



FOOD
STANDARDS
AGENCY

SCOTLAND

Buidheann
Inbhe-Bidhe
an Alba

Report on the Food Law Enforcement Service

The Moray Council

3 - 6 April 2006

Foreword

Audits of Local Authorities' food law enforcement services 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 food law relating to food safety, hygiene, composition, labelling, imported food and feeding stuffs is largely the responsibility of Local Authorities.

The full audit examines the Local Authority's Food Law Enforcement Service. The assessment includes the local arrangements in place for inspections of food businesses and foodstuffs, sampling and analysis, internal management, food safety promotion and educational activities. It is 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.

Agency audits assess Local Authorities' conformance against The Framework Agreement on Local Authority Food Law Enforcement "The Standard", which was published by the Agency and is available on the Agency's website at: <http://www.food.gov.uk/enforcement/>

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 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.

The report contains some statistical data. The Agency's website contains enforcement activity data for all UK Local Authorities and can be found at: <http://www.food.gov.uk/enforcement/>

For assistance a Glossary of technical terms used within the audit report can be found in the Annex to this report.

Contents

	Page	
1.0	Introduction	3
	Reason for the Audit	3
	Audit Scope	3
	Background	3
	Resources	4
2.0	Executive Summary	5
3.0	Audit Findings	6
3.1	Organisation and Management	6
3.2	Review and Updating of Documented Policies and Procedures	7
3.3	Authorised Officers	8
3.4	Facilities and Equipment	10
3.5	Food and Feeding Stuffs Premises Inspections	11
3.6	Food, Feeding Stuffs and Food Premises Complaints	13
3.7	Food and Feeding Stuffs Premises Database	14
3.8	Food and Feeding Stuffs Inspection and Sampling	15
3.9	Food Safety Incidents	16
3.10	Enforcement	17
3.11	Records and Inspection Reports	18
3.12	Internal Monitoring	19
4.0	Previous Audits	20
	Action Plan for The Moray Council	22
	Annex : Glossary	26

1.0 Introduction

- 1.1 This report records the results of the audit under the headings of the Food Standards Agency Food Law Enforcement Standard. It is publicly available on the Food Standards Agency website at: <http://www.food.gov.uk/enforcement/audits>

Reason for the Audit

- 1.2 The power to set standards, and monitor and audit Local Authority food law enforcement services was conferred on the Food Standards Agency by the Food Standards Act 1999. The audit of the food service at The Moray Council was undertaken under section 12(4) of the Act as part of the Agency in Scotland's core audit programme.

Audit Scope

- 1.3 The audit covered The Moray Council's food hygiene, food standards and feeding stuffs law enforcement service. The on-site element of the audit took place at the Authority's Environmental Health and Trading Standards offices, in High Street, Elgin, between 3 and 6 April 2006.

- 1.4 This core audit covered the following elements of The Standard:

- Organisation and Management
- Review and Updating of Documented Policies and Procedures
- Authorised Officers
- Facilities and Equipment
- Food and Feeding Stuffs Premises Inspections
- Food, Feeding Stuffs and Food Premises Complaints
- Food and Feeding Stuffs Premises Database
- Food and Feeding Stuffs Inspection and Sampling
- Food Safety Incidents
- Enforcement
- Records and Inspection Reports
- Internal Monitoring

Background

- 1.5 The Moray Council is responsible for a predominantly rural area covering 861 square miles in the north-east of mainland Scotland. The area's population of around 87,720 is expected to increase gradually to around 90,000 in the period to 2014.
- 1.6 Almost 60% of the area's population lives in the five main towns of Elgin, Buckie, Forres, Keith and Lossiemouth, although the overall population density is low at around 10 persons per square mile.
- 1.7 The main sectors of the local economy focus on fishing, agriculture, whisky distilling, food processing and tourism.

Resources

- 1.8 The Service Plan indicates that ten fully qualified Environmental Health Officers, one Food Safety Officer, one Support Services Officer, one Senior Trading Standards Officer and one Enforcement Officer are involved in food and feeding stuffs law enforcement.
- 1.9 Officers have a multi-disciplinary role and therefore have responsibilities for other environmental health and trading standards activities. A time recording exercise indicated that four full time equivalent (FTE) Officers are involved in food law enforcement.
- 1.10 The Authority stated in pre-audit documentation that approximately 3.73 FTE Officers were involved in food law enforcement and 0.45 FTE Officers were involved in feeding stuffs law enforcement at the time of the audit.
- 1.11 The overall Environmental Health budget of £1,092,000 included £63,237 additional funding through the Scottish Executive Rural Affairs Department resulting from the Pennington Group Report. However, the Authority's specific budget allocation figures for food and feeding stuffs law enforcement for 2005/2006 were not stated in the Service Plan.

	Budget
Staffing	Not Stated
Travel and Subsistence	Not Stated
Equipment	Not Stated
Sampling Budget	Not Stated
Total	Not Stated

Executive Summary

- 2.1 The Moray Council is a Scottish Unitary Local Authority and therefore has responsibility for enforcing food hygiene, food standards and feeding stuffs law in the Moray district;
- 2.2 Moray is home to some very well-known food manufacturers and producers. Food that is produced in Moray is distributed and sold throughout the world and is an important part of the local economy;
- 2.3 Approximately 1155 businesses in the Authority's area are subject to food law enforcement. There are also 251 registered establishments under feeding stuffs legislation;
- 2.4 The Authority has Service Plans covering food hygiene, food standards and feeding stuffs law enforcement that generally meet the requirements of the Service Planning Guidance in the Framework Agreement, although it has not been approved by the Authority;
- 2.5 An annual review based on the Service Plans has been carried out although it has not been reported to the appropriate Member forum;
- 2.6 The Authority has appointed authorised Officers and inspectors to enforce food and feeding stuffs law, although the number of food Officers in post is less than the number required to deliver the minimum level of service required;
- 2.7 Qualification and training records for Officers who are authorised to enforce the Food Safety Act demonstrate that Officers are appropriately qualified although not all are receiving sufficient continuing professional development;
- 2.8 Some food hygiene premises inspections are not being conducted at the required minimum frequencies;
- 2.9 Documentation relating to the inspection of establishments that are subject to product-specific food hygiene legislation is insufficiently detailed in some cases to determine whether inspections have assessed compliance with all aspects of the relevant legislation, Code of Practice and centrally issued guidance;
- 2.10 Sampling programmes for food and feeding stuffs have been developed and are being implemented. Adverse sample results are followed-up appropriately.
- 2.11 Service performance is being monitored in some areas but needs to be extended to cover all activities that are required to be monitored by the Code of Practice.

3.0 Audit Findings

3.1 Organisation and Management

- 3.1.1 The Authority has a 2005-2006 Food Law Enforcement Service Plan covering food hygiene, food standards and feeding stuffs enforcement that includes a performance review based on the previous year's service plan.
- 3.1.2 The service to be delivered under the plan is linked to the Authority's corporate aims and objectives, and generally meets the requirements of the service planning guidance in the Framework Agreement, except that the Service Plan has not been submitted to the relevant Member forum for approval.
- 3.1.3 The Code of Practice enables Authorities to adopt alternative enforcement strategies for food businesses in the lowest food hygiene and / or food standards risk-rating categories. The Authority has not adopted any alternative enforcement strategies, and all food businesses should therefore be inspected in accordance with their risk-ratings.
- 3.1.4 The Code of Practice requirement for Authorities to document their approach to food law enforcement in their own premises, either in the Service Plan or the Enforcement Policy, has not yet been actioned.

3.1.5 *Non Conformities*

The Authority's Food Enforcement Service Delivery Plan has not been submitted to the relevant Member forum for approval as required by the Service Planning Guidance in Chapter 1 of the Framework Agreement.
[The Standard – 3.1]

The Authority should document its approach to food law enforcement in its own premises, either in its Service Plan or Enforcement Policy, as required by the Service Planning Guidance in Chapter 1 of the Framework Agreement.
[The Standard – 3.1]

The performance review based on the service delivery plan has not been submitted for appropriate annual member approval.
[The Standard – 3.2]

3.2 Review and Updating of Documented Policies and Procedures

- 3.2.1 The Authority has a system for controlling documents, including policies, procedures and standard forms for the enforcement activities covered by the Standard in the Framework Agreement.
- 3.2.2 Officers have access to up to date copies of relevant documents, including legislation, the Code of Practice and Practice Guidance, Industry Guides, and other appropriate documentation.
- 3.2.3 Master copies of policies, procedures and standard documents are held on the internal computer network or in hard copy format and are available to Officers as and when required.
- 3.2.4 Up to date copies of other documents are available online via the Internet which is accessible from Officers' desktop Personal Computers.
- 3.2.5 Internal policies and procedures are generally up to date and take account of the new food legislation that came into force on 1 January 2006.

3.2.6	<i>Non Conformity</i>
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	None in this section
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3.3 Authorised Officers

- 3.3.1 The Authority has a documented procedure for the authorisation of Officers, and delegated powers that were updated in October 2003 give the Director of Environmental Services and the Head of Development Services general authority to appoint and authorise Officers.
- 3.3.2 Officers are issued with authorisation documents that have been signed in accordance with the scheme of delegation.
- 3.3.3 Authorisations of Environmental Health and Food Safety Officers cover the Food Safety Act, the Food and Environment Protection Act, the European Communities Act, and Regulations made under those Acts.
- 3.3.4 Trading Standards staff are authorised to enforce the Agriculture Act, the European Communities Act and Regulations made under those Acts, which includes feeding stuffs legislation.
- 3.3.5 Qualification and training records for the environmental health staff that were examined during the audit demonstrate that Officers are appropriately qualified for the range of duties they have been authorised to perform.
- 3.3.6 Training records of relevant environmental health staff include the content and duration of training that has been provided, but some are failing to meet the minimum 10 hours continuing development training requirement.
- 3.3.7 The Authority has a corporate Employee Review and Development Programme that is designed to identify and document Officers' training needs, but records that were seen during the audit showed that this had not been implemented for some years.
- 3.3.8 The identification of training needs is not being carried out systematically, and the programming and provision of continuing development training is not planned. It takes place on an ad hoc basis.
- 3.3.9 The Authority is required to appoint sufficient Authorised Officers to carry out the work set out in the Service Delivery Plan.
- 3.3.10 A review of the Environmental Health Service was carried out in 2004/2005 and reported to the Environmental Services Committee in February 2005. The review covered the food enforcement service and concluded that 4 additional staff were required to undertake statutory environmental health duties.
- 3.3.11 The minutes indicate that the committee noted this conclusion, agreed a short-term solution, asked for the workload, performance indicators and staff resources to be monitored, and requested a further report by September 2005. This further report had not been made at the time of the audit, however the Director has subsequently submitted a report to the Corporate Management Team and Service Development Group

3.3.12 The Authority needs to consider and resolve this issue and ensure that the food law enforcement service meets minimum required performance standards.

3.3.13 The Authority has appointed appropriate lead Officers with responsibility for food safety and food standards legislation as required by the Food Safety Act Code of Practice, and for feeding stuffs legislation.

3.3.14 *Non Conformity*

The Authority has not appointed a sufficient number of authorised Officers to carry out the work set out in the approved service delivery plan.

[The Standard – 5.3]

The Authority has not ensured that its Officers' continuing professional development is in accordance with the Code of Practice.

[The Standard – 5.3]

The Authority has not set up, maintained and implemented a documented training programme.

[The Standard – 5.4]

3.4 Facilities and Equipment

- 3.4.1 The Authority has made available the necessary facilities and equipment to permit activities associated with the service to be carried out.
- 3.4.2 There is a documented procedure covering the calibration and maintenance of equipment that includes the measures that are to be taken to ensure that equipment is removed from service when found to be defective.
- 3.4.3 Records that were checked during the audit demonstrated that equipment is being checked and calibrated in accordance with the documented procedure and calibration certificates are being kept.
- 3.4.4 It was evident from reports that were requested and produced during the course of the audit that the computer system is capable of providing information required by the Food Standards Agency.
- 3.4.5 The Authority has security and backup systems that it is satisfied are sufficient to minimise the risk of corruption or loss of information held on the database.

3.4.6	<i>Non Conformity</i> None in this section
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3.5 Food and Feeding Stuffs Premises Inspections

- 3.5.1 The Authority has documented inspection procedures covering food safety, food standards and feeding stuffs premises inspections that have been updated to cover food hygiene inspections under EC Regulations.
- 3.5.2 There are also standard inspection forms for food safety and food standards inspections, and for the inspection of premises that are subject to feeding stuffs legislation.
- 3.5.3 Standard inspection forms were not, however, always used in relation to the food hygiene and standards inspections that were checked during the audit, and in some cases where they had been used they had not been fully completed.
- 3.5.4 Where forms had been fully completed there was a comprehensive record of the business concerned and the inspection that has been carried out.

Food Hygiene and Standards

- 3.5.5 Files relating to ten food business premises that had been inspected under general hygiene regulations, ten premises inspected under food standards legislation, and ten premises that had been approved under product-specific hygiene regulations were checked during the course of the audit.
- 3.5.6 Only six of the ten businesses that were subject to the general food hygiene regulations that were checked during the audit had been inspected at the correct frequency, as determined by the Code of Practice food hygiene risk rating.
- 3.5.7 Primary and secondary inspections of three of the ten establishments that had been approved under product specific food hygiene regulations that were checked had not been conducted at the correct frequency, having regard to the inspection frequency for such establishments in the Code of Practice.
- 3.5.8 In two cases, inspections under the relevant product-specific hygiene legislation did not appear to have been undertaken for some time.
- 3.5.9 A report that was produced from the database during the audit showed that a number of food hygiene and food standards inspections were overdue, some going back a number of years. In some cases food businesses in the highest risk categories had not been inspected at the correct frequency.
- 3.5.10 It was also evident that not all of the food businesses that had been included in the Authority's food hygiene inspection programme had also been included in the Authority's food standards inspection programme.

Feeding Stuffs

- 3.5.11 The Authority had registered 251 premises under feeding stuffs legislation, all of which had been risk-rated under the LACORS scheme and included in the Trading Standards planned inspection programme.

3.5.12 *Non Conformities*

The Authority is not carrying out all food hygiene inspections at a frequency that is not less than that determined under the inspection rating system set out in the Code of Practice.

[The Standard - 7.1]

In relation to product-specific food hygiene legislation, the Authority is not able to demonstrate that it is conducting inspections and/or approvals in accordance with the relevant legislation, the Code of Practice and centrally issued guidance.

[The Standard – 7.2]

3.6 Food, Feeding Stuffs and Food Premises Complaints

- 3.6.1 The Authority has a documented policy and procedure covering the investigation of consumer complaints about food and feeding stuffs and complaints about the hygiene of food premises.
- 3.6.2 Records of four complaints about food, five complaints about the hygiene of food premises, and one feeding stuffs complaint were examined during the course of the audit. These were compared against the Code of Practice, centrally issued guidance, and the Authority's own documented procedures.
- 3.6.3 All the complaints had generally been investigated appropriately in accordance with relevant documented procedures and centrally issued guidance. Full details were available either on file or recorded on the database, although it was not evident in relation to one food complaint whether the result of the investigation had been conveyed to the complainant.

3.6.4	<i>Non Conformity</i>
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	None in this section
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3.7 Food and Feeding Stuffs Premises Database

- 3.7.1 The Authority has set up a database of premises in its area that are subject to food and feeding stuffs enforcement but does not currently have a documented Procedure for keeping the database accurate and up to date.
- 3.7.2 At the time of the audit the Authority was just beginning to use a new database system and was taking the opportunity to review and clean the data that had been transferred from the old system to the new.
- 3.7.3 Ten food business addresses were randomly selected from the local business directory and checked against the database. All of these had been recorded on the database, and all had been risk-rated and included in the food hygiene and food standards inspection programmes.
- 3.7.4 One business had been listed in the business directory at the traders home address but was correctly recorded on the database at the trading address.
- 3.7.5 Spreadsheets that were produced from the database during the audit showed a difference in numbers of premises that were included in the food hygiene and food standards inspection programmes. The data also included businesses that had been closed for some time. The Authority had already identified a need to validate and clean the data that had been transferred from the old system to the new.
- 3.7.6 A check of the monitoring data that the Authority had sent to the Agency revealed transcription errors that created a misleading picture of the Authority's food law enforcement activities. The forward plan data for 2005-2006 needed to be corrected and procedures introduced to check and validate the data before future returns are sent to the Agency.

3.7.7 *Non Conformity*

The Authority has not set up, maintained and implemented a documented procedure to ensure that its food premises database is accurate and up to date.

[The Standard – 11.2]

3.8 Food and Feeding Stuffs Inspection and Sampling

- 3.8.1 The Authority has comprehensive documented policies and procedures covering food sampling for microbiological examination, chemical analysis, and for the sampling of feeding stuffs.
- 3.8.2 The Authority also has food and feeding stuffs sampling programmes covering participation in co-ordinated surveys, sampling of locally produced food and feed, and sampling in connection with consumer complaints and other incidents.
- 3.8.3 The sampling of feeding stuffs is programmed for the winter months when on-farm mixers are actually mixing and using feeding stuffs.
- 3.8.4 The auditors examined records of eight food samples, four of which had been submitted as a result of consumer complaints. All eight samples were reported as being unsatisfactory.
- 3.8.5 Samples and results had been correctly recorded on the database and unsatisfactory results had been notified to the business concerned and appropriately followed-up.
- 3.8.6 There had been no feeding stuffs samples in the year prior to the audit. Feeding stuff sampling is programmed to take place during the period when on-farm mixing is taking place. Ten feeding stuffs samples were due to be taken in the month following the audit.

3.8.7	<i>Non Conformity</i>
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	None in this section
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3.9 Food Safety Incidents

- 3.9.1 The Authority has a computer e-mail system that is capable of receiving Food Alerts that are issued by the Food Standards Agency.
- 3.9.2 There is also a documented procedure for dealing with Food Safety Incidents that has been updated to take account of the Food Alert system introduced by the new Code of Practice that was issued in Scotland in October 2004.
- 3.9.3 The auditors examined records of ten Food Alerts that had been issued by the Food Standards Agency Scotland in the weeks prior to the audit.
- 3.9.4 Nine of these food alerts were for information only, and the tenth required the Authority to take action during the next routine inspection.
- 3.9.5 Records indicated that all ten food alerts had been received. and copies of all ten were available in hard copy format.
- 3.9.6 The records included the details of action that had been taken, and the outcome in the nine cases that were for information. The full outcome of the alert requiring action during the next inspection was unknown at the time of the audit.

3.9.7	<i>Non Conformity</i>
	None in this section

3.10 Enforcement

- 3.10.1 The Authority has a documented Environmental Health and Trading Standards Enforcement Policy covering food and feeding stuffs enforcement that had been approved by the Technical and Leisure Services Committee in March 2000.
- 3.10.2 The policy covers the range of enforcement options from informal action to the seizure or detention food, emergency prohibition and report to the Procurator Fiscal.
- 3.10.3 The Enforcement Policy is supplemented by a documented Enforcement Decisions Procedure that guides Officers towards a proportionate response that is appropriate to the circumstances of each case.
- 3.10.4 It was evident from the records were examined during the course of the audit that the Authority's general approach is to use informal options and voluntary procedures to secure compliance, combined with the service of minded-to and improvement notices where necessary.
- 3.10.5 Officers used of a range of informal and formal enforcement options, including letters, "minded-to" notices, voluntary surrenders of food for destruction, improvement notices, and references to the Procurator Fiscal for prosecution.
- 3.10.6 Minded-to notices had been served prior to the service of improvement notices in all cases, and improvement notices had been drafted and addressed in accordance with legal requirements and centrally issued guidance.
- 3.10.7 Voluntary surrenders of food were well documented and certificates generally conformed to centrally issued guidance. The two voluntary closures of businesses that had been undertaken appeared to have been appropriate in the circumstances.
- 3.10.8 There was, however, no evidence that letters had been sent to proprietors to confirm that measures taken had been sufficient to comply with improvement notices.
- 3.10.9 Decisions on appropriate options appeared to have taken account of the particular circumstances of each case, and in the cases that the auditors examined, the decisions appeared to have been proportionate and correct.

3.10.10 *Non Conformity*

In accordance with centrally issued guidance, the Authority has not confirmed in writing to food business proprietors that improvement notices have been complied with.

[The Standard – 15.2]

3.11 Records and Inspection Reports

- 3.11.1 Records of complaints and food and feeding stuffs samples were generally comprehensive, well maintained, and gave a good picture of these activities.
- 3.11.2 In relation to food hygiene and food standards inspections, inspection records were of a variable quality, depending on how well the inspection record form had been completed.
- 3.11.3 Correspondence with food business proprietors did not generally refer to any food standards issues, and there was frequently a significant interval between the inspection and the post-inspection report to the proprietor.
- 3.11.4 The auditors recognised that some of the approvals for product specific premises went back more than ten years in some cases, but the Authority should take steps to update the records of these establishments so as to meet the current requirements of the Code of Practice.
- 3.11.5 Inspections of feeding stuffs premises were detailed on the computer system, and records were generally comprehensive and well maintained. There had been no feeding stuffs sampling during the financial year.

3.11.6 *Non Conformity*

The Authority has not maintained up to date, accurate records for all food premises in its area in accordance with the Food Safety Act Code of Practice. Records are incomplete or missing in relation to reports of inspections and visits and the determination of compliance with legal requirements made by authorised Officers.

[The Standard – 16.1]

3.12 Internal Monitoring

3.12.1 The Authority had a documented procedure for monitoring food law enforcement and there was evidence that performance indicators for food hygiene inspections were being routinely monitored.

3.12.2 However, there was no monitoring of the quality and consistency of food law inspections or of the other aspects of the food enforcement service that are required to be monitored by the Code of Practice.

3.12.3 *Non Conformity*

The Authority has not verified its conformance with The Standard, relevant legislation, the Food Safety Act Code of Practice, relevant centrally issued guidance and the Authority's own documented policies and procedures.
[The Standard – 19.2]

4.0 Previous Audits

- 4.1 The Moray Council's Food Standards Agency audit files for 2001, 2002 and 2003 have been closed as the Authority has fully implemented its action plans in relation to those audits.

- 4.2 However, some of the observations contained in this report are similar to observations that were made in the Authority's previous audit reports.

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ACTION PLAN FOR THE MORAY COUNCIL

TO ADDRESS (NON CONFORMITY INCLUDING STANDARD PARAGRAPH)	BY (date)	IMPROVEMENTS PLANNED	COMMENTS
<p>The Authority's Food Enforcement Service Delivery Plan has not been submitted to the relevant Member forum for approval as required by the Service Planning Guidance in Chapter 1 of the Framework Agreement. [The Standard – 3.1]</p>	30/09/06	<p>The Food Enforcement Service Delivery Plan will be submitted to Environmental Services Committee following receipt of the final audit report.</p>	
<p>The Authority should document its approach to food law enforcement in its own premises, either in its Service Plan or Enforcement Policy, as required by the Service Planning Guidance in Chapter 1 of the Framework Agreement. [The Standard – 3.1]</p>	30/09/06	<p>The issue has been subject to discussion with relevant departments over the previous 17 months. A policy will be finalised and added to the Service Delivery Plan.</p>	
<p>The performance review based on the service delivery plan has not been submitted for appropriate annual member approval. [The Standard – 3.2]</p>	30/09/06	<p>The review for 05/06 will be submitted to the Environmental Services Committee with the Service Delivery Plan.</p>	
<p>The Authority has not appointed a sufficient number of authorised Officers to carry out the work set out in the approved service delivery plan. [The Standard – 5.3]</p>	Ongoing	<p>A report will be submitted to the Environmental Services Committee highlighting necessary staff resources to carry out the work set out in the Service Delivery Plan.</p>	

<p>The Authority has not ensured that its Officers' continuing professional development is in accordance with the Code of Practice. [The Standard – 5.3]</p>	<p>30/09/06</p>	<p>A CPD programme and record will be developed to ensure compliance with the Food Safety Code of Practice. The ERDP programme will be completed.</p>	
<p>The Authority has not set up, maintained and implemented a documented training programme. [The Standard – 5.4]</p>	<p>30/09/06</p>	<p>A training programme and record will be developed to ensure compliance with the Food Safety Code of Practice. The ERDP programme will be completed.</p>	
<p>The Authority is not carrying out all food hygiene inspections at a frequency that is not less than that determined under the inspection rating system set out in the Code of Practice. [The Standard - 7.1]</p>	<p>01/04/06 02/08/06 Unknown</p>	<p>Work is being prioritised to improve frequency of high risk inspections.</p> <p>An alternative enforcement Strategy will be introduced.</p> <p>This Authority has had one vacant EHO post since December 05 despite being advertised twice. As you are aware a report will be submitted to Committee in an effort to ensure that adequate resources are made available to fulfil our statutory obligations.</p>	

<p>In relation to product-specific food hygiene legislation, the Authority is not able to demonstrate that it is conducting inspections and/or approvals in accordance with the relevant legislation, the Code of Practice and centrally issued guidance. [The Standard – 7.2]</p>	<p>31/08/06</p>	<p>Inspections and/or approvals will be conducted in accordance with the relevant legislation, the Code of Practice, and centrally issued guidance. All such activities will be recorded.</p> <p>The re-issue of approvals in accordance with current legislation will be completed when the Code of Practice is published and a determination of which businesses require approval can be made.</p>	
<p>The Authority has not set up, maintained and implemented a documented procedure to ensure that its food premises database is accurate and up to date. [The Standard – 11.2]</p>	<p>30/09/06</p>	<p>A substantial amount of work is required in connection with the new food premises database and a new documented procedure will be implemented.</p>	
<p>In accordance with centrally issued guidance, the Authority has not confirmed in writing to food business proprietors that improvement notices have been complied with. [The Standard – 15.2]</p>	<p>01/04/06</p>	<p>Written confirmation will be provided to businesses that the Improvement Notice has been complied with.</p>	
<p>The Authority has not maintained up to date, accurate records for all food premises in its area in accordance with the Food Safety Act Code of Practice. Records are incomplete or missing in relation to reports of inspections and visits and the determination of compliance with legal requirements made by authorised Officers. [The Standard – 16.1]</p>	<p>Ongoing</p>	<p>The Authority will ensure it maintains all necessary records for all premises.</p>	

<p>The Authority has not verified its conformance with The Standard, relevant legislation, the Food Safety Act Code of Practice, relevant centrally issued guidance and the Authority's own documented policies and procedures. [The Standard – 19.2]</p>	<p>Ongoing at present</p>	<p>A report will be submitted to Environmental Services Committee highlighting necessary staff resources to carry out enhanced monitoring to verify conformance with the Standard</p>	
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ANNEX

Glossary

Agricultural Analyst	A person, holding the prescribed qualifications, who is formally appointed by a Local Authority to analyse feeding stuffs samples.
Approved premises	Food manufacturing premises that has been approved by the Local Authority, within the context of specific legislation, and issued a unique identification code relevant in national and/or international trade.
Authorised Officer	A suitably qualified Officer who is authorised by the Local Authority to act on its behalf in, for example, the enforcement of legislation.
Best Value	<p>A Government policy which seeks to improve local government performance in the delivery of services to local communities – from education and care for the elderly through to environmental health and road maintenance. Best Value aims to ensure that the cost and quality of these services are of a level acceptable to local people by:</p> <ul style="list-style-type: none">• increasing the role of local people in deciding the priorities for local government services• improving the way authorities manage and review their business• building on the experience and expertise of staff.
Border Inspection Post	Point of entry into the UK from non-EU countries for products of animal origin.
Codes of Practice	Government Codes of Practice issued under Section 40 of the Food Safety Act 1990 as guidance to Local Authorities on the enforcement of food legislation.
Enforcement Concordat	Government guidance setting out principles and procedures of good enforcement which Local Authorities may adopt. Developed in consultation with businesses, local and central government, consumer groups and other interested parties. It sets out what businesses and others being regulated can expect from enforcement Officers.
Environmental Health Officer (EHO)	Officer employed by the Local Authority to enforce food safety legislation.
Feeding stuffs	Term used in legislation on feed mixes for farm animals and pet food.
Food Examiner	A person holding the prescribed qualifications who undertakes microbiological analysis on behalf of the Local Authority.
Food Alerts	This is a system operated by the Food Standards Agency to alert the public and Local Authorities to national or regional problems concerning the safety of food.
Food hygiene	The legal requirements covering the safety and wholesomeness of food.
Food standards	The legal requirements covering the quality, composition, labelling, presentation and advertising of food, and materials in contact with food.

Framework Agreement	<p>The Framework Agreement consists of:</p> <ul style="list-style-type: none"> • Food Law Enforcement Standard • Service Planning Guidance • Monitoring Scheme • Audit Scheme <p>The Standard and the Service Planning Guidance set out the Agency's expectations on the planning and delivery of food law enforcement.</p> <p>The Monitoring Scheme requires Local Authorities to submit quarterly returns to the Agency on their food enforcement activities i.e. numbers of inspections, samples and prosecutions.</p> <p>Under the Audit Scheme the Food Standards Agency will be conducting audits of the food law enforcement services of Local Authorities against the criteria set out in the Standard.</p>
Full Time Equivalents (FTE)	<p>A figure which represents that part of an individual Officer's time available to a particular role or set of duties. It reflects the fact that individuals may work part-time, or may have other responsibilities within the organisation not related to food enforcement.</p>
HACCP	<p>Hazard Analysis Critical Control Point – a food safety management system used within food businesses to identify points in the production process where it is critical for food safety that the control measure is carried out correctly, thereby eliminating or reducing the hazard to a safe level.</p>
Home Authority	<p>An authority where the relevant decision making base of an enterprise is located and which has taken on the responsibility of advising that business on food safety/food standards issues. Acts as the central contact point for other enforcing authorities' enquiries with regard to that company's food related policies and procedures.</p>
Improvement notice	<p>A notice served by an Authorised Officer of the Local Authority under Section 10 of the Food Safety Act 1990, requiring the proprietor of a food business to carry out suitable works to ensure that the business complies with the requirements of food hygiene or food processing legislation.</p>
Inter Authority Auditing	<p>A system whereby Local Authorities might audit each others food law enforcement services against an agreed quality standard.</p>
Member forum	<p>A Local Authority forum at which Council Members discuss and make decisions on food law enforcement services.</p>
Minded to Notice	<p>A notice served by an Authorised Officer of the Local Authority under the Deregulation (Improvement of Enforcement Procedures) (Food Safety Act 1990) Order 1996. This notice is served prior to an 'improvement notice' and gives food business proprietors a specified period to make either a written or oral representation to the enforcement Authority about the enforcement action.</p>
Monitoring/OCD returns	<p>Returns on local food law enforcement activities required to be made to the European Union under the Official Control of Foodstuffs Directive.</p>
Originating Authority	<p>An authority in whose area a business produces or packages goods or services and for which the Authority acts as a central contact point for other enforcing authorities' enquiries in relation to the those products</p>
Public Analyst	<p>An Officer, holding the prescribed qualifications, who is formally appointed</p>

by the Local Authority to carry out chemical analysis of food samples.

Risk rating	A system that rates food premises according to risk and determines how frequently those premises should be inspected. For example, high risk premises should be inspected at least every 6 months.
Service Plan	A document produced by a Local Authority setting out their plans on providing and delivering a food service to the local community.
Trading Standards	The Department within a Local Authority which carries out, amongst other responsibilities, the enforcement of feeding stuffs legislation.
Trading Standards Officer (TSO)	Officer employed by the Local Authority who, amongst other responsibilities, may enforce food standards and feeding stuffs legislation.
Unrated premises	Food premises which have not yet been inspected to allocate a risk rating. These are often premises that have recently opened or are about to open.