



Summary Report

Evaluation of Inter-Authority and Peer Review Processes Carried Out by Local Authorities in Relation to Feed and Food Law Enforcement Services in England

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Foreword

Audits of local authorities' (LAs) feed and food law enforcement functions are part of the Food Standards Agency's arrangements to improve consumer protection and confidence in relation to food. These arrangements recognise that the enforcement of UK feed and food law relating to feed and food safety, hygiene, composition, labelling, imported food and feeding stuffs is largely the responsibility of local authorities. These local authority regulatory functions are principally delivered through Environmental Health and Trading Standards Services. The Agency's website contains enforcement activity data for all UK local authorities and can be found at: www.food.gov.uk/enforcement/auditandmonitoring

The main aim of the audit scheme is to maintain and improve consumer protection and confidence by ensuring that local authorities are providing an effective feed and food law enforcement service. The scheme also provides the opportunity to identify and disseminate good practice and provide information to inform Agency policy on food safety, standards and feeding stuffs. Parallel local authority audit schemes are implemented by the Agency's offices in all the devolved countries comprising the UK.

The power to set standards, monitor and audit feed and food law enforcement authorities was conferred on the Food Standards Agency (FSA) by the Food Standards Act 1999. The Agency's audits of LAs are undertaken under section 12(4) of the Act.

Agency audits assess local authorities' conformance against the Food Law Enforcement Standard ("The Standard"), which was published by the Agency as part of the Framework Agreement on Local Authority Food Law Enforcement and is available on the Agency's website at:

www.food.gov.uk/enforcement/enforcework/frameagree/. It should be acknowledged that there will be considerable diversity in the way and manner in which local authorities may provide their food enforcement services reflecting local needs and priorities.

Further information on the Agency's LA audit scheme, including Questions and Answers on the operation of the scheme and details of good practice identified during audits, is available on the Agency's website at: www.food.gov.uk/enforcement/auditandmonitoring

Contents

	Foreword	ii
1	Background	1
	1.1 Introduction	1
	1.2 Context and rationale for the audit programme	2
	1.3 Scope of the audit programme	3
	1.4 Key objectives of the audit programme	4
	1.5 Audit methodology and design	4
2	Executive Summary	5
3	Summary of Findings	7
	3.1 Inter-Authority Audit (IAA) Schemes	7
	3.2 IAA process and delivery	8
	3.3 Resource implications	9
	3.4 IAA outcomes	10
	3.5 Good practice	12
4	Peer Review – Peer Challenge	14
5	Conclusions	17
6	Perceived advantages and disadvantages of IAA	18
7	Issues for LAs to consider for IAA planning development and implementation	19
	Annexes	
	I Audit Programme Logic Model	23
	II Audit Methodology and Design	24
	III Local Authorities Audited	25
	IV Summary Report Circulation	26
	V Glossary	27
	VI Acknowledgements	28

1. Background

1.1 Introduction

- 1.1.1 It has long been recognised and confirmed by previous local authority audit programmes carried out by the Food Standards Agency (FSA), that effective peer review mechanisms, including Inter-Authority Audit (IAA) schemes, can promote continual self improvement, consistency and better regional and local liaison between authorities. In addition, such activities can facilitate the identification and sharing of good practice. There is significant potential therefore for robust IAA schemes to play an important role in improving the effectiveness of local authority feed and food law enforcement services.
- 1.1.2 A UK wide consultation and review of the Agency's audit arrangements of local authority enforcement of feed and food controls was undertaken in 2007/2008. Outcomes from this review indicated that LAs wanted IAA and other peer review schemes to be factored into the Agency's audit approach and to influence the selection of authorities for the Agency's audit programmes. A partnership approach could offer a potential means of meeting national and European requirements for local authority audit, with a more self-regulating and sustainable model for qualitative performance monitoring. It is envisaged, therefore, that Agency decisions on local authority selection for audit could take into account the findings from robust IAA and other peer review schemes and local authorities that choose to participate in such schemes may therefore be a lower priority for central audit.
- 1.1.3 In order for the Agency to gain assurance from IAA schemes, these would have to be sufficiently reliable to ensure that:
- They consistently and effectively identified any areas of improvement required in relation to each audited authority's food service
 - Once identified, any necessary improvements at each participating authority were implemented effectively in a timely manner.
- 1.1.4 The Agency is aware that documented guidance could be beneficial in order to assist and support local authorities in the design and development of future IAA programmes that are sufficiently robust to assure the Agency of their validity and value. The purpose of any guidance would be to promote consistency between IAA schemes and to maximise the effective use of local authority resources dedicated to the development and implementation of IAA programmes.
- 1.1.5 Against this background, a focused audit programme was developed to explore current IAA schemes across a sample of food liaison groups, with a view to identify any significant issues arising from existing schemes together with any areas of good practice which could inform the development of IAA guidance.
- 1.1.6 This summary report records the key findings from this programme of audits, which focused on the evaluation of IAA and peer review processes. Audits, in the form of desktop documentation reviews, took place between October and December 2009, and 4 food liaison groups, comprising a total of 34 authorities, participated in the programme.

1.1.7 In addition:

- Verification visits were made to 9 of the audited local authorities which had actively participated in their food liaison group IAA
- 1 further food liaison group was consulted regarding their findings from a previous local IAA scheme and the development of a forthcoming expanded programme
- Informal discussions were held with 2 local authorities who had recently participated in the Local Better Regulation Office (LBRO) Regulatory Service Peer Challenge programme.

1.1.8 After the completion of each of the local authority desktop audit reviews and 9 verification visits, an individual report or letter outlining audit findings was sent to each LA. This audit focused on the implementation of local IAA programmes and considered how recommendations for improvement arising from each IAA were addressed. Formal audit recommendations for improvement were not made during this audit programme. This report summarises the key findings of the programme, good practice identified and at Section 7, what is hoped will provide practical guidance to assist LAs in the design and implementation of future IAA programmes.

1.2 Context and Rationale for the Audit Programme

1.2.1 The European Commission audit guidelines provide guidance¹ on the nature and the implementation of audit systems by national competent authorities. The guidelines state that the purpose of audit systems is to verify whether official controls relating to feed and food law are effectively implemented and are suitable to achieve the objectives of relevant legislation.

1.2.2 Under Article 4(6) of Regulation (EC) No. 882/2004 competent authorities of European Union (EU) Member States, mainly LAs in the United Kingdom are required to carry out internal audits or be subject to external audits to ensure that they are achieving the food control objectives of that Regulation.

1.2.3 The audit guidelines provide specific guidance on the nature of the audit process and key criteria which are essential for any audit to meet the requirements of the above Regulation, namely:

- Systematic approach
- Transparency
- Independence
- Independent scrutiny of the audit process.

1.2.4 Any IAA scheme which was broadly consistent with these guidelines could provide the Agency with a high level of assurance on the delivery of official feed and food controls in participating LAs and could therefore influence the nature and extent of future Agency audit activity in relation to those LAs.

1.2.5 This audit programme was developed by the FSA's Audit and Policy Branch to explore and evaluate current IAA schemes across a sample of food liaison groups to

¹ Commission Decision: 'Guidelines laying down criteria for the conduct of audits under Regulation (EC) No. 882/2004 of the European Parliament and of the Council on official controls to verify compliance with feed and food law, animal health and animal welfare rules': http://eur-lex.europa.eu/LexUriServ/site/en/oj/2006/l_278/l_27820061010en00150023.pdf

assess their validity and value in providing a true assessment of feed and food law enforcement work carried out by the participating LAs; and whether they met requirements of the Standard in the Framework Agreement, the Food Law Code of Practice and official guidance, especially in the effective implementation of Official Controls.

- 1.2.6 A partnership approach between the Agency and LAs which encourages, expands and supports existing local mechanisms for audit, self assessment and peer review offers a potential means of meeting national and European requirements for local authority audit with a more self-regulating and sustainable model for qualitative performance monitoring.
- 1.2.7 Such an approach would be consistent with the wider government shift towards reducing the burden of central audit, with greater responsibility for performance monitoring devolved to local authorities.
- 1.2.8 Where LAs dedicate valuable resources to peer review activities, it is important that these are used to best effect with demonstrable outcomes that lead to more efficient and effective service delivery. The Local Better Regulation Office (LBRO) Peer Challenge² programme is aimed at helping local authority regulatory services identify, assess and address successes and areas for improvement through self-assessment against an Excellence Framework, followed by a process of external challenge. As part of the bigger picture directly relevant to IAA, the Agency has taken account of the Peer Challenge programme with the purpose of identifying areas of feed and food law enforcement services where IAA can complement and operate alongside this peer review system - *(further information on the Peer Challenge Programme is included in Chapter 4)*.

1.3 Scope of the Audit Programme

- 1.3.1 The audits covered all activities relevant to the individual IAAs carried out by the audited local authorities. The scope, aims and objectives of the audit programme are summarised in the audit programme logic model³ in Annexe I.
- 1.3.2 Initially 4 food liaison groups across England were selected to participate in this audit programme as they had recently undertaken IAAs which were generally found to be beneficial by the participating LAs. Every authority in each food liaison groups was asked to provide documentation to facilitate a desktop audit review of their recent IAA. Some authorities from each food liaison group were then selected for an audit verification visit based on the following considerations:
 - LAs that had not been previously audited by the Agency
 - The scope and extent of the IAA that had been completed
 - Selection to ensure a reasonably representative spread of LAs across the 4 food liaison groups

² <http://www.lbro.org.uk/docs/regulatory-services-peer-challenge.pdf>

³ A systematic and visual method of presenting and understanding the relationships between the inputs and resources planned activities and expected changes or outcomes relating to the audit programme.

- A number of local authorities volunteered for audit as they were keen for this area to be looked at in more depth.

1.3.3 To add further value to the audits, the programme also included:

- Informal discussions with a food liaison group which had volunteered to assist the Agency with this audit programme and was in the process of developing a comprehensive IAA scheme for their region
- Informal discussions with 2 local authorities which had voluntarily participated in the Peer Challenge pilots
- A review of responses from local authorities involved in this audit programme to a questionnaire on the process of IAA.

These views have been summarised throughout the report and any issues emerging from these discussions have been included. It should be noted that the subjective opinions gained from the discussions may not necessarily be consistent with the objective findings from the audits detailed in the report.

1.4 Key Objectives of the Audit Programme

1.4.1 The audit programme and associated discussions sought to:

- Evaluate the frameworks of the current IAA schemes to identify any perceived strengths and weaknesses
- Examine the outcomes of the IAAs to assess how effective they were in identifying required improvements and ensuring that remedial actions were implemented
- Identify any areas of good practice within existing IAA schemes
- Gain wide ranging views on the setting up of IAA schemes; training of auditors; resources deployed; the IAA process and its outcomes
- Examine the Peer Challenge scheme to assess its relevance to audits of feed and food law enforcement service delivery and to consider how IAA schemes could most beneficially operate alongside this peer review system
- Inform the production of guidance for LAs to assist with the development of robust IAA schemes.

1.5 Audit Methodology and Design

Details of the audit methodology used during the audits are set out in Annexe II.

2. Executive Summary

- 2.1 Many local authorities participate in Inter-Authority Audit (IAA) schemes as a means of benchmarking their feed and food law enforcement services against neighbouring authorities in their food liaison groups (FLGs). There is a considerable variety of approaches to IAA, both in the way the schemes are developed and implemented, and in the outcomes.
- 2.2 Although authorities, in general, found their schemes to be beneficial, there was little consistency in the production of action plans to address IAA findings or any systematic procedures to ensure that audit recommendations were implemented.
- 2.3 The main benefits identified from participating in IAA included service improvements, closer working relationships with colleagues from neighbouring authorities and the identification and dissemination of good practice.
- 2.4 Although IAA is widely seen as a resource intensive activity, the majority of authorities reported that they would want to continue with the process, particularly if the Agency accepted IAA as being valid and relevant when considering the selection of LAs for central audit on a risk basis. The authorities generally recognised, however, that to inform that level of assurance, IAA schemes would have to be consistently robust and effective with evidence that they were successful in identifying problems or areas requiring improvement in feed and food services and ensuring that appropriate remedial actions were implemented in a timely manner.
- 2.5 As a result of reviewing the successes and areas for improvement in their current or previous IAA schemes, some food liaison groups were expanding their schemes to make them more structured and formal, with dedicated working groups overseeing the process. Key proposed changes included a defined process for developing action plans and monitoring their implementation to ensure that the IAA led to sustainable service improvements.
- 2.6 There was clear evidence of good practice demonstrated by local authorities in relation to IAA and this has been highlighted in the report in section 3.5.
- 2.7 As an increasing number of authorities were taking part in the Local Better Regulation Office (LBRO) Peer Challenge process, this audit programme also considered if IAA could successfully operate alongside this initiative to complement the scheme and prevent duplication of effort while maximising the use of LA resources.
- 2.8 Fact finding discussions with some authorities that participated in the pilots for Peer Challenge indicated that the in depth self assessment followed by a searching, structured and evidence based external review required by this scheme, constituted a robust examination of the food service, which culminated in the production and implementation of an improvement plan.
- 2.9 The Excellence Framework that underpins the Peer Challenge scheme covers the main areas that comprise a robust service infrastructure, and therefore forms a good benchmark for general service review. However, it does not include reality checks of the files and records of front-line service activities to

determine whether, in practice, officers are implementing the service procedures appropriately and achieving outcomes in accordance with legislation and official guidance.

- 2.10 The Agency fully supports both IAA and Peer Challenge and it is the intention that information from both these schemes be utilised to gain assurance on the delivery of food law enforcement services and consequently to inform the risk based selection of authorities for audit by the Agency and the type of audit that is undertaken.
- 2.11 In order to assist local authorities, the Agency will continue to work alongside LBRO and other regulators on several initiatives aimed at improving regulatory services while maximising the effective use of local authority resources. The Agency is keen to explore any other initiatives that may supplement the Peer Challenge programme and fill the information gap at service delivery level. The outcomes of this focused programme on IAA will be factored into future discussions.
- 2.12 Section 7 summarises the issues that LAs may wish to consider when developing IAA schemes to ensure that they broadly meet European Commission audit guidelines. These issues have been drawn from the audit programme, from discussions with LA officers and the detailed responses provided by local authorities to structured questions exploring IAA. It is hoped that these will provide helpful and practical guidance for individual authorities and food liaison groups that are considering implementing an IAA programme in respect of their feed and food services.
- 2.13 Based on the findings of this audit programme, the Agency will produce an IAA toolkit of document templates to further assist FLGs and LAs in the practical aspects of the IAA process.

3. Summary of Findings

3.1 Inter-Authority Audit Schemes

- 3.1.1 The schemes examined as part of this audit programme varied greatly both in structure, format and overall management. In some Food Liaison Groups (FLGs) the IAA development and implementation was overseen at a strategic level with full commitment and support from senior management. Audit findings indicated that involvement by Heads of Service made the schemes more sustainable, as their support ensured that appropriate resources were made available to complete the individual audits. There was no direct elected Member involvement in the planning or execution of the IAA schemes. However, some local authorities (LAs) made Members aware of the process during routine meetings with senior management, and where Member approval was sought for service plans that included IAA schemes in planned service delivery. Auditors were advised that senior managers and Members were generally very supportive of IAA schemes as they were seen as an opportunity to raise the profile of the service and to effect service improvements.
- 3.1.2 Some of the FLGs had set up dedicated working groups for managing the IAA scheme, with a clear allocation of tasks and close control over the processes. Every LA in the FLG was represented in these groups, with the nominated officers either managing the process at a strategic level or having the responsibility for carrying out the audits. Other FLGs managed the IAA process by allocating tasks to individual members who took the lead on coordinating the project and developing the audit schedule, while the responsibility for completing the IAA rested with the group as a whole. In FLGs where authorities enforced food hygiene, food standards and feeding stuffs legislation, the dedicated IAA working groups comprised representatives of each profession.
- 3.1.3 Typically, the schemes required the participation of all the LAs in the FLG, although in some cases it was agreed that LAs would instead continue to rely on their individual independently assessed external accreditation audit schemes. The majority of IAA schemes examined in this audit programme were not fully sustainable with some LAs either opting out of the scheme at its inception; not completing their agreed programmed audits due to lack of resources or not producing timely reports on audit findings, contrary to agreed FLG protocols. The most sustainable schemes were closely project managed with specific agreed timescales for each action in the process, whereas the less formal schemes were not as successful in achieving a high level of timely LA participation.
- 3.1.4 In the majority of cases the scope of the IAA was agreed by the FLG, although for some the decision required ratification by the Heads of Service Group. In most cases, however, participating LAs ensured that their Head of Service was aware of the process and any resource implications.
- 3.1.5 There was considerable variation in the scope and therefore the scale of individual IAA schemes. All the schemes audited against the Standard in the Framework Agreement of LA Food Law Enforcement, with some FLGs planning to cover one third of the Standard each year over a 3 year rolling programme. Other FLGs carried out regular IAAs, selecting the scope each time following suggestions and discussion within the groups and limiting the audits to narrow areas of the service.

In all cases, however, the focused audits were aimed at providing in-depth examination of core service areas.

- 3.1.6 The selection of auditors was generally based on their skills and experience in relation to food law enforcement and auditing, although some FLGs required lead assessor qualifications or equivalent. Most frequently the nominated auditors were either the food team managers or the lead food officers, on the basis of their experience and practical knowledge of relevant procedures and practices. Some FLGs required participating LAs to nominate 2 auditors to cover in case of sickness absence. In practice the nominated auditor for an authority also took the role of audit liaison officer when their authority was audited.
- 3.1.7 The majority of schemes relied on individual auditors auditing another LA within the FLG either on a reciprocal basis within a set pairing or as part of a 'round robin' system to ensure rotation of auditors with no reciprocal audits. Two of the schemes examined required 2 auditors from different authorities for each audit, with clearly defined roles for the lead and second auditors.
- 3.1.8 In general the IAA process was discussed and finalised at FLG meetings, although some schemes had produced more formal terms of reference and/or audit guidelines to aid auditor consistency. One FLG also provided half a day of instruction and practical audit training every year for every new auditor participating in the scheme. Where 2 auditors carried out each IAA, every auditor had to gain experience as the second auditor on at least 2 occasions before acting as lead auditor. Where no additional training was provided for auditors, one FLG arranged opportunities on request for shadowing another auditor before undertaking the IAA.
- 3.1.9 FSA auditors were advised that in general the IAA schemes had not resulted in any significant disputes between authorities. Minor differences of opinion about the IAA scheme, working practices, report formats and resources were all successfully resolved without the need for arbitration.
- 3.1.10 Where a review of the IAA process was built into the scheme, this was found to be very useful both for improving the process and for evaluating the work already completed. The review, generally included in a summary report on the scheme, enabled FLGs to highlight any beneficial outcomes so that these could be reported within individual LAs, thus raising awareness with senior management.
- 3.1.11 Interviews and discussions with LA officers considered the perceived advantages and disadvantages of IAA. Information was also gathered from completed questionnaires received from LAs participating in the audit programme. A collated summary is provided in Section 6.

3.2 IAA Process and Delivery

- 3.2.1 The individual audits within the IAAs were scheduled by mutual agreement between the participating authorities. In all the schemes examined as part of this programme, the audits comprised an initial review of documentation supplied by the audited authority, followed by an on-site audit comprising file and record checks and discussions with officers.
- 3.2.2 Each scheme used FSA audit documentation for the IAA audits, although some FLGs customised the central audit documents to meet the specific requirements of the local scope of each IAA.

- 3.2.3 The FSA audit pre-visit questionnaire, protocols and checklists were generally utilised and adapted although some schemes had also used other FSA audit templates, including the on-site audit timetable and report formats as a basis for developing their own documentation.
- 3.2.4 Although the audit process was generally common to all schemes, the reporting stage, where the findings of the IAA were notified to the audited authorities, varied greatly between the schemes examined.
- 3.2.5 In each case, the audit findings were provided to the audited authority verbally on the day and then in writing. This however, ranged from merely supplying the audited authority with copies of completed audit checklists or a short summary of the findings, to the production of a detailed draft report to a nominated officer on a prescribed template to an agreed timetable. However, even where prescribed timescales were set, authorities were not always able to adhere to them, therefore delaying the completion of the IAA and/or the production of the summary report, where one was scheduled.
- 3.2.6 Summary reports of the IAA schemes were produced by 2 of the audited FLGs and submitted to the relevant Chief Officers Groups. These contained evaluations of the programmes, audit recommendations and a summary of identified good practice. Where summary reports were not produced, the Chief Officers Groups were kept informed about ongoing IAA programmes as part of regular communication with the FLGs.

3.3 Resource Implications

- 3.3.1 Authorities participating in this audit programme were asked to provide information about the impact of carrying out an IAA programme on staffing resources. In general LAs found the process to be very resource intensive, especially at small authorities, although some authorities thought the impact to be less significant and therefore manageable within their annual work plan. Most individual audits required 2 full days of auditor time, one for the pre-visit desktop assessment of documentation and one for the actual on site audit. In addition, as most auditors acted as the audit liaison officer for the audit of their authority, an additional day was required. Another half a day was generally needed for follow-up discussions and to prepare the documented findings or report.
- 3.3.2 Overall, the most significant reported impact on resources related to the development of the IAA process and associated meetings of the FLG or dedicated planning/implementation groups. The greatest burden fell on individuals who had volunteered for IAA preparation and coordination, especially where this was not carried out by a planning group representing all or several of the authorities in the FLG but fell to individual officers.
- 3.3.3 Authorities generally reported that the initial time input for setting up an IAA programme was considerable, as was the implementation of the scheme in its first year. Typically though, authorities confirmed that the time resource required for completing the IAA in subsequent years was considerably reduced as all the initial development work had been completed and the infrastructure was therefore in place. In addition, the time spent on individual audit preparation, execution and reporting was reduced as officers gained experience and became more familiar with the documentation and the process.

- 3.3.4 Most authorities reported that the allocation of resources to IAA was generally cost effective due to the benefits gained. In addition, the majority of views expressed confirmed that LA senior management would be more likely to support the resourcing of IAA if the schemes were taken into account by the Agency as part of the selection process of local authorities for central audit.

3.4 IAA Outcomes

- 3.4.1 Of the schemes examined, one required individual action plans to be produced by the audited authority to address the findings of the audit, which had to be sent to the auditor for agreement. However, some of the authorities failed to produce action plans following their audits, despite reminders from the IAA coordinators. Following reviews of their processes, 3 of the schemes proposed a requirement for individual action plans during their next scheduled tranche of audits.
- 3.4.2 In all cases the responsibility for identifying and implementing corrective actions to address IAA recommendations rested with the audited authority. Progress with implementation of corrective actions was generally discussed at FLG meetings but there were, on the whole, no specific mechanisms to ensure remedial action had been taken or to monitor an authority's progress towards implementing any improvements in a timely manner. The majority of the schemes proposed to formalise the action plan process in future phases of the schemes and to introduce more structured processes to review the progress of action plans in a transparent manner.
- 3.4.3 Some of the FLGs openly shared the individual audit findings which enabled discussion of the identified strengths and weaknesses at FLG meetings, to identify both good practice and areas where joint working may be beneficial. However, in some cases LAs were not prepared to share audit findings and these remained confidential within the audit pairings. Where this was the case, progress in implementing improvements was only discussed in general terms at the FLG meetings.
- 3.4.4 It was evident from Agency verification of the IAA programmes that there was little consistency in the way LAs addressed audit findings. Where the IAA did not require the production of action plans, some LAs had taken the initiative and developed them in order to ensure that all the audit recommendations were included in the service's work programme and were actioned without delay. Other authorities, for reasons usually linked to resources, did not take action to address audit findings and some did not produce action plans despite them being an agreed element of the scheme. There was a great deal of variation within FLGs in how diligent individual authorities were in using the IAA scheme to effect service improvements, which affected the robustness and validity of the schemes. The unstructured nature of some schemes and the lack of transparency in sharing findings among the participating authorities made it difficult to ascertain the level of benefit and assurance that was gained from the process.
- 3.4.5 Where there was a requirement to report the summary of the IAA to senior management groups, there appeared to be a greater impetus to complete the IAA programme and more incentive for individual authorities to meet the audit deadlines set by their FLG and to address any audit recommendations.

3.4.6 All the FLGs audited and consulted as part of this focused audit programme confirmed that they would be continuing with IAA schemes in the foreseeable future, as they found the process to be useful and positive. Key perceived benefits included:

- The sharing of good practice between authorities
- Officers increasing their skills while gaining experience of auditing
- Improved consistency across the FLG
- The opportunity to have an external review of the service
- Increased cooperation between authorities and professions
- Raising the profile of the food service within each authority.

3.5 Good Practice

Berkshire FLG

- The Group had planned and agreed a 3 year rolling programme requiring the participation of all member authorities, with the aim that each would be audited against the whole of the Standard over the 3 year period
- A structured audit procedure had been developed which listed the process stages and documentation to be used during the audits
- The FLG intended to submit a summary report of the IAA to the Berkshire Environmental Health Manager's Group at the end of the programme
- The IAA and its implementation was a standing item on the FLG agenda.

Derbyshire Chief Environmental Health Officers FLG

- A 'round robin' system was used for auditor allocation to ensure that no reciprocal audits were undertaken
- The FLG had included the IAA and its process, including timescales, in their annual business plan
- A summary report containing an evaluation of the IAA was produced and submitted to the Derbyshire Chief Environmental Health Officers Group at the end of the programme
- As the IAA focused in depth on authorisation and training, the FLG further developed the FSA checklist to exceed the requirements of the Food law Code of Practice in order to enable a highly detailed focused audit.

Humber Authorities FLG

- The Humber Chief Environmental Health and Trading Standards Officers Group agreed the commitment of resources needed to complete the IAA
- Dedicated working groups were set up to manage the IAA process from inception to completion. The Steering Group provided the high level management of the process and selected an Implementation Group that delivered the IAA under its direction
- The working groups comprised a mix of Environmental Health Officers and Trading Standards Officers to ensure both professions took part in the programme and the joint input of professional expertise
- The Steering Group guidance documents and the Implementation Group's terms of reference provided a formalised structure to the IAA process which was completed to an agreed timetable.
- The audit programme was planned to ensure that there was a rotation of authorities to be audited, with no reciprocal audits undertaken
- At the conclusion of the programme the Implementation Group collated the IAA findings in a summary report to the Steering Group, which then produced a final report with strategic recommendations to the Humber Chief Environmental Health and Trading Standards Officers Group.

Lancashire FLG

- The FLG had reviewed its IAA process and developed a more formal system with a documented policy and procedure for the process and a requirement for individual written audit reports containing recommendations and any good practice
- The Group had planned a 3 year rolling programme, with the aim that each authority would be audited against all the FSA 'full audit' checklists over the 3 year period
- All audits were conducted by 2 auditors from adjacent authorities, with one officer taking the role of lead auditor. No reciprocal audits were undertaken
- To help ensure auditor competency, the scheme required auditors to undertake at least 2 audits as second auditor before taking on the lead auditor role.
- A half a day of instruction and practical audit training was provided for all new and inexperienced auditors every year
- Under the recently revised scheme a structured process for the production and agreement of individual audit action plans has been introduced

South West of England Regional Coordination of Trading Standards (SWERCOTS)

- SWERCOTS had reviewed its previous IAA scheme and set up a separate Steering Group to develop a more formal IAA process which has been endorsed by all the Heads of Service
- The new scheme includes a detailed work programme and prescribed timescales
- All audits are to be conducted by 2 auditors, with one being nominated as the lead auditor. The audit programme has been designed to ensure that there are no reciprocal audits
- Annual auditor training will be provided together with additional auditor support through structured mentoring arrangements
- The detailed IAA protocol details each step of the audit process, including confidentiality issues, reporting arrangements and the development of action plans which are to be reviewed on a 6 monthly basis.
- An annual review of the IAA process is to be undertaken in the form of an annual published report to the SWERCOTS Strategy and Policy Group, identifying strengths and weaknesses of local procedures and collating examples of best practice.

4. Peer Review – Peer Challenge⁴

- 4.1 The Regulatory Services Peer Challenge process is aimed at helping local authorities consider their own performance and identify and assess service successes and areas for improvement. It consists of 2 key elements:
- Self assessment against a framework of excellence in regulatory services
 - An external challenge of the effectiveness of that self assessment by peers.
- 4.2 The framework which underpinned the process was designed specifically to aid self assessment and had 4 central themes:
- Leadership strategies and communication
 - Customer and community focus and engagement
 - Resource, activity and people management
 - Achieving outcomes effectively and sustainably.
- 4.3 Although the framework was not prescriptive in how a service was organised, it provided guidance on achieving excellence in service provision. Each main theme was broken down further into detailed criteria and probes that described excellence in specific areas of service delivery. These criteria were used by authorities, who volunteered for this scheme, to carry out an internal appraisal of their service against the framework and enabled the capture of findings in a draft improvement plan which was then subject to external peer challenge. This took the form of a structured constructive examination of the evidence behind the self assessment to determine its accuracy and consequently whether the draft improvement plan was robust and effective.
- 4.4 The team of 3 ‘peer challengers’ was composed of 2/3 regulatory service managers from different LAs and an elected Member from the Improvement and Development Agency for Local Government. Their findings which could include suggested changes to the draft improvement plan were reported back to the challenged authority. The peer challenge team also looked for any areas of excellent practice which were reported back to Local Authorities Coordinators of Regulatory Services (LACORS) and LBRO for national dissemination.
- 4.5 Once the final improvement plan was agreed, the authority itself was responsible for its implementation and review, although the ‘peer challengers’ could be invited back to the authority for an external review of how the implementation was progressing.
- 4.6 Comprehensive training was provided both for the officers carrying out self assessments and for the peer challengers.
- 4.7 A key aim of the FSA audit programme was to consider and assess the relevance of the peer challenge process to central audits of feed and food law enforcement service delivery and to IAA schemes in order to determine how IAA schemes could most beneficially operate alongside this peer review system. Informal discussions were therefore held with 2 authorities that had volunteered to take part in the pilots for the peer challenge process.

⁴ <http://www.lbro.org.uk/docs/regulatory-services-peer-challenge.pdf>

4.8 The key issues emerging from these discussions included:

- The process was a voluntary commitment by authorities that wanted to have their services externally reviewed by peers at a convenient time and without the formality of an external audit
- The self assessment and consequent review by peer challengers was evidence based and not solely reliant on the opinions of managers. The process required a level of transparency which would prevent the concealment of any problems within the service from the challengers
- The self assessment and peer challenge involved interviews with focus groups that examined the service from different angles to fully interrogate the systems. These groups comprised staff from across all tiers of the organisation. Officers were able to present a critical analysis of systems that senior management may report as working efficiently.
- The excellence framework does not exclusively consider the strategic aspects of the service but includes key service areas essential to a robust infrastructure for effective food service delivery, closely matching many of the requirements in the Standard
- The process was a valuable learning exercise for staff who were given the opportunity to consider areas of the service normally outside their remit
- The excellence framework looked at the culture of the service and staff attitude
- The training for the scheme highlighted the added value to the process from the site visit by peer challengers. It also emphasised the importance of Member engagement and raising the profile of the service.
- The process was regarded as resource intensive and by its nature very rigorous, with robust built in scrutiny. As a result it would not be possible to undertake the self assessment in a superficial manner as this would be evident at the challenge stage
- Challengers were recruited from a wide geographical area to ensure reviews were not biased
- Although the Peer Challenge process looked at the infrastructure of the service at the procedural and systems level it did not drill down into the details of operational service delivery as in FSA audits or IAAs. It would not therefore be able to confirm whether individual officers were implementing the systems and following procedures correctly. This further level of assessment is important to assess whether effective controls were in place in food businesses and to validate whether effective service delivery outcomes had been achieved.

4.9 The Peer Challenge Programme has been subject to an independent evaluation, which was completed between August 2009 and March 2010 using a logic model approach to assess the outcomes and impact of the programme. This suggests that all types of local authorities could benefit from the process and that there was strong support for the programme to be sustained.⁵

4.10 The Agency is continuing to work alongside LBRO and other regulators on several initiatives aimed at improving regulatory services while maximising the effective use of LA resources. Notwithstanding the need to ensure adequate assessment of operational delivery, the Agency is looking to take account of the Peer Challenge programme when selecting LAs for central audit and is keen to explore any other

⁵ *The Regulatory Services Peer Challenge Programme Final Evaluation Report is due to be published on LBRO and LACORS websites*

initiatives that may fill the information gap at service delivery level. The outcomes of this focused programme on IAA will be factored into future discussions.

5. Conclusions

- 5.1 The audit programme confirmed that, where IAA schemes are in place, authorities generally find them to be beneficial in improving service delivery in relation to feed and food law enforcement. They can promote consistency between authorities and encourage continual self improvement and the sharing of good practice.
- 5.2 There were considerable inconsistencies between different IAA schemes and also within liaison groups. Significant variations were noted, particularly in relation to the production and implementation of action plans to address audit recommendations. The monitoring of actions taken to address audit recommendations rested with the audited authorities and in some cases action plans were not produced and audit findings were not addressed.
- 5.3 The commitment of different authorities within some FLGs was variable both in terms of the resources allocated to the process and the ability to complete audits in a timely manner within agreed timescales. Local authorities are more likely to allocate valuable staffing resources to participation in an IAA scheme if this is taken into account by the Agency as a valid audit system.
- 5.4 It was clear that IAA schemes can play a significant role in improving the effectiveness of feed and food law enforcement service delivery but only if they are robust and effective with demonstrable outcomes. In order for a scheme to be broadly in line with European Commission audit guidelines for feed and food official controls, and to be sufficiently credible to influence the selection of authorities for central audit by the Agency, an IAA process must include the production of action plans to address any audit recommendations, as well as an effective process for monitoring the implementation of these action plans to ensure that they are satisfactorily completed.
- 5.5 A significant number of LAs have voluntarily taken part in the Regulatory Service Peer Challenge process which comprises an in-depth evidence based self assessment with a built in robust external evaluation. The excellence framework that underpins the process covers the key infrastructure elements of a feed and food law enforcement service. This peer review process does not, however, examine operational service delivery in sufficient detail to assess the individual performance of officers through systematic file and record checks. The Agency alongside LBRO and other regulators is considering other initiatives that may provide the additional detailed elements required to complete the picture.
- 5.6 It is evident that both robust IAA schemes and the Peer Challenge programme can provide valuable information about feed and food law enforcement services in LAs and are excellent tools to effect service improvements, providing resulting action plans and improvement plans are implemented. The Agency therefore supports both initiatives and will be working in consultation with its partners to identify the best means for using these schemes to inform the central audit programme and more specifically the risk based selection of LAs for audit.
- 5.7 In addition to the guidance in Section 7, which summarises the issues that LAs may wish to consider when developing IAA schemes to ensure that they broadly meet European Commission audit guidelines, the Agency, with the aim of supporting local IAA initiatives, will be publishing an IAA toolkit of document templates which may assist FLGs and LAs in the practical aspects of the IAA process.

6. Perceived advantages and disadvantages of IAA

This section provides a summary of the main points arising from discussions held with local authority officers in respect of what they felt were the 'pros and cons' of IAA. With regard to the perceived disadvantages, several FLG's had designed their IAA schemes to address many of these potential weaknesses – see Sections 3.5 ('Good Practice') and Section 7 ('Issues for LAs to Consider') of this report.

Local Authority responses:

Advantages	Disadvantages
Not as onerous and formal as central FSA audit	Not as robust as external accreditation audit
A helpful informal and supportive process between LAs	Voluntary so not all authorities in FLG participated
Not as resource intensive as a central FSA audit	Can be resource intensive – therefore less time for food business inspections
Opportunity to improve service and standards	Where reciprocal audits take place findings can be biased
Opportunity to share good practice with other LAs	Sharing good practice limited by varying auditor perspectives
IAA takes place within timetable convenient to all LAs	Not all LAs adhere to timetable
Action plans used to summarise IAA findings	Not all participating LAs produced action plans as agreed
Voluntary sharing of findings	Not all LAs willing to share negative findings
Audited authority responsible for implementing IAA findings	No system for ensuring IAA recommendations are implemented
Raising profile of service with senior manager and Members	Senior management less interested as not an FSA audit
Ensures consistency across FLG	No mechanism to report findings to Members
Annual review of service - good mechanism for highlighting problems	Where process delayed by some LAs, the findings become irrelevant
Reassurance from colleagues that the service is 'on track'	Process is not tightly controlled and can therefore drift
Improved cooperation between LAs and professions	Not fair on the LAs who want to participate but do not receive an audit or report
Demonstrates commitment to peer review to FSA	Scheme not sustainable due to lack of commitment by some LAs
Improved officer confidence in auditing skills	Can create differences of opinion between LAs in FLG
Greater appreciation of Food Law Code of Practice requirements	Without action plans improvements do not always happen
Useful tool with a positive impact on other parts of the service	Without a formal procedure LAs do not keep to IAA timetable
Provides evidence to senior managers that food safety is being controlled	Difficult to motivate another LA to participate
Good process for the personal development of auditors and auditees	Inconsistency between auditors

7. Issues for LAs to consider for IAA planning development and implementation

	Issues and associated tasks for LAs to consider
Planning	<ul style="list-style-type: none"> • Gain commitment of all the LAs in the FLG to full participation in the IAA scheme. • Consider the setting up of a dedicated Steering Group to plan and oversee the process, consisting of a representative from each participating authority. A successful IAA requires good project management and specific timescales for all actions in the programme. Whether or not a Steering Group is created, a minimum requirement would be a nominated officer to coordinate the scheme and administer the process, acting as a central point of contact for both auditors and auditees. • The selection of the scope of the IAA by Steering Group or FLG – this should be a manageable service area depending on resources and timescales of the proposed process e.g. one area of the standard or the Standard divided into sections, each to be audited over a rolling programme. • The scope should ideally be agreed by the Chief Officers' Group from the participating LAs. The full support of senior management in each participating LA is essential to ensure that the scheme is properly resourced and is therefore sustainable and actively carried out. • As a useful adjunct to file record reviews and discussions with officers, an IAA programme could include verification visits to food premises (reality checks). • A documented IAA protocol developed by either the Steering Group or nominated officers from the FLG, which is agreed by all LAs during the planning stage can ensure consistency and encourage LAs to adhere to agreed timescales. To maintain senior management interest this should be provided to the Chief Officers Group for information. The protocol should cover all stages of the IAA and include the means by which any disputes will be dealt with and describe how the outcomes of the audits will be reported and progressed.
Development	<ul style="list-style-type: none"> • The Steering Group or scheme coordinator to produce an audit timetable and work programme with clear timescales for every stage of the process. • Ideally, and where practicable, 2 auditors from separate LAs to audit a third LA. A 'round robin' system with no reciprocal audits is preferable to minimise bias. One of the auditors to take the lead auditor role. Ideally back up auditors should also be nominated in case of sickness absence to ensure that the IAA timetable does not slip. • The auditors should ideally have demonstrable skills and competence in auditing e.g. lead assessor qualification. The qualification requirements should be agreed by the

	Issues and associated tasks for LAs to consider
	<p>Steering Group or by all members of the FLG. The nominated coordinator would ideally be responsible for validating auditor suitability. To ensure consistency auditors should not take a lead auditor role until they have acted as second auditor for at least 2 audits.</p> <ul style="list-style-type: none"> • Each authority should nominate a suitable audit liaison officer (ALO). This officer is normally responsible for liaising with the auditors throughout the IAA process and ensuring that any documents requested by the auditors are provided both before and during the audit. The ALO should have a very good knowledge of the feed/food service and be able to answer audit protocol questions. The feed/food team manager or lead feed/food officer would be appropriate for this role. • Development of audit documentation. This would be done by the Steering Group or coordinating officer. The majority of IAA schemes use FSA audit templates including pre-visit questionnaires, protocols and checklists⁶. These can be adapted for the scope of the audit selected by the FLG. NB. In response to suggestions arising from this audit programme the Agency will be publishing an IAA toolkit comprising audit templates including suggested opening and closing meeting notes and audit timetables– see Section 5. • It may be useful to arrange a meeting of auditors and audit liaison officers to agree consistency of approach, to discuss any queries about the process, and to provide training to ensure that everyone is familiar with the IAA protocol. • Everyone participating in the IAA should sign up to a confidentiality agreement, so that it is agreed in advance what can and cannot be shared outside the individual audits.
Implementation	<ul style="list-style-type: none"> • The lead auditor to request copies of policies and procedures from the audit liaison officer in addition to a completed pre-visit questionnaire (using FSA template). The timescales for the return of these to be agreed by the Steering Group/FLG and would be stated in the IAA protocol or associated work programme. • An audit timetable and file lists are produced by the lead auditor on receipt of the pre-visit questionnaire and associated documentation. These enable the audited authority to retrieve relevant records for the audit to minimise the on-site audit time. • After a brief opening meeting to check on practical arrangements, the audits are carried out using (adapted FSA) protocols and checklists relevant to the scope of the IAA. • Where a verification visit to a food premises (reality

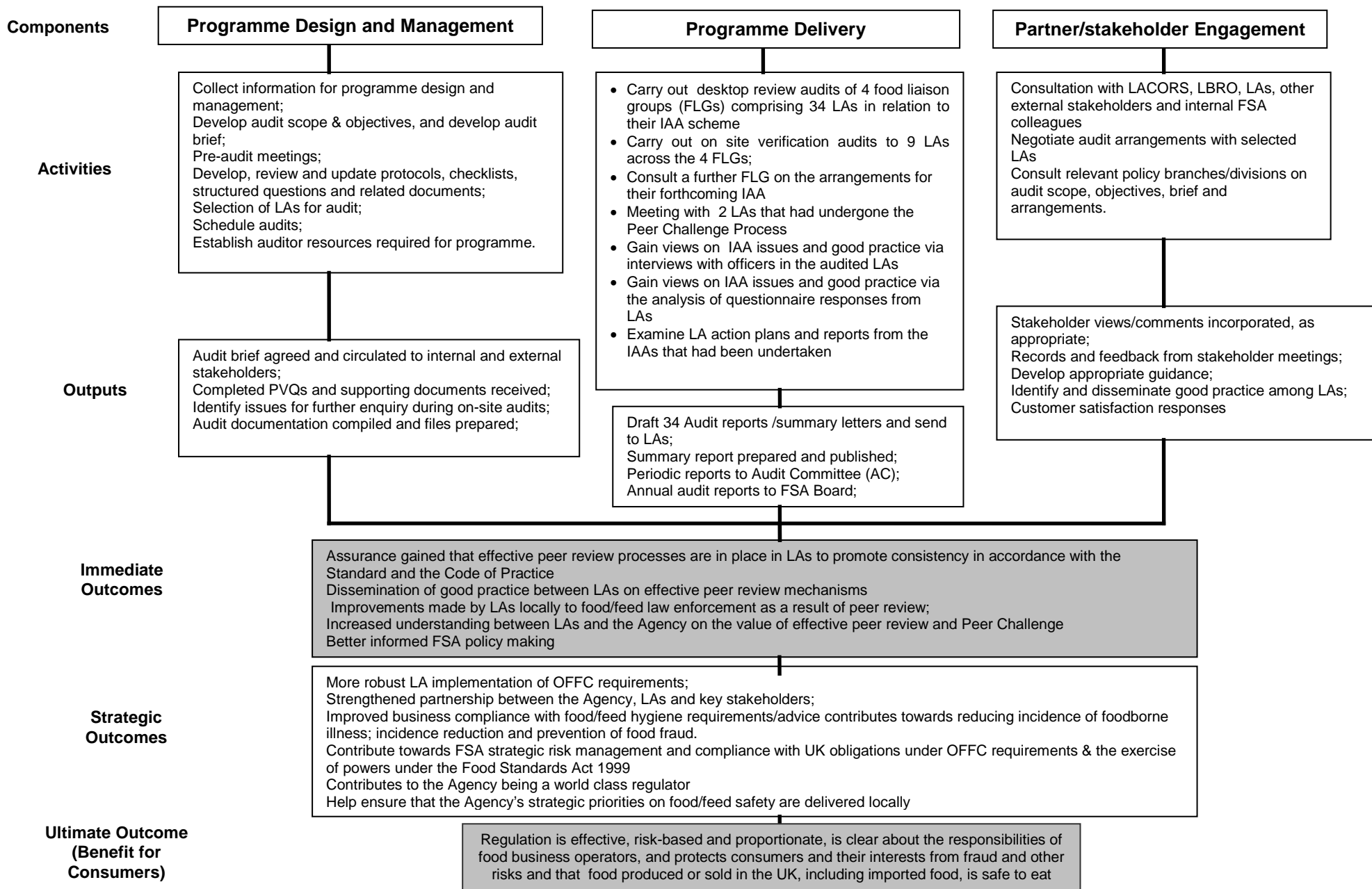
⁶ FSA audit documentation is made available from the Audit and Monitoring section of the FSA website:

	Issues and associated tasks for LAs to consider
	<p>check) has been planned as part of the IAA, the lead auditor should agree, in advance, the selection of a suitable premises with the audited authority.</p> <ul style="list-style-type: none"> • Detailed feedback on audit findings to be provided to the ALO verbally throughout the audit, with a general summary of findings at the closing meeting. • During an IAA the auditors should look for examples of good practice, both in respect of documented policies and procedures and working practices. The audited authority should always be asked if they are prepared to share any documents.
Outcomes	<ul style="list-style-type: none"> • The main aim of a robust feed and food service IAA process should be to gain assurance that the audited area of the food service complies with the Standard, the Feed/Food Law Code of Practice and centrally issued guidance. • For the IAA to be valid, it is essential that where areas requiring improvement are identified, these are notified to the audited authority and documented in the report of the audit. The production and implementation of an action plan by the audited authority is the main outcome of an effective IAA. • The lead auditor to produce a draft report of the audit findings within an agreed timescale (in the audit protocol) to include recommendations for improvement where applicable. • It is up to the FLG whether all individual audit findings are shared within an open forum. However, if the IAA is to inform Agency selection of LAs for central audit, then openness and transparency are important. • The ALO should provide the auditor with any comments on the draft report in a timely manner together with an action plan to address any audit recommendations. (FSA audit report and action plan templates will be made available in the IAA toolkit). The action plans should include dates by which remedial actions are to be completed. • The IAA protocol should provide for the monitoring of action plan implementation. Ideally this would be initially carried out by the lead auditor, with regular reports on progress to FLG meetings to prevent momentum being lost in implementation of improvements. It is beneficial to diarise action plan reviews to ensure that they happen in a timely manner and do not lapse. • The identification and sharing of good practice is also a key aim of IAA. The IAA coordinator or Steering Group would normally collate and agree any examples of good practice before disseminating this to the FLG. • In order to engage and retain the interest of senior management, a report summarising the outcomes of the IAA should be reported to the Chief Officers group. Within

	Issues and associated tasks for LAs to consider
	individual LAs the inclusion of reports on the progress and outcomes of IAA in the Service Plan annual review process can highlight the benefits of partnership working with neighbouring LAs and demonstrate the usefulness of the process in effecting service improvements.
Review	<ul style="list-style-type: none"> • At the end of an IAA cycle there should be a review of the process so that any problems can be ironed out before the next cycle. This would provide each participating authority with an opportunity to suggest what was most and least useful to inform the next IAA planning process.

Audit Programme Logic Model 2009/2010 Quarter 2:

Evaluation of Inter-Authority and Peer Review Processes Carried Out by Local Authorities in Relation to Feed and Food Law Enforcement Services in England



Annexe II: Audit Methodology and Design

The audits were a combination of desktop audit reviews and on-site verification visits. They evaluated local authority IAA and peer review processes through a variety of approaches and methodologies as follows:

- (i) The examination of IAA documentation. Checks of LA file and database records relating to the IAA findings
- (ii) The examination of local authority policies and procedures relevant to the scope of the IAA undertaken
- (iii) Structured interviews with service managers and officers involved in the IAA process either as an auditor or auditee
- (iv) As part of the audit programme planning, the FSA consulted key stakeholders involved in IAA and Peer Review. These included:
 - Local Authority officers with experience of IAA schemes
 - LACORS
 - Local Authorities participating in the Peer Challenge scheme and its development
 - LBRO.

Annexe III – Food Liaison Groups audited

The following FLGs were audited during the programme:

Berkshire Food Liaison Group	
Local Authority	Type of Authority
Bracknell Forest Borough Council	Unitary
Reading Borough Council	Unitary
Royal Borough of Windsor and Maidenhead	Unitary
Slough Borough Council	Unitary
West Berkshire District Council	Unitary
Wokingham Borough Council	Unitary

Derbyshire Food Liaison Group	
Local Authority	Type of Authority
Amber Valley Borough Council	District
Bolsover District Council	District
Chesterfield Borough Council	District
Derby City Council	Unitary
Derbyshire Dales District Council	District
Erewash Borough Council	District
High Peak Borough Council	District
North East Derbyshire Dales District Council	District
South Derbyshire District Council	District

Humber Authorities Food Liaison Group	
Local Authority	Type of Authority
East Riding of Yorkshire Council	Unitary
Hull and Goole Port Health Authority	Port Health Authority
Kingston upon Hull City Council	Unitary
North East Lincolnshire Council	Unitary
North Lincolnshire Council	Unitary

Lancashire Food Liaison Group	
Local Authority	Type of Authority
Blackburn with Darwen Borough Council	Unitary
Blackpool Borough Council	Unitary
Burnley Borough Council	District
Chorley Borough Council	District
Fylde Borough Council	District
Hyndburn Borough Council	District
Lancaster City Council	District
Pendle Borough Council	District
Preston City Council	District
Ribble Valley Borough Council	District
Rossendale Borough Council	District
South Ribble District Council	District
West Lancashire District Council	District
Wyre Borough Council	District

Annexe IV: Summary Report Circulation

Food Standards Agency:

- Internal circulation to relevant policy branches
- Agency website (Enforcement portal)

LBRO

LACORS

Chartered Institute of Environmental Health (CIEH)

Trading Standards Institute (TSI)

Copyright Library

British Library

Library of the House of Commons

Cornwall Council

Coventry City Council

Luton Borough Council

Wolverhampton City Council

Amber Valley Borough Council

Blackburn with Darwen Borough Council

Blackpool Borough Council

Bolsover District Council

Bracknell Forest Borough Council

Burnley Borough Council

Chesterfield Borough Council

Chorley Borough Council

Derby City Council

Derbyshire Dales District Council

East Riding of Yorkshire Council

Erewash Borough Council

Fylde Borough Council

High Peak Borough Council

Hull and Goole Port Health Authority

Hyndburn Borough Council

Kingston upon Hull City Council

Lancaster City Council

North East Derbyshire Dales District Council

North East Lincolnshire Council

North Lincolnshire Council

Pendle Borough Council

Preston City Council

Reading Borough Council

Ribble Valley Borough Council

Rossendale Borough Council

Royal Borough of Windsor and Maidenhead

Slough Borough Council

South Derbyshire District Council

South Ribble District Council

West Berkshire District Council

West Lancashire District Council

Wokingham Borough Council

Wyre Borough Council

Annexe V: Glossary

CIEH	Chartered Institute of Environmental Health
CoP	(Food Law) Code of Practice
CPD	Continuing Professional Development
EC	European Commission
EH	Environmental Health
EHO	Environmental Health Officer
EU	European Union
FLG	Food Liaison Group
IAA	Inter Authority Audit
LA	Local Authority
LACORS	Local Authorities Coordinators of Regulatory Services
LBRO	Local Better Regulation Office
TS	Trading Standards
TSO	Trading Standards Officer
UK	United Kingdom

Annexe VI: Acknowledgements

The Agency is grateful for:

- *the contributions of the following Food Liaison Groups and their officers who participated in the audit programme:*

Berkshire Food Liaison Group
Derbyshire Food Liaison Group
Humber Authorities Food Liaison Group
Lancashire Food Liaison Group

- *the cooperation and assistance of the following local authorities who agreed to have discussions with auditors.*

Cornwall Council
Coventry City Council
Luton Borough Council
Wolverhampton City Council

- *the cooperation and assistance of LACORS and LBRO who agreed to have discussions with the FSA as part of the development of this audit programme.*