Salmonella	13
Campylobacter	197
Dysentery	2
Hepatitis A	0
E.coli - O157	0
Cryptosporidium	15
Giardia lamblia	15
<b>Totals</b>	<b>242</b>

## **4.9 Food Alerts**

4.9.1 Food alerts are issued by the FSA, they relate to national food scares or information about food being withdrawn from supply or sale and being recalled by the manufacturer or retailer. The majority of food alerts are for information only (FAFI) (46 in 2011).

4.9.2 Food alerts for action are not significant in number (3 in 2011) but have the potential to impact on programmed work, because they relate to serious public health risks requiring rapid follow-up by officers to prevent affected food from entering the food chain. Food Alert Policy details how the Food and Safety Team will respond to food alerts of all categories.

## **4.10 Liaison with other Organisations**

4.10.1 It is the Council's policy to involve stakeholders in the supply and review of its food hygiene services. The Team works increasingly in partnership to deliver services, examples of which are given below:

- participation in the Kent Environmental Health Managers/Chartered Institute of Environmental Health's (CIEH) Food Technical Group. This Group acts as a county-wide liaison group for all food safety issues and includes representatives from the Health Protection Agency, Food Standards Agency and Trading Standards as well as representation from all Kent local authorities;
- Kent Food Technical Group;
- Kent Food Sampling Group;

- Kent Health and Safety Technical Group which includes HSE and Kent Fire and Rescue Service representation;
- partnership with K College and West Kent local authorities to deliver food hygiene and health and safety training courses;
- liaison with the Health Protection Agency and Kent Scientific Services in connection with food sampling; and
- liaison with a range of Public Health Partners.

#### **4.11 Promotion**

4.11.1 The Food & Safety Team continues to adopt a proactive, educational approach through a number of promotional initiatives, which include:

- participation in the Food Safety Week awareness campaign;
- National Food Hygiene Rating Scheme;
- Healthy Eating Award;
- Change for Life, Healthy Lifestyles;
- continuing support for businesses in implementing the Safer Food Better Business Pack during inspections;
- publication of Wise-Up newsletter for targeted to different types of businesses; and
- publication of a health and safety handbook for businesses on an ad hoc basis.

4.11.2 The Environmental Projects Co-ordinator assists the Team to develop the educational and proactive campaigns, for example Food Safety Week.

## **HEALTH & SAFETY**

### **Health & Safety Inspections**

4.12.1 Programmed health and safety inspections and revisits form the core activity of the Health & Safety Enforcement function. The programme of inspections is risk based and is carried out in accordance with LAC67/2 (rev 3) and documented procedures.

4.12.2 The work activity in respect of health and safety interventions over the last year is shown below:

<b><u>Type of intervention</u></b>	<b>No. of interventions carried out 2011/12</b>
Planned visits	161
Re-visits	35
Other visits	36
Visits to investigate accidents	7
Visits following requests for health and safety service	22
Other contacts e.g. mailshots, questionnaires	1457
<b>Total</b>	<b>1718</b>

Targets and performance indicators for 2012/13 are shown in the Food and Safety Team's Performance Plan (**Appendix 1**).

4.12.3 Resources in 2012/13 will concentrate on high risk premises in-accordance with LAC 67/2 (rev 3) and the Better Regulation aim of reducing the burden on businesses. In 2012/13 a target of inspecting 100% of category A premises has been set. Lower risk

premises (category B) are dealt with using a range of other intervention techniques such as advisory visits, mail shots and seminars. Category C premises will only be visited following a complaint or accident investigation. Accidents that meet the incident selection criteria and complaints relating to all premises will still be investigated.

4.12.4 In addition to the programmed work officers will target their resources in line with national priorities including inspections of bulk LPG tanks with underground metallic pipework and petting farms to ensure E.Coli is being effectively managed.

4.12.5 Details of formal action taken by the Food and Safety Team in 2011/2012 in relation to the health and safety function are given in the table below. The majority of inspections will result in written information being left or sent to the business identifying contraventions of the safety law and detailing best practice.

Type of formal action taken	2011/2012
Improvement Notices	6
Prohibition Notices	1
Formal Cautions	0
Prosecutions	0

#### 4.13 Accident Investigations

4.13.1 All accident or injury notifications are evaluated in accordance with LAC 22/13 Incident Selection Criteria Guidance. Where appropriate, investigations are carried out in accordance with the Service Enforcement Policy and the Food and Safety Team's Accident Investigation Procedure, focussing on priority areas. In 2011/2012

199 accidents were reported, this number is expected to decrease in 2012/2013 due to changes in the accident reporting requirements.

#### 4.14. **Complaints about the Service**

4.14.1 The Council has a corporate policy on the investigation of complaints about its staff and the services which it provides. Further details on the Council's complaints procedure can be found on the website.

### 5. **Resources**

#### 5.1 **Financial Allocation**

5.1.1 The Council's budget for 2012/13 identifies a budget heading dealing specifically with costs relating to the Food & Safety function **Appendix 4**. The separation of costs associated with Food & Safety functions allows managers to monitor spending and income trends in this area.

#### 5.2 **Staffing Allocation**

5.2.1 The structure of the Food & Safety Team is shown in **Appendix 2**. Detailed below in **Table 1** are details of staff working on food and safety enforcement and related matters expressed in Full Time Equivalentents (FTEs). In addition, we support a student EHO who is with the team on an ad hoc basis as part of completion of practical training.



**TABLE 1**

<b>Role</b>	<b>FTE 2010/11</b>	<b>FTE 2011/12 Spent on food safety work</b>	<b>FTE 2011/12 Spent on health and safety work</b>
<b>Chief EHO</b> -responsible for the management of the Environmental Health Service	<b>0.4</b>	<b>0.2</b>	<b>0.2</b>
<b>Manager</b> – responsible for the day to day management of the food safety function and monitoring performance.	<b>1.0</b>	<b>0.6</b>	<b>0.4</b>
<b>Environmental Health Officers</b> – responsible for interventions, enforcement in all food premises and other related activities.	<b>1.4</b>	<b>1.1</b>	<b>0.3</b>
<b>Food &amp; Safety Officer</b> – responsible for interventions and enforcement in medium and low risk food premises and other related activities.	<b>1.6</b>	<b>1.4</b>	<b>0.2</b>
<b>Corporate health and safety officer</b>	<b>1.0</b>	<b>0.02</b>	<b>0.98</b>
<b>Admin Support</b> – functional support to the Team.	<b>1.5</b>	<b>1.0</b>	<b>0.5</b>
<b>Environmental Projects Co-ordinator</b> – responsible for promotional activities and events.	<b>0.4</b>	<b>0.3</b>	<b>0.1</b>
<b>Healthy Living Co-ordinator</b>	<b>n/a</b>	<b>n/a</b>	<b>0.8</b>
<b>Total FTE</b>	<b>8.1</b>	<b>4.62</b>	<b>2.68</b>

### 5.3 Estimation of Staff Resources Required for 2012/13

5.3.1 The following estimation of resources allocated to specific work activities has been based on time recording results, experience, projected inspection figures for 2012/13 and the Team performance Plan for the year. All calculations assume 1FTE = 220 working days. Estimates include revisits and travelling.

Food Hygiene Inspections	2.0 FTE
Complaints and service requests	0.2 FTE
Formal action	0.2 FTE
Advice and enquiries	0.2 FTE
Sampling	0.2 FTE
Infectious Disease	0.1 FTE
Food Safety Incidents/Hazard Warnings	0.1 FTE
Health Promotion/Campaigns	1.0 FTE
Delivering Training	0.2 FTE
Primary Authority	0.05 FTE
Officer Training	0.15 FTE
Team management	0.5 FTE
Other	0.20 FTE
<b>Total</b>	<b>5.1 FTE</b>

A comparison of the estimated staff resources required for 2012/13 and the actual staffing allocation shows that the team resources for 2012/13 will need to be supplemented by external support for which funding exists within agreed estimates.

## **5.4 Staff Development Plan**

- 5.4.1 The Council has achieved Investors in People status and places significant importance on the development and training of its staff to meet its business needs. During annual appraisals, training and development needs are identified for all employees. Priority is given to the need to ensure continuing professional competence in technical and professional areas of work. The Service will ensure that officers receive regular training to maintain and improve their competency. During 2012/13 all officers involved in food interventions will receive a minimum of 10 hours continuing professional development as required by the FSA Code of Practice.
- 5.4.2 The Food & Safety Team has a programme of in-house staff training sessions delivered as necessary to the team. In addition monthly Team Briefings disseminate information to ensure team awareness of issues relating to enforcement, progress with team targets and customer related issues e.g. results of monthly monitoring and a short technical briefing is usually delivered at these briefings.
- 5.4.3 The Kent Environmental Health Managers Food Group provides useful low-cost training in association with LGR and the Food Standards Agency.
- 5.4.4 Enforcement officers are encouraged to join a relevant professional body, the fees of which are reimbursed by the Council.
- 5.4.5 In January 2009 officers signed up for the HSE/ LACORS Regulatory Development Needs Analysis Tool (RDNA Tool), a web based programme of learning, development and benchmarking, to support the maintenance of officers' core health and safety competencies. This tool has recently been extended to other core areas of Environmental Health including food safety. Officers will complete the necessary tools as appropriate to their level of competence.

5.4.6 The Food and Safety Team have monthly team briefings to disseminate information to ensure team awareness of issues relating to enforcement, progress with team targets and customer related issues e.g. results of business surveys. In-house training sessions are organised as required.

5.4.7 The Kent Environmental Health Managers - Health & Safety Group provides useful low-cost training in association with the HSE.

5.4.8 Enforcement officers are encouraged to join a relevant professional body, the fees of which are reimbursed by the Council.

## **6. Quality Assessment**

6.1 The Food & Safety Team has reviewed its Quality Assurance system covering its enforcement activities in Food Safety. The Quality Assurance system defines what work the team will undertake, how the work will be done and the nature and timing of management monitoring. The documented system covers critical areas of work and has regard to LGR and FSA guidance and Statutory Codes of Practice and Section 18 of the Health and Safety at Work etc. Act 1974.

6.2 The specific areas covered by the quality assurance system are:

- food inspections;
- health and safety inspections and re-visits;
- accident investigations;
- institution of formal enforcement action;
- food poisoning investigations;
- food sampling;

- food hazard warnings/incidents;
- food complaints; and
- administration of the National Food Hygiene Rating Scheme and the Healthy Eating Award.

6.3 The Food & Safety Team Manager is responsible for maintaining the quality assurance system and monitoring compliance with procedures. This role aims to ensure that uniformity of approach to enforcement work is adopted in the team. The Chief Environmental Health Officer and the Food & Safety Team Manager have monthly meetings to review systems and team performance, the results of which are fed into monthly team briefings. The Environmental Health & Housing Service Management Team reviews the number of food premises that are broadly compliant with food hygiene on a quarterly basis.

6.4 Performance monitoring is supported by the use of the Services computer software system "Uniform". This database contains details of all commercial premises and records actions taken during visits. Management reports showing progress towards meeting team targets are an essential part of the team's quality assurance system and are generated on a monthly or ad hoc basis. The maintenance of an accurate database is key to the efficient operation of the Service. The Food & Safety Team's Quality Monitoring Procedure includes details of how the database is updated, which includes:

- information from programmed inspections;
- officer knowledge of changes in their district;
- collecting information from lists of planning applications;
- checking the "closed" premises database;
- an annual random selection and audit of a specified number of premises from the database;

- information from the registering and licensing of new premises;
- liaison with other statutory agencies; and
- undertaking premises surveys.

6.4 It is intended to participate as appropriate in bench marking, peer review and inter-authority auditing with the Kent Technical Groups as opportunities arise.

## **7. Review**

### **7.1 Review against the Service Plan**

A review of this Plan and the Food & Safety Team's Performance Plan will be undertaken annually in April. Details of the Team's performance against the targets set in the Food & Safety Team's 2011/12 Performance Plan can be found at **Appendix 5**.

### **7.2 Areas for Improvement**

A number of improvement actions have been identified in the Food & Safety Team's 2012/13 Performance Plan (**Appendix 1**), which will be carried out during the year. Achievement of these improvements will be monitored by Service Managers and where there are significant deviations from targets; reports will be made to the Local Environmental Management Advisory Board and Cabinet.

7.3 The food safety inspection function was subject to an internal audit in November 2011 and awarded an audit opinion of 'Substantial'. Areas for improvement primarily focused on the revision to internal procedures which are in the process of being finalised.

## FOOD AND SAFETY TEAM PERFORMANCE PLAN 2012/13

### Council's Key Priorities

- Continued delivery of priority services and a financially viable Council
- A clean, smart, well maintained and sustainable Borough.
- Healthy living opportunities and community well-being
- Children and young people who are safe, involved, with access to positive activities.
- Low levels of crime, anti-social behaviour and fear of crime
- A continuing supply of homes, including affordable housing to buy and rent, and prevention of homelessness
- Sustainable regeneration of Tonbridge town centre and economic development in communities across the Borough

Activity	Description	Target
<p>A. Undertake inspections of commercial premises, for which the local authority is the enforcing authority, and institute informal and/or legal action in accordance with the Service's Enforcement Policy.</p>	<ol style="list-style-type: none"> <li>1. Undertake an annual review of the accuracy of the team's commercial database.</li> <li>2. Review and develop as appropriate the team's quality assurance procedures to reflect changes in legislation and guidance from FSA, HSE, BRE using a risk assessment approach.</li> <li>3. Continue to develop and deliver initiatives such inspections, seminars and coaching visits to ensure effective and efficient enforcement.</li> <li>4. Incorporate an appropriate range of interventions for broadly compliant category C food premises, category D food premises and low risk health and safety premises.</li> <li>5. <b>Inspect all 'high risk' (categories A, B and non-broadly compliant Category C) food premises for hygiene on schedule.</b></li> <li>6. <b>Inspect all 'high risk' (categories A) work places for health and safety on schedule.</b></li> <li>7. Maintain competence of authorised officers in accordance with FSA/CIEH CPD requirements.</li> <li>8. Continue to work with the HSE and other LA partners through the Flexible Warranting Scheme to deliver health and safety priority campaigns through local and county-wide initiatives.</li> <li>9. Participate in the FSA review of Official Controls</li> <li>10. Promote and educate FBO's on FSA E.Coli guidelines during routine inspections</li> <li>11. Participate in the consultation on the HSE's National Code for Inspections</li> </ol>	<p>31/3/13</p>
<p>B. Investigate complaints about commercial premises and at the conclusion of</p>	<ol style="list-style-type: none"> <li>1. Respond to each complaint in a timescale that matches the perceived risk in compliance with quality assurance procedures and in accordance with the Service standard (within 5 working days).</li> </ol>	



<p>investigations institute informal/formal legal action as appropriate.</p>	<ol style="list-style-type: none"> <li>2. Food and Safety Team Manager to undertake monitoring of service requests.</li> <li>3. Remedy unacceptable risks and reduce the likelihood of recurrence, securing legal compliance where appropriate.</li> <li>4. Investigate all reportable workplace accidents and ill health in line with procedures based on HSE Accident Investigation Selection Criteria.</li> </ol>	<p>As per procedure</p>
<p>C. Facilitate provision of training services and provision of advice to local businesses to assist them to meet legislative requirements</p>	<ol style="list-style-type: none"> <li>A. Deliver, with K College and other Local Authority partners, the annual training courses programme for businesses in the borough.</li> <li>B. Work with CIEH to co-ordinate the south-east Trainers Forum.</li> <li>C. Produce and deliver "Wise-Up" to commercial premises.</li> </ol>	<p>On-going</p>
<p>D. Investigate cases of infectious disease with the community</p>	<ol style="list-style-type: none"> <li>1. Investigate cases of infectious diseases in line with KHPU guidelines</li> </ol>	<p>On-going</p>

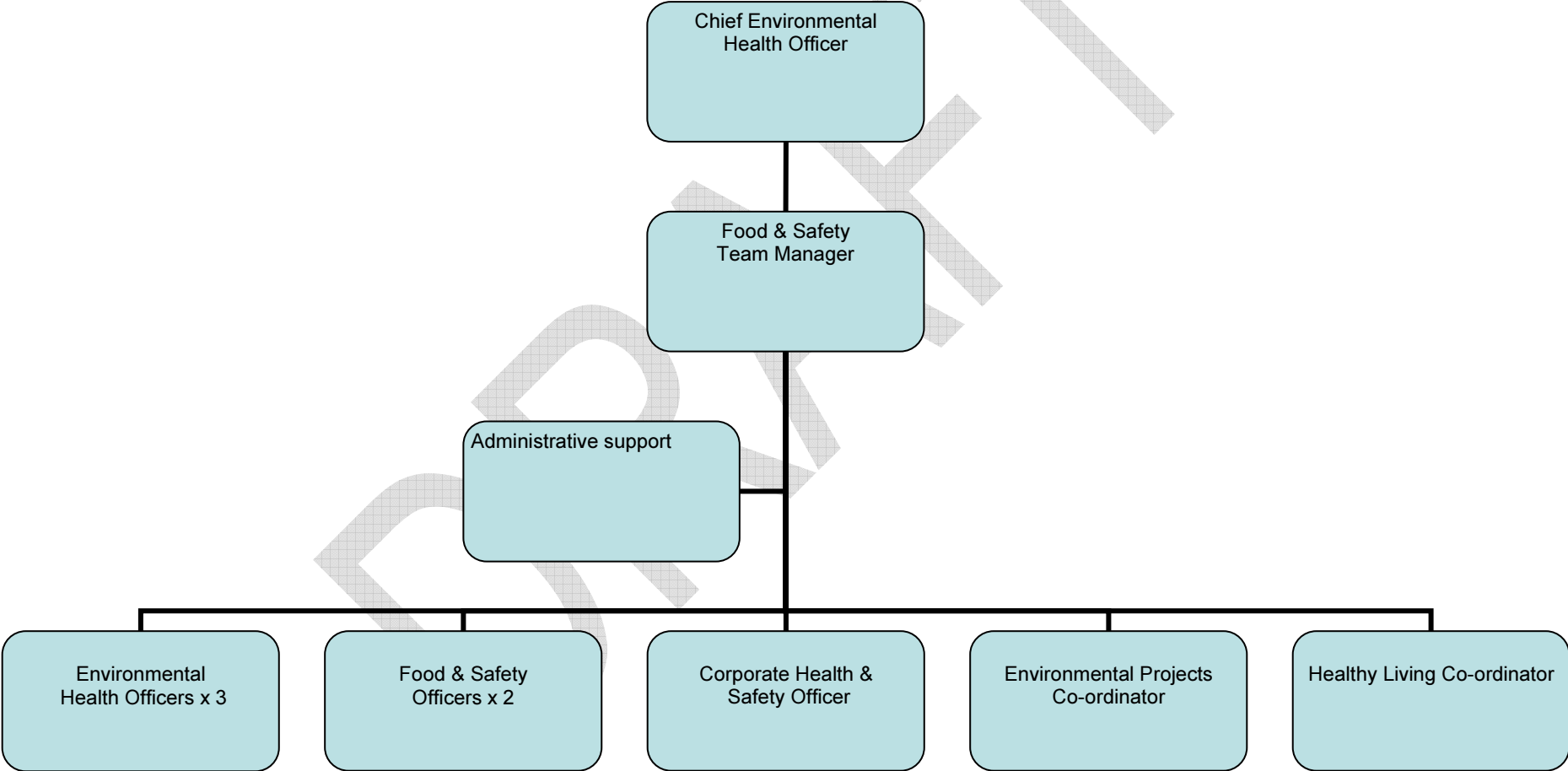
<p>E. Monitor and advise on the standards of health and safety in Council occupied premises and report findings, including recommendations to management.</p>	<ol style="list-style-type: none"> <li>1. Produce the Annual Health &amp; Safety Report for 2011/12 including performance information relating to accidents and injuries to staff whilst at work.</li> <li>2. Evaluate the need for another external audit and discuss with CEHO/DHH</li> <li>3. Participate in the work of the Food and Safety Team and in particular: Lead officer role for David Lloyd Leisure; Lead officer role for Buckmore Park Karting Circuit, moving to a more proactive role; Other inspections of commercial premises as required</li> <li>4. Review the list of Risk assessment and codes of practice and decide which ones are to be removed.</li> <li>5. Update generic risk assessments and codes of practice as necessary</li> <li>6. Contractors – re-write the guidance note, defining our approach to contractors</li> <li>7. Update the H&amp;S policy</li> <li>8. Review the Council's Lone Working procedures</li> <li>9. Liaise with Property services on the development of a high level asbestos management plan.</li> <li>10. Prepare and submit application for RoSPA Gold Achievements Award</li> <li>11. Complete Council's policy on safe driving</li> <li>12. Continue to maintain a positive relationship with the Unison representative on safety issues. Attend all JECC meetings.</li> </ol>	<p><b>end July 2012</b></p>
---	--	-----------------------------

- |  |  |  |
|--|--|--|
|  | <ol style="list-style-type: none"><li>13. Ensure the Legionella OSG provides a confident, effective approach to the control of Legionella in our buildings.</li><li>14. Continue to liaise with the Training Officer in the implementation of the e-learning Safety training package. Monitor effectiveness of training and report on key findings to CEHO and MT.</li><li>15. Provide H&amp;S input and advice in connection with Events in Open Spaces</li><li>16. Work with the Council's Procurement OSG to secure improvements to the vetting, appointment and monitoring of contractors.</li><li>17. Report three-monthly on accident statistics and trends to CEHO and MT.</li><li>18. Co-ordinate and monitor the Council's PVP register and associated procedures.</li><li>19. Ensure effective and efficient joint working and communication with Property Services to ensure appropriate standards are met in TMBC buildings.</li></ol> |  |
|--|--|--|

<p>F. Develop initiatives to improve the health and wellbeing of residents</p>	<ol style="list-style-type: none"> <li>1. Encouraging physical activity and exercise, and reducing obesity by deliver four 10-week Mind Exercise Nutrition Do It! (MEND) courses to address family weight management issues.</li> <li>2. Promoting health awareness in workplaces and communities by delivering a healthy living programme to seven workplaces to address healthy workforce issues.</li> <li>3. Organise health promotion events and community engagement days in a variety of locations to help promote healthy living messages and available public health services.</li> <li>4. Evaluate the British Heart Foundation Heart Town scheme and assess the feasibility of bringing forward such a scheme in Tonbridge &amp; Malling</li> <li>5. <u>Improving mental health by:</u> <ul style="list-style-type: none"> <li>- Expanding the Jasmine - Platform 51 project, subject to funding, to support women experiencing low level mental health issues.</li> <li>- Setting up information and signposting on TMBC's website to mental health services.</li> <li>- Carrying out a Mental Health and Wellbeing Impact Assessment of a current or developing Council service or project in the community.</li> <li>- Developing and delivering a campaign for Local World Mental Health Awareness week in October 2012, in partnership with Kent Libraries and in conjunction with other agencies in the community, to raise awareness of personal risk and services.</li> </ul> </li> <li>6. <u>Encouraging healthy eating by:</u> <ul style="list-style-type: none"> <li>- Implementing the revised Healthy Eating Award and promote it to catering businesses in the borough.</li> </ul> </li> </ol>	<p>20 businesses</p>
--	--	----------------------

APPENDIX 2

ORGANISATIONAL CHART FOR THE FOOD AND SAFETY TEAM



**Food Safety Team Qualifications and Roles**

<b>Job Title</b>	<b>Qualifications</b>	<b>Role within the Food Team</b>
Chief Environmental Health Officer V0006 (JH)	Certificate of Registration with the Environmental Health Officers Registration Board	Strategic management of the Council's food safety enforcement responsibilities
Food & Safety Team Manager DV0101 (MH)	Certificate of Registration with the Environmental Health Officers Registration Board NEBOSH Diploma	Day to day management of food safety enforcement Food Safety Inspector Trainer Quality Monitoring Lead on Flexible Warranting Scheme
Environmental Health Officer DV0108 (RT) Part time	Certificate of Registration with the Environmental Health Officers Registration Board	Food Safety Inspector
Environmental Health Officer (Job Share) DV0106 (SA)	Certificate of Registration with the Environmental Health Officers Registration Board NEBOSH Diploma	Food Safety Inspector
Environmental Health Officer Job share DV0106 (DP)	Certificate of Registration with the Environmental Health Officers Registration Board NEBOSH Diploma	Food Safety Inspector Food Safety Trainer
Food & Safety Officer DV0109 (CM)	Certificate of Registration with the Environmental Health Officers Registration Board NEBOSH Certificate	Food Safety Inspector Lead on the Healthy Eating Award and Nutritional Training
Food & Safety Officer DV0104 (EM)	HND Environmental Monitoring NEBOSH Certificate	Food Safety Inspector
Administrative Manager (GL/MCL) DV0005		Co-ordination of IT system and administrative support to the team
Admin Assistants		Team Admin support
Environmental Projects Co-ordinator DV010 (TR)	Public Health Champions Development Programme	Develop proactive initiatives
Healthy Living Co-ordinator	BSc Nutrition Public Health Champions Development Programme	Develop and deliver healthy lifestyle initiatives

**APPENDIX 4**

**FINANCIAL ALLOCATION OF RESOURCES TO  
THE FOOD & SAFETY FUNCTION**

<b>Budget Heading</b>	<b>2012/13 Estimate</b>
Employees' salaries and on costs	272,850
Third party payments	400
Central Departmental and Technical support services	
• Information technology expenses	14,650
• Central salaries and administration	20,250
• Departmental Administrative	105,600
• Expenses	10,050
<b>Total expenditure</b>	<b><u>423,800</u></b>
<u>Income</u>	
• Court Costs	500
• Food Inspection	300
• Training Courses	2,500
<b>Total income</b>	<b><u>3,300</u></b>
<b>Net expenditure</b>	<b><u>420,500</u></b>

APPENDIX 5

FOOD AND SAFETY PERFORMANCE PLAN 2011/12 – MONITORING REPORT

STANDARD/TARGET / IMPROVEMENT ACTION	PLAN REF	TARGET	ACHIEVEMENTS	INFORMATION SOURCE
<p><b>FOOD SAFETY</b>  <b>Inspect all A-D rated food premises for hygiene on schedule.</b></p> <p>Carry out appropriate interventions at low risk premises for food safety and health and safety, in accordance with initiatives identified in 1.2.5 of the plan.</p> <p>Develop initiatives such as partial inspections, seminars, coaching visits to ensure effective and efficient enforcement at low risk commercial premises, incorporating an appropriate range of interventions for broadly compliant C food premises, category D food premises and category C health and safety premises.</p> <p>Participate in national, county and local food sampling programmes</p> <p><b>KPI-330:</b> Percentage of food establishments broadly compliant with food hygiene law</p>	<p>1.2.1</p> <p>1.2.3</p> <p>1.2.5</p> <p>1.2.6</p>	<p>100%</p> <p>80%</p> <p>31/3/12</p> <p>On-going</p> <p>90%</p>	<p>98% completed. 4 high risk inspections missed.</p> <p>184 interventions made to low risk food premises</p> <p>1400 mailshots were sent to low risk premises</p> <p>177 samples taken</p> <p>86%</p>	<p>Uniform</p> <p>Uniform</p> <p>Uniform</p> <p>Sampling results spreadsheet</p> <p>Uniform</p>
<p><b>100% of responses (not simply acknowledgements) to service requests within 5 working days.</b></p> <p>5% of complaint investigations to be checked by management review</p>	<p>2.1.1</p> <p>2.2.2</p>		<p>100%</p>	<p>Uniform/Stats file</p> <p>Procedures</p>



100% pass rate on foundation courses.	3.1.1		95%	In house
90% pass rate on other courses.	3.1.1		N/A	WKC
Delegate satisfaction with courses.	3.1.1		N/A	WKC
Produce and deliver "Wise-up" to all commercial premises twice a year.	3.1.4		Accomplished	
Attend liaison meetings with the Health Protection Agency.	4.1.1		New meeting structure being developed	
Complete the annual programme of inspections of Council buildings in respect of both safety and fire risks.	5.1.1		Completed	Corporate H&S officer records
<b>Produce the Health and Safety Officer's annual report, including performance related information on work related accidents, injuries and ill-health</b>	5.1.2		In progress	
Co-ordinate and monitor the Council's potentially violent person's register and associated procedures.	5.1.4		Accomplished	Corporate H&S officer records and intranet.
Ensure the effective ongoing enforcement of smoke-free legislation	6.1.2		Accomplished	Smokefree file / UNIFORM and Smokefree England returns
Update the Service's enforcement policy to meet statutory requirements and best practice as identified by the Better Regulation Office	8.1.1		Accomplished	Envcom files