



SCRUTINY REPORT FOOD SERVICE

Author: Rob Llewellyn
Environmental Health Team Manager (Commercial)
☎ 01642 526574
✉ Rob.llewellyn@stockton.gov.uk

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INTRODUCTION: ENVIRONMENTAL HEALTH UNIT

The Environmental Health Unit within the Adults & Health Directorate provides an enforcement role for a wide range of Environmental Health functions. This covers the enforcement of legislation in respect of Food Safety, Infectious Disease Control, Health and Safety at Work, Public Nuisance, Pollution Control, Noise Control, Contaminated Land, Pest Control, Animal Welfare and Animal Health. The section also delivers Food Safety Training and Advice.

The Environmental Health Unit fulfils the Council's statutory duties with regards to these areas of work through inspection of premises, investigation of complaints and provision of advice and information.

The Unit is led by Stephen Donaghy, the Environmental Health Manager. Attached in Appendix 1 is a structure tree detailing position titles and photographs of all colleagues.

Links to articles regarding recent interview with Environmental Health Manager, Stephen Donaghy.

<https://www.stockton.gov.uk/news/2018/august/lions-in-freezers-ecoli-outbreaks-and-protecting-the-public-6-questions-answered-by-food-hygiene-expert/>

<https://www.gazettelive.co.uk/news/teesside-news/beetles-carvery-cockroaches-rotting-rat-15001237>

PURPOSE AND REASON FOR SERVICE

Who are the Food Standards Agency?

The Food Standards Agency (FSA) are an independent Government department working across England, Wales and Northern Ireland to protect Public Health and Consumers' wider interests in food. They make sure food is safe and is what it says it is. <https://www.food.gov.uk/>

Framework Agreement

The FSA provides local authorities with guidance and frameworks to ensure that we are consistent when enforcing the relevant food safety laws. These include Codes of Practice, the Framework Agreement and Practice Guidance. The Framework Agreement provides a means to implement the Food Standards Act to influence and oversee local authority enforcement activity.

The Agreement details:

- Publicly available local service plans to increase transparency of local enforcement services.
- Agreed feed and food law enforcement standards for local authorities.
- Enhanced monitoring data with greater focus on inspection outcomes and which provides more detailed information on local authority performance.

FSA Food Law Code of Practice

The Food Law Code of Practice gives instructions that Local Authorities must consider when enforcing food law. Stockton Borough Council follows and implements the relevant sections of the Code that apply. Lead and authorised officers possess relevant baseline qualifications as detailed in the Food Law Code of Practice and in accordance with the Code for Competent Authorities. As part of this there are competencies needed for these roles, which are specifically defined to enable effective implementation of food law. These competencies are unique to food law, therefore making it impossible for other sectors within the Council, or indeed within the department to take on any of these statutory functions.

https://signin.riams.org/files/display_inline/45497/Food-Law-CoP-Eng-01032017.pdf

Food Hygiene Rating Scheme (FHRS)

Statutory food hygiene inspections form the basis of the successful Food Hygiene Rating Scheme (FHRS). This national initiative introduced by the FSA ensures consumers are provided with accurate information on the hygiene standards in food businesses, and is highly regarded by businesses, residents and Members.

The scheme helps consumers choose where to eat out for food by giving them clear information about the businesses' hygiene standards. The FHRS is in partnership with local authorities in England, Wales and Northern Ireland. <https://www.food.gov.uk/safety-hygiene/food-hygiene-rating-scheme>

The FHRS gives businesses a rating from 5 – 0 which is displayed at their premises and online, this allows consumers to make informed choices about where to buy and eat food. The scheme is set out in law in Wales and Northern Ireland but display of the rating sticker is voluntary in England.

Food Hygiene Rating Scheme (FHRS)			
Score	Descriptor	Score	Descriptor
5	Hygiene Standards are very good	2	Some Improvement is necessary
4	Hygiene standards are good	1	Major improvement is necessary
3	Hygiene standards are generally satisfactory	0	Urgent Improvement is required

National Enforcement Priorities (NEP's)

The National Enforcement Priorities (NEP's) for animal feed and for food hygiene at the level of primary production are developed annually in consultation with:

- Local authority representative
- National Trading Standards
- Regional Feed Leads
- National Agriculture panel
- National Animal Feed at Ports panel members.

Incorporating the NEP's into a programme of official controls helps to maintain improvements in compliance levels by feed business operators through intelligence led enforcement. This aims to:

- Maintain a level playing field for honest and diligent businesses, which is in the interest of the feed industry as a whole
- Reduce unnecessary burdens on business by focussing the activity of local authorities on agreed areas of greatest threat to the human and/or animal health
- Create a flexible and effective intelligence – led approach to interventions, while maintaining appropriate levels of monitoring of compliance across England and Wales
- Realise our strategic goal of 'Food We Can Trust'
- Drive up the quality and consistency of official controls across England and Wales
- Safeguard animal and/or public health.

<https://www.food.gov.uk/sites/default/files/media/document/nepsenglandwales2018-2019.pdf>

Regulating Our Future (ROF)

Regulating Our Future (ROF) is a programme modernising the way food businesses are regulated. The system aims to be modern, risk based, proportionate, robust and resilient. For the UK to continue to be a strong and a credible player in the global food economy, the regulatory regime needs to keep pace with rapid change. Leaving the European Union will change patterns of food production, trade and consumption. This will require a flexible and responsive regulatory system.

<https://www.food.gov.uk/about-us/regulating-our-future>

LOCAL DELIVERY

Specific Food Safety Statutory Functions

Specific food safety statutory functions can be categorised into 'official controls', which include inspections, monitoring, surveillance, verification, audits and sampling. These official controls are used routinely during a range of interventions, which include the following:

Inspections linked to Food Hygiene Rating Scheme (FHRS)

It is a statutory requirement to undertake programmed food hygiene inspections and audits in accordance with the Food Law Code of Practice (England). Such interventions occur in all food premises, ranging from small scale retailers to large scale manufacturers that distribute food internationally. The officers in the team are highly committed and regularly work until late in the evening and at weekends to provide an effective service.

Officers are experienced at working in the field without supervision and have excellent links to food business owners. Following and during inspections, officers take a range of enforcement options from the provision of advice to formally closing businesses where an imminent risk of injury to health exists. Many inspections require additional revisits and monitoring visits to take place to ensure necessary improvements have been made. In circumstances where serious or continued breaches of food law are identified, further legal action is considered through the court system.

Request for Service (RFS)

Complaints regarding food or food premises are routinely investigated. Effective partnership working with agencies such as the FSA and other local authorities are often utilised, particularly in the event of a food alert or incident or if an investigation results in determining a wider public health issue. The full range of enforcement options are available during complaint investigations depending on the issues identified. Other examples of RFS include dirty premises, poor personal hygiene and handling practices and contamination of foodstuffs etc.

Sampling

Routine water, food and environmental sampling are carried out by the Environmental Health Commercial team. This statutory function is carried out in partnership with the Public Health England laboratory in York, responsible for the processing of samples. Sampling is also undertaken in response to complaints and investigations of suspected food borne diseases or outbreaks. This is a risk based approach and therefore requires much of the work to be undertaken in takeaways, mostly out of routine office hours. Officers have experience in formal sampling techniques, which is essential for using results in prosecution cases. Specific sampling surveys are routinely carried out, which are based on local and national intelligence.

River Tees Port Health Authority

Stockton-on-Tees Borough Council is a Riparian Authority of River Tees Port Health Authority. The Environmental Health Commercial team is specifically trained to provide cover for this work, including ship inspections, issuing ship sanitation exemption and control certificates and carrying out imported food controls.

Infectious Disease Control

There is a statutory obligation for the Environmental Health Commercial team to investigate notifiable diseases within the community. Such notifications are received via Public Health England. Investigations are carried out by experienced officers into single cases, clusters and outbreaks of food and/or water borne infectious diseases. Officers are effectively trained and knowledgeable to determine potential sources of infection, implement any necessary control measures and prevent the spread of infection. There is a memorandum of understanding concerning the role and responsibilities in outbreak setting with colleagues in PHE and other Local Authorities.

FOOD BUSINESS UNIT

The Food Business Unit is unique to local government and is a financially viable income generating entity. It has operated successfully within the Authority for 18 years, moving to the Environmental Health Commercial team in January 2006.

Education, advice and coaching are other means of working with businesses to achieve compliance. Although not statutory functions, these activities greatly contribute to effective service delivery, and increase the number of businesses achieving compliance from an early point, ultimately protecting public health. Also, by providing detailed advice and guidance, many food businesses are directed to the services of the Food Business Unit, which can generate income from training courses, the purchase of monitoring equipment such as probe thermometers and labels, and additional audits.

Food and Safety Business Advice

The training and advice given to businesses is now a core service offered by the Environmental Health Commercial team. The aim is to assist businesses to operate in a safe and hygienic manner and to steer them in the right direction. The Unit is proud to be business friendly and led by customers in the services that are offered.

Food Hygiene Training

The Unit delivers a variety of accredited and non-accredited training to address the needs of businesses within the borough of Stockton and also further afield. The Unit has excellent established links with local food trade, especially within the manufacturing and catering sectors.

Training topics covered include; Food Safety levels 1-4 (including bespoke courses for Stockton's Chinese and Kurdish businesses). HACCP, Allergen Awareness, Nutrition and Hand Hygiene.

Better Health at Work Award (BHAWA)

The BHAWA is delivered by co-ordinators from the Environmental Health Commercial team. The BHAWA covers the North East and Cumbria and recognises the efforts of local employers in addressing health issues within the workplace. The Environmental Health Commercial team receive funding from Public Health to deliver this project in Stockton-on-Tees.

Across the borough of Stockton a diverse range of businesses are engaged on the award scheme. The businesses are a mix of small, medium and large enterprises from the commercial, public and voluntary sectors. The award helps organisations promote healthy lifestyles and to consider the health of their employees in a structured and supportive manner, whilst providing recognition of their achievements.

Partnership Working

The Environmental Health Commercial team continues to develop links with Public Health colleagues to ensure future funded delivery in the fields of public health priorities, especially in addressing issues around diet, obesity and nutrition. The Unit has a track record of successful delivery on funded projects and has collaborated with a number of partner agencies during delivery of said projects.

STATUTORY RETURNS

Local Environmental Audit and Management System (LEAMS)

LEAMS is the annual statutory return from data collected and contributes towards the Performance Indicator for food safety inspections.

The duties and works carried out by the Environmental Health Commercial team forms the basis of the detail enclosed in the annual statutory return (LAEMS) submitted to the FSA. This is public access information and is often used to compare local authorities' food activities.

Table below detailing Comparators with other Tees Valley Local Authorities.

Comparators with other Tees Valley Local Authorities					
	Darlington Borough Council	Hartlepool Borough Council	Middlesbrough Council	Redcar & Cleveland Borough Council	Stockton on Tees Borough Council
Number of Premises	991	822	1260	1156	1630
Total Broadly Compliant %	96.21	99.20	96.15	96.53	97.76
Voluntary Closure (Food Premises)	4	1	3	7	11
Voluntary Surrender (of Food)	0	0	1	0	8
Hygiene Emergency Prohibition Notice (HEPN)	1	0	10	0	0
Simple Caution	4	0	0	7	2
Hygiene Improvement Notice (HIN)	1	2	3	1	0
Written Warnings (schedule of works)	180	312	84	315	463
Prosecution	0	0	4	4	2
Staff Numbers (FTE's)	0.65	4.56	3.35	3.00	3.30

SUMMARY

As you can see from the information provided in this report, the Food function is nationally directed and monitored, but we are allowed to focus on local initiatives and problems.

The Future

The Environmental Health Commercial team is an effective, hard working group, and has continued to meet statutory targets despite the team working under immense pressure due to the effects of the departmental service review, staff movement and staff maternity leave.

The vast majority of functions carried out by the Environmental Health Commercial team are statutory, and involve specific competencies for delivery.

The activities that are not statutory make a significant contribution to the generation of income, and the overall levels of business compliance. The Environmental Health Commercial team will continue to improve by the following measures:

- Continue to deliver statutory functions to protect public health, and Stockton-on-Tees Borough Council be seen as a competent authority.
- Continue to operate FHRS effectively by completing the statutory inspection programme, which will be critical once legislation is in place in England for mandatory display of ratings.
- Introduction of charges to businesses for carrying out FHRS re-inspections (already effective).
- Continue to support businesses at an early stage to improve and maintain levels of compliance.
- Further develop links with public health colleagues to deliver funded projects to address wider public health issues (such as diet, obesity and nutrition).
- Continue and build the Better Health at Work Award scheme to improve the health of employees across the borough.

GLOSSARY

Links to Interview with Environmental Health Manager, Stephen Donaghy.

<https://www.stockton.gov.uk/news/2018/august/lions-in-freezers-ecoli-outbreaks-and-protecting-the-public-6-questions-answered-by-food-hygiene-expert/>

<https://www.gazettelive.co.uk/news/teesside-news/beetles-carvery-cockroaches-rotting-rat-15001237>

Food Standards Agency

<https://www.food.gov.uk/>

Food Law Code of Practice (England)

https://signin.riams.org/files/display_inline/45497/Food-Law-CoP-Eng-01032017.pdf

Food Hygiene rating Scheme (FHRS)

<https://www.food.gov.uk/safety-hygiene/food-hygiene-rating-scheme>

National Enforcement Priorities for England and Wales 2018-2019

<https://www.food.gov.uk/sites/default/files/media/document/nepsenglandwales2018-2019.pdf>

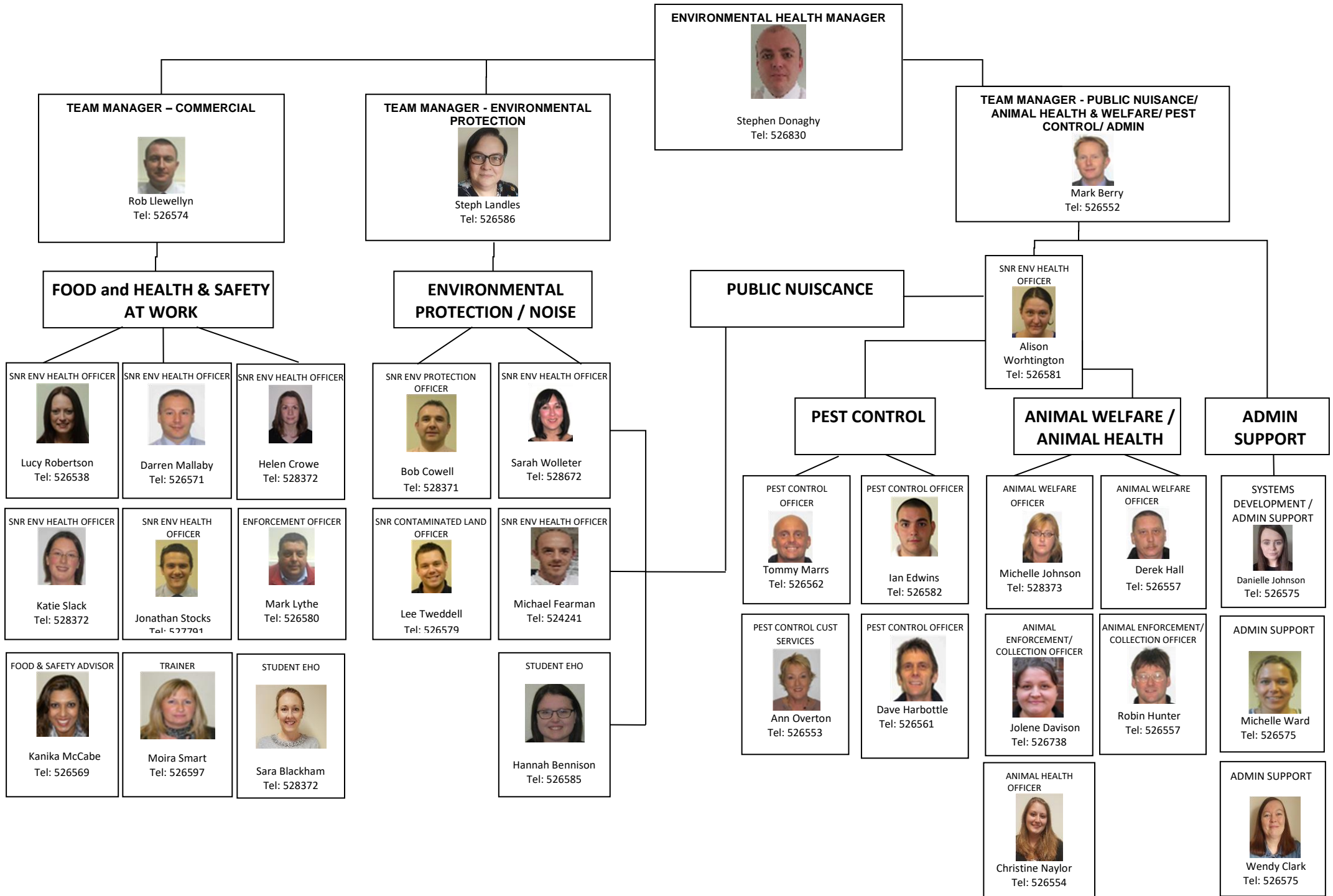
Regulating Our Future (ROF)

<https://www.food.gov.uk/about-us/regulating-our-future>

APPENDICIES

APPENDIX 1

Environmental Health Unit Team Structure




ENVIRONMENTAL HEALTH MANAGER



Stephen Donaghy
Tel: 526830

TEAM MANAGER – COMMERCIAL



Rob Llewellyn
Tel: 526574

TEAM MANAGER - ENVIRONMENTAL PROTECTION



Steph Landles
Tel: 526586

**TEAM MANAGER - PUBLIC NUISANCE/
ANIMAL HEALTH & WELFARE/ PEST CONTROL/ ADMIN**




Mark Berry
Tel: 526552

FOOD and HEALTH & SAFETY AT WORK

ENVIRONMENTAL PROTECTION / NOISE

PUBLIC NUISANCE

SNR ENV HEALTH OFFICER




Alison Worthington
Tel: 526581

PEST CONTROL

ANIMAL WELFARE / ANIMAL HEALTH


ADMIN SUPPORT

SNR ENV HEALTH OFFICER




Lucy Robertson
Tel: 526538

SNR ENV HEALTH OFFICER




Darren Mallaby
Tel: 526571

SNR ENV HEALTH OFFICER




Helen Crowe
Tel: 528372

SNR ENV PROTECTION OFFICER




Bob Cowell
Tel: 528371

SNR ENV HEALTH OFFICER




Sarah Wolleter
Tel: 528672

PEST CONTROL OFFICER



Tommy Marrs
Tel: 526562

PEST CONTROL OFFICER



Ian Edwins
Tel: 526582

ANIMAL WELFARE OFFICER



Michelle Johnson
Tel: 528373

ANIMAL WELFARE OFFICER




Derek Hall
Tel: 526557

SYSTEMS DEVELOPMENT / ADMIN SUPPORT



Danielle Johnson
Tel: 526575

SNR ENV HEALTH OFFICER



Katie Slack
Tel: 528372

SNR ENV HEALTH OFFICER




Jonathan Stocks
Tel: 527791

ENFORCEMENT OFFICER



Mark Lythe
Tel: 526580

SNR CONTAMINATED LAND OFFICER



Lee Tweddell
Tel: 526579

SNR ENV HEALTH OFFICER



Michael Fearman
Tel: 524241

PEST CONTROL CUST SERVICES



Ann Overton
Tel: 526553

PEST CONTROL OFFICER



Dave Harbottle
Tel: 526561

ANIMAL ENFORCEMENT / COLLECTION OFFICER



Jolene Davison
Tel: 526738

ANIMAL ENFORCEMENT / COLLECTION OFFICER



Robin Hunter
Tel: 526557

ADMIN SUPPORT



Michelle Ward
Tel: 526575

FOOD & SAFETY ADVISOR




Kanika McCabe
Tel: 526569

TRAINER



Moirra Smart
Tel: 526597

STUDENT EHO



Sara Blackham
Tel: 528372

STUDENT EHO



Hannah Bennison
Tel: 526585

ANIMAL HEALTH OFFICER



Christine Naylor
Tel: 526554

ADMIN SUPPORT



Wendy Clark
Tel: 526575

